

Sec. 17. Appropriation.—The sum of \$25,000 is herewith appropriated to be immediately available and for the fiscal year ending June 30, 1940 and the sum of \$15,000 is hereby appropriated for the fiscal year ending June 30, 1941, for the purpose of carrying out the provisions of this act.

Sec. 18. Provisions severable.—If any provision of this act, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this act, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

Sec. 19. Minnesota Labor Relations Act.—This act may be cited as the “Minnesota Labor Relations Act”.

Sec. 20. Laws repealed.—Subsection (4) of Section 4046, Mason’s Minnesota Statutes of 1927 and all acts or portion of acts inconsistent herewith are hereby repealed.

Approved April 22, 1939.

CHAPTER 441—H. F. No. 601

An act creating a department of Civil Service for the State of Minnesota; prescribing the powers, duties, and procedure of the Civil Service Board and the Director of the State Civil Service in said department; providing for and regulating the Civil Service in said state; prescribing penalties for the violation of the provisions of this act; amending Mason’s Minnesota Statutes of 1927, Sections 53-1, 53-7, and the 1938 Minnesota Supplement to Mason’s Minnesota Statutes of 1927, Chapter 3A, and repealing Mason’s Minnesota Statutes of 1927, Section 53-11, relating to the organization of state government; and amending the 1938 Supplement to Mason’s Minnesota Statutes of 1927, Section 9950-7, relating to the Bureau of Criminal Apprehension; and amending the 1938 Supplement to Mason’s Minnesota Statutes of 1927, Section 4337-80 (e), relating to the powers of the commission administering the Minnesota Unemployment Compensation Law and the personnel of said department; amending the 1938 Supplement to Mason’s Minnesota Statutes of 1927, Section 53-23½ 1 (e), relating to the powers of the Commissioner of Conservation; repealing Mason’s Minnesota Statutes of 1927, Sections 3861, 3863, 3864, and the 1938 Supplement to Mason’s Minnesota Statutes of 1927, Section 3862, relating to inspectors in the

Dairy and Food Department; and superseding the 1938 Supplement to Mason's Minnesota Statutes of 1927, Sections 4368, 4369 and 4369-1; and repealing all other acts and parts of acts inconsistent with the provisions of this act, and continuing certain salary and wage schedules for a limited time.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. Law amended.—Mason's Minnesota Statutes of 1927, Section 53-1, is hereby amended to read as follows :

"53-1. **Department of Civil Service created.**—The following departments and agencies of the state government are hereby created and established, to be designated and known respectively as follows: The Executive Council, the Department of Administration and Finance, the Department of Conservation, the Department of Drainage and Waters, the Department of Dairy and Food, the Department of Agriculture, the Department of Commerce, the Department of Health, the Department of Education, the Department of Highways, the Department of Labor and Industry, the Department of Public Institutions, the Department of Taxation, the Department of Rural Credit, and the Department of Civil Service."

Sec. 2. Law amended.—The 1938 Supplement to Mason's Minnesota Statutes of 1927, Chapter 3A, is hereby amended by inserting a new section to be known as section 53-41A, to read as follows :

"53-41A: **Personnel of department.**—*The Department of Civil Service shall consist of the civil service board and director of the state civil service and all officers and employees appointed by the director pursuant to law.*"

Sec. 3. Civil Service Board created.—Members—Terms.—The civil service board of the state of Minnesota is hereby created and established. It shall consist of three members, who shall be appointed by the governor with the consent of the senate without regard to party affiliation. The governor shall appoint the first members of the board within 30 days after the passage of this act. No member of the board shall hold any other public office or public employment whatsoever, the office of notary public or a military office excepted, and no person shall be appointed as a member of the board who has held a paid position in a political party within the two years immediately preceding his appointment. In appointing the first three members of the board the governor shall designate one member for a term expiring February 1, 1941, a second member for a term expiring February 1, 1943, and a

third member for a term expiring February 1, 1945. The terms of all subsequent members of the board shall be six years and until their successors are appointed and qualified. The governor may remove a member of the board only upon written charges after said member has been given a copy of the charges against him and an opportunity to be heard publicly on such charges before the governor. A copy of the charges and a transcript of the record of the hearing shall be filed with the secretary of state. Vacancies in the membership of the board shall be filled by the governor, with the consent of the senate. The term of a member appointed to fill a vacancy shall be for the remainder of the unexpired term of the member he is appointed to succeed, and until his successor is appointed and qualified. Each member shall take an oath of office before entering upon the duties of office. The chairman of the board shall be chosen by the members of the board from among their own number under such rules as they shall make. The chairman shall have the powers of a presiding officer.

The civil service board shall maintain its principal office in such space as shall be provided for it by the proper state officials and shall maintain its records at said principal office, and shall hold its regular meetings there, but special meetings may be held in other cities in the state when in the discretion of the chairman it is necessary to meet in some other city than the capitol city of the state in the performance of the duties of the board. Meetings of the board shall be open to the public and no meetings or hearings of the board shall be held unless at least two members of the board are present. The director of the state civil service shall act as the secretary of the board. The board shall keep records and minutes of its business and official actions, and such records and minutes shall be public records open to public inspection, subject to such rules as to hours and conditions of inspection as the board may establish. It shall be the duty of the officer or officers charged by law with the custody of the state buildings, upon written request of the civil service board, to assign suitable office space for executing the duties charged to it and to the director of the state civil service.

Each member of the board shall be paid \$15.00 per day for each day actually devoted to duties as a member of the board, but in no case shall any member be paid more than \$450.00 in any one year; provided, that this limitation shall not apply to payments on account of expenses; and provided further, that this limitation shall not apply during the first two years of the board's service. Members of the board shall

be paid for expenses in travel to and from meetings and for necessary expenses incurred during meetings of the board.

Sec. 4. Director of State Civil Service—Term.—The office of director of the state civil service is hereby created and established. The director of the state civil service shall be appointed by the civil service board on the basis of merit and fitness after an open competitive examination, open to qualified persons without regard to residence and without regard to the provisions of section 31 of this act or the provisions of the 1938 Supplement to Mason's Minnesota Statutes of 1927, sections 4368, 4369, 4369-1, and 4369-2. Within 30 days after the first members of the civil service board have been appointed and qualified, and thereafter whenever a vacancy exists in the office of the director of the state civil service, the civil service board shall appoint an examining committee of three persons to examine the qualifications of all persons applying for appointments to the office of director of the state civil service. At least two members of the examining committee shall be public personnel administrators or public personnel specialists of recognized standing, at least one of whom shall be a nonresident of the state of Minnesota. As soon as practicable after its appointment, the examining committee shall examine applicants for the position of director of the state civil service and shall certify to the civil service board the names of the three persons rated highest in the competitive tests and found by the committee to possess the necessary qualifications for the office of director of the state civil service. The civil service board shall then appoint one of the persons so certified to the office of director of the state civil service. No person who has not been examined and certified by an examining committee as herein provided for shall be appointed to the office of director of the state civil service. The civil service board shall fix the compensation and shall authorize the payment of expenses of members of the examining committee provided for in this section.

The director of the state civil service shall be in the classified service and shall not be removed by the civil service board except under written charges and after a public hearing by the board.

Sec. 5. Director to be administrative and executive head.—(1) The director of the state civil service shall be the executive and administrative head of the state department of civil service and shall supervise and control all examinations and the department. He shall act as the board's adviser on all matters pertaining to the civil service of this state.

(2) It shall be the duty of the director and he shall have power:

a. to attend all meetings of the board;

b. to prepare and recommend to the board rules and regulations for the purpose of carrying out the provisions of this act. Such rules shall provide, among other things, for current records of efficiency, and standards of performance for all officers and employees subject to the provisions of this act; the manner of completing appointments and promotions; rejection of eligible candidates; competitive examinations; creation of eligible lists with successful candidates ranked according to their rating in the examinations; leaves of absence with and without pay; transfers, reinstatements, layoffs, vacations and hours of work; public notice of examinations; procedure for changes in rates of pay; compulsory retirement at fixed ages; and other conditions of employment;

c. to appoint temporary and permanent examiners, including a chief examiner, clerks, stenographers, and such other employees and officers as are necessary to carry out the provisions of this act. Such employees and officers shall be chosen in accordance with and shall be subject to the provisions of this act;

d. to keep in the office of the department of civil service an official roster of the state civil service showing the employment history of each and every person who has been appointed to, employed, promoted, reduced or reinstated in any position in such service. This roster shall show in connection with each name the date of appointment, employment, promotion, reduction, reinstatement, increases or decreases in pay, the compensation and title of the position, changes in title, transfers, sick or annual leaves, and separations from the service. The director shall have access to all public records and papers, the examination of which will aid in the discharge of his duty in connection with said roster;

e. to prepare, in accordance with the provisions of this act and the rules adopted thereunder, examinations, eligible lists, and ratings of candidates for appointment;

f. to make certifications for appointment within the classified service, in accordance with the provisions of this act;

g. to make investigations concerning all matters touching the enforcement and effect of the provisions of this act and the rules and regulations prescribed thereunder;

h. to make a report and submit the same to the civil service board not later than October first of each year;

i. to discharge such other duties as are imposed upon him by this act.

Sec. 6. Duties and powers of civil service board.—It shall be the duty of the civil service board and it shall have power:

a. to approve, modify, reject, or approve as modified, rules and regulations and amendments thereto prepared and recommended by the director for carrying out the purposes of this act. Such rules and regulations and any amendments thereto shall not be approved by the board until after a public hearing by the board, of which two weeks' published notice shall have been given that a hearing at a specified place and time is to be held upon the proposed rules and regulations, and that any citizen, officer or employee of the state of Minnesota may attend and participate in such hearing. Copies of all rules and regulations shall be sent to all state appointing officers, and printed copies of such rules and regulations and amendments thereto shall be prepared for public distribution;

b. after public hearing, to approve, modify, reject, or approve as modified, plans for the classification of positions in the state civil service prepared and recommended by the director of the state civil service;

c. after public hearing, to approve, modify, reject, or approve as modified, compensation schedules for positions in the state civil service prepared and recommended by the director for submission to the commission of administration and finance;

d. to make investigations either at the discretion of the governor, or upon petition of a citizen for just cause, or of its own motion, concerning the enforcement and effect of this act;

e. to prepare and transmit to the governor not later than November 15 of each year a report of the department of civil service;

f. to conduct hearings and pass upon complaints by or against any officer or employee in the classified service for the purpose of demotion, suspension, or removal of such officer or employee, in accordance with the provisions of this act;

g. to hear and pass upon such other matters as the di-

rector of the state civil service may from time to time bring before the board for determination;

h. to discharge such other duties as are imposed upon it by this act.

Sec. 7. Board may issue subpoenas.—(1) The civil service board or the director of the civil service when authorized by a majority vote of the board may issue subpoenas to compel the attendance at such place as may be designated in this state of witnesses and the production of books and papers pertinent to any inquiry or investigation authorized by this act; or may take depositions of witnesses in the manner provided by Mason's Minnesota Statutes of 1927, sections 9820 to 9838 inclusive. Subpoenas shall also be issued at the request of the parties to the proceedings other than the board and the director. The board or any member thereof, or the director when authorized by the board, may administer oaths and take testimony. The board or the director may examine such public records as they require in relation to any matter which they have authority to investigate. All officers and other persons shall attend and testify when required to do so by the board, or by the director when authorized by the board.

(2) In case of the refusal of any person to comply with any subpoena issued hereunder or to testify to any matter regarding which he may be lawfully interrogated, the district court of any county, on application of any one of the members of the board, or of the director when authorized by the board, may issue an order requiring such person to comply with such subpoena and to testify; and any failure to obey such order of the court may be punished by the court as a contempt thereof.

(3) Each person not in the classified or unclassified services who appears before the board or the director by order shall receive for his attendance the fees and mileage provided for witnesses in civil actions in the district court, which fees and mileage shall be audited and paid by the state upon presentation of proper vouchers. Witnesses subpoenaed at the request of parties other than the board or the director shall be entitled to compensation from the state for attendance or travel only if the board certifies that the testimony of such witnesses was relevant and material to the matter investigated.

(4) The board and the director, in conducting hearings and investigations in accordance with the provisions of this act, shall not be bound by the technical rules of evidence.

Sec. 8. Salaries and compensation of board and employees.—The salaries of the members of the staff of the state department of civil service shall be fixed in accordance with the salary schedules established as authorized by this act; provided, that, pending the establishment and adoption of such compensation schedules, their salaries shall be fixed by the civil service board, subject, however, to the approval of the department of administration and finance. The salary of the director shall be not less than \$5,000 nor more than \$7,000 per year, payable semi-monthly.

Sec. 9. Division of service.—The civil service of the state of Minnesota is hereby divided into the unclassified and the classified services.

(1) The unclassified service comprises positions held by state officers or employees who are:

a. chosen by election or appointed to fill an elective office;

b. heads of departments required by law to be appointed by the governor or other elective officers and the executive or administrative heads of departments, divisions and institutions specifically established by law, except that with respect to state institutions, the provisions of Mason's Minnesota Statutes of 1927, Section 4405, are hereby continued in effect;

c. except as herein otherwise enlarged, one private secretary to each of the elective officers of this state, and in addition thereto, one deputy, clerk or employee to the secretary of state, state auditor and state treasurer;

d. all deputy registrars of motor vehicles;

e. one executive secretary and five other confidential employees in the office of the governor, and one confidential employee for the governor in the office of the adjutant general;

f. officers and employees of the senate and house of representatives of the legislature;

g. teachers, research assistants, student employees on less than half-time pay basis, presidents, deans, and administrative officers in the teachers' colleges; but this subdivision shall not be construed to include the custodial, clerical, or maintenance employees, or any administrative officers, or clerical workers performing duties in connection with the business administration of such institutions;

h. officers and enlisted men in the national guard and the naval militia;

i. election officers;

j. persons engaged in public work for the state but employed by contractors when the performance of such contract is authorized by the legislature or other competent authority;

k. persons temporarily employed or designated by the legislature or by a legislative committee or commission or other competent authority to make or conduct a special inquiry, investigation, examination or installation;

l. deputy attorneys general, assistant attorneys general, legal assistants, examiners, three confidential employees, and special counsel to state departments appointed by the attorney general or employed with his authorization;

m. all courts and all employees thereof, referees, receivers, jurors and notaries public, except referees and adjusters employed by the industrial commission;

n. patient and inmate help in state charitable, penal and correctional institutions;

o. Regents of the University of Minnesota and the employees and persons under the jurisdiction of the Regents of the University of Minnesota;

p. state highway patrolmen now operating under the provisions of the 1938 Supplement to Mason's Minnesota Statutes of 1927, sections 2554 $\frac{1}{2}$, 2554 $\frac{1}{2}$ a, 2554 $\frac{1}{2}$ b, 2554 $\frac{1}{2}$ c, 2554 $\frac{1}{2}$ d and 2554 $\frac{1}{2}$ e; providing, however, that with respect to the method of selection and appointment only, all state highway patrolmen who shall be appointed subsequent to the effective date of this act shall be selected and appointed in accordance with the provisions hereof relating to the classified service, but in all other respects the provisions of this act shall not apply to state highway patrolmen.

(2) The classified service comprises all positions now existing or hereafter created and not included in the unclassified service. Appointments in the classified service shall be made according to merit and fitness from eligible lists prepared upon the basis of examination which so far as practicable shall be competitive. No person shall be appointed, transferred, promoted, reduced or discharged as an officer, clerk, employee, or laborer in the classified service in any

manner or by any means other than those prescribed in this act and the rules adopted in accordance therewith.

(3) Officers authorized by law to make appointments to positions in the unclassified service, and appointing officers of departments or institutions whose employees are exempt from the provisions of this act because of the constitutional status of such departments or institutions shall be permitted to make appointments from appropriate registers of eligibles maintained by the department of civil service.

Sec. 10. Persons with five years service to hold over.—

(1) All persons holding offices or employments in the classified service on the effective date of this act who have been employed by the state, which employment need not be continuous, for a total of five years or more prior to the effective date of this act; and persons holding offices or employments in the Minnesota State Employment Service (a division of the Industrial Commission, not however including the employees of the Unemployment Compensation Division) who have taken and passed a civil service examination conducted by the United States Employment Service, and who are employed by the state on the effective date of this act, shall automatically receive a civil service status without examination and shall be subject to and protected by the provisions of this act, but shall first be subject to the following: (a) the general classification directed to be made by section 12 of this act; and, (b) the six months' probationary period provided by section 21 of this act. The probationary period in the case of persons holding offices or employments covered by this section shall begin to run on the effective date of this act. The words "employed by the state" as used in this subsection shall include persons employed by joint federal and state agencies administering state and federal relief funds.

(2) Except as in this act otherwise specifically provided, all persons holding offices or employments in the classified service on August 1, 1939, exclusive of those persons covered by subsection (1) hereof, shall be given a qualifying examination as hereinafter provided. The director of civil service, subject to the rules and regulations of the board, shall within two years from and after August 1, 1939, prepare and give once to all such incumbents of positions in the classified service a qualifying examination which shall be non-competitive, practical and involve only the duties of the position they occupied on August 1, 1939, or the position they occupy on the date said examination is given, whichever examination the officer or employee may elect to take.

If such aforementioned incumbents are found by such qualifying examination to have such ability and capacity as will enable them to perform the duties of the position for which they were examined in a reasonably efficient manner, they shall be given a civil service status subject to the provisions of section 21 hereof. If, however, any of the aforementioned incumbents who are required by this act to take a qualifying examination shall fail to pass the same, they shall be removed from their positions at the expiration of three months following receipt of notice of failure to pass such examination. All persons who shall wilfully fail or refuse to take the examination when offered, without reasonable excuse, shall be removed from their positions immediately.

(3) Except as in this act otherwise specifically provided, until August 1, 1939, all persons holding offices or employments in the classified service, may be laid off, suspended, transferred, discharged, promoted, reduced, or discharged and reinstated as temporary employees, at the will and pleasure of the authority employing them, subject, however, to such laws as are not expressly repealed by this act.

Except as in this act otherwise specifically provided, no person holding office or employment in the classified service by reason of any merit examination heretofore held pursuant to any law of this state or the regulations or order of any department thereof, shall be deemed to have acquired a civil service status by reason thereof.

(4) No person holding an office or employment in the classified service on August 1, 1939, who is required by this act to take a qualifying examination, shall be laid off, suspended, discharged or reduced in pay or position, except in accordance with the provisions of this act applicable to members of the classified service having a civil service status, until they have completed such qualifying examination and shall have been notified of the result thereof, or unless they shall refuse to take such qualifying examination.

(5) In the event of necessary reductions in employment in and class or position, employees who have not acquired a permanent classified civil service status shall be laid off in accordance with their seniority within the department where they are employed.

Sec. 11. Temporary employment.—After August 1, 1939, and prior to the time that lists of eligibles are available, appointments to offices and employments in the classified service may be made in accordance with existing laws and without

regard to the provisions of this act. Persons so appointed shall not be entitled to any of the privileges set forth in this act, but they shall be permitted to apply for and take any competitive examination for which they may be eligible. Such employees may continue in such employment, notwithstanding any contrary provisions of this act, until 60 days after the director shall have certified that lists of eligibles are available for such office or employment, whereupon the employment of such person shall automatically terminate and such office or employment shall be filled from such lists of eligibles as provided in this act.

Sec. 12. Director to classify employees.—(1) The director of the state civil service shall, as soon as practicable, and after consultation with appointing authorities and principal supervisory officials, classify all offices, employments, and positions in the classified service according to the duties and responsibilities of each position in accordance with the appropriate line of promotion. This duty to classify shall extend to all offices, employments, and positions held by persons who may become members of the classified service under this act as provided by section 10 as well as to those offices, employments and positions held by other persons. Titles shall be established for each class of employment for use in examining and certifying names of persons for appointment under this act, and a description of the duties and responsibilities exercised by the persons appointed to each of them shall be drawn up, minimum qualifications required for satisfactory performance of the duties of each grade and class formulated, and, so far as practicable, the lines of promotion from grade to grade or class to class shall be indicated. The titles in this classification as defined by the specifications of duties and qualifications shall be used for (a) original appointments; (b) promotions; (c) pay-rolls; (d) and all other records affecting the status of personnel. The classifications, when approved by the civil service board after public hearing, shall take effect immediately, shall be sent to the commission of administration and finance and shall be used by it in the preparation of the next following and subsequent state budgets. The director of the civil service may make changes in the classification whenever he deems it necessary for the efficiency of the service; and such changes, when approved by the civil service board after public hearing, shall take effect immediately, shall be sent to the commission of administration and finance and shall be used by it in the preparation of the next following and subsequent state budgets.

(2) The director of the state civil service shall, as soon as practicable after the adoption of the classification plan, prepare a schedule of salary or wage rates and ranges for each class, grade or group of positions in the classification. Such salary and wage schedules when approved by the civil service board after public hearing shall be submitted to the commission of administration and finance, who may approve, or reject, such schedules. When approved by the commission of administration and finance, they shall be used by that commission in connection with all payrolls and accounting records and with all budget estimates for all departments or agencies of the state government. The salary schedules for each class, grade, and group shall be submitted with its recommendations, to the legislature at the opening of the next legislative session. Unless changed by the legislature the salary and wage schedules so prepared by the director of the civil service and approved by the civil service board and the commission of administration and finance shall become the current official compensation rates applicable to the various classes and grades as enumerated. Nothing in this section shall prevent the legislature from increasing or reducing the salary or wage rates of all positions in an entire grade or group uniformly but it shall not increase the rate of pay of any grade or group beyond the rate in the next higher grade or group, nor reduce the pay of any grade or group below the rate of pay fixed for the next lower grade or group in the same service.

(3) The director of the civil service shall allocate each office, position or employment in the classified civil service to one of the grades and classes within the classification, subject to an appeal to the board by an employee immediately affected at any time within 30 days following notice to him of his allocation, and thereafter all salary rates, schedules or compensation policies shall apply uniformly to all positions within each grade, in accordance with rules and regulations established by the civil service board.

(4) The classification, and salary or wage schedules applying thereto, existing at the time this act becomes effective shall continue in effect until changed in accordance with the provisions of this act.

Sec. 13. **Competitive examinations.**—(1) All competitive examinations for positions in the classified service shall relate to those matters which will fairly test the capacity and fitness of the persons examined to efficiently discharge the duties of the office or employment sought by them.

(2) The competitive examinations shall, after published notice, be open to all applicants who are citizens of the United States, who have been residents of this state for two years immediately preceding the date of examination, and who meet with reasonable standards or requirements fixed by the director with regard to experience, character, age, education, physical condition, and such other factors as may be held to relate to the ability of the candidates to perform with reasonable efficiency the duties of the position. No standards or requirements shall be fixed with reference to education or physical condition except such as relate directly to the duties of the office or employment to be filled. Persons under such physical disability as not to make them ineligible by reason thereof, shall be examined in such manner as will fairly test their ability to perform the duties of the position, notwithstanding such physical disability. The director may require candidates in filing their applications to submit certificates of general or special qualifications as the good of the service may require. Examinations shall be held at such times and places as in the judgment of the director most nearly meet the convenience of applicants, practicability of administration and the needs of the service. For positions requiring professional, technical, or unusual qualifications, the director may, subject to the approval of the board, open competitive examinations to residents of other states who are citizens of the United States and who are otherwise qualified.

(3) The director may also require candidates to undergo an examination at designated places in the state, in cases where oral tests or tests for manual skill or the use of instruments in construction work may be necessary to determine the fitness of such candidates.

Sec. 14. Powers of director as to examinations.—(1) The director may refuse to examine an applicant, or after examination may refuse to certify an eligible, who is found to lack any of the preliminary requirements established for the examination for the position or employment for which he applies; or who is physically so disabled as to be rendered unfit for the proper performance of the duties of the position to which he seeks appointment; or who is addicted to habit-forming drugs or is an habitual user of intoxicating liquors to excess; or who has been guilty of any crime involving moral turpitude or of infamous or notoriously disgraceful conduct; or who has been dismissed from the public service for delinquency or misconduct; or who has made a false statement of any material fact; or who directly or indirectly shall give,

render or pay, or promise to give, render or pay, any money, service, or other valuable thing to any person for, or on account of, or in connection with, his test, appointment, or proposed appointment; or who practiced, or attempted to practice, any deception or fraud in his application, in his certificate, in his examination, or in securing his eligibility or appointment; or who refuses to furnish testimony as required in section 7.

(2) Whenever the director refuses to examine an applicant, or after an examination refuses to certify an eligible, as provided in this section, then the director, upon request of the person so rejected, shall furnish to him a statement of the reasons for such refusal to examine or refusal to certify, as the case may be. In the case of any such refusal an appeal may be taken to the board in accordance with the rules to be adopted in the manner hereinbefore provided.

(3) When any position requires the appointee to furnish a bond, such requirements shall be included in the announcement of the examination for said position.

Sec. 15. Discrimination forbidden.—No discrimination shall be exercised, threatened or promised, by any person in the civil service against or in favor of any applicant, eligible, or employee in the civil service because of his political or religious opinions or affiliations.

Sec. 16. Oath of office.—Every officer or employee of the state of Minnesota and every person making application for examination under this act shall take and subscribe an oath or affirmation in writing to the effect that every such person will honestly and faithfully protect and preserve the property and money of the state of Minnesota and will abide by, uphold and defend the constitution of the United States of America and the state of Minnesota, and except as provided in said constitutions they will not take part in any movement to alter or change our form of government.

Sec. 17. Appointments to be made from certified lists.—

(1) Appointments, promotions and reinstatements to all positions in the classified service under the provisions of this act, and the rules made in pursuance thereof, shall be made from among those certified to the appointing officer.

(2) The term of eligibility of applicants on original entrance and reinstatement lists and on promotion lists shall be one year, but the term of any list may be extended by the director. In no case, however, may eligibility be extended for a period of more than three years.

(3) Appointments shall be made from the appropriate eligible list, but if no such list exists then the director may certify from such other list as he deems the next most nearly appropriate. A new and separate list shall be created for a stated position only when there is no satisfactory list. The director shall have authority to establish separate eligible lists applicable to various localities. No person shall be appointed or employed under any title not appropriate to the duties performed, and no person shall be transferred to, nor assigned to perform the duties of, any position in the classified service, unless he has previously qualified therefor under the provisions of this act.

Sec. 18. **Appointing officers to give notice.**—(1) Appointing officers shall give written notice to the civil service director of their intention to establish new positions and of the existence of any vacancy to be filled in any office or employment in the classified service and, within a reasonable time after the receipt of such notice, the director shall certify from the list of eligibles, appropriate for the grade and class in which the position is classified, the three names at the head thereof, except as provided in section 23 of this act.

(2) The appointing officer shall appoint on probation, with sole reference to merit and fitness, one of the said candidates, whose name is certified in the manner above set forth, to fill such vacancy, except as provided in section 23 of this act. The provisions of this section shall not apply when the office or employment is among those listed in section 20 for which competitive examinations are not required.

(3) As soon as practical after the passage of this act and after consultation with appointing authorities and other supervising officials, the director shall establish standards of performance for each class of position and shall maintain records of efficiency, character, and conduct by a system of service ratings based upon such standards. The board shall establish and enforce rules and regulations in respect to such service ratings and prescribe the extent to which such service ratings shall be considered in determining the advisability of transfers, the promotion of an employee to a higher class, the question of reduction or dismissal of any employee, increases and decreases in salary of an employee within the salary range established under this act, in all other decisions relating to the status of employees. The board may further by rule prescribe the extent to which such ratings and the reports upon which they are based shall be open to inspection by the public and by the affected employees.

Sec. 19. Vacancies—How filled.—(1) Vacancies in positions shall be filled so far as practicable, by promotion from among persons holding positions in the classified service and, subject to such exceptions as the board may provide, from the lower class or group within the particular classification, and in accordance with section 18 of this act and the rules of the board. Promotions shall be based upon merit and fitness to be ascertained by competitive examinations in which the employee's efficiency, character, conduct and seniority shall all constitute a factor.

(2) For the purpose of this section an increase in the salary or other compensation of any person holding an office or position subject to the provisions of this act beyond the limit fixed for the grade in which such office or position is classified shall be deemed a promotion.

(3) Any promotional appointee, who is dismissed for cause other than misconduct or delinquency on his part from the position to which he has been promoted either during the probationary period, or at the conclusion thereof by reason of the failure of the appointing authority to file a request for his continuance in the position, shall be restored to the position from which he was promoted. Nothing contained in this section shall be construed to prevent any employee of the classified service from competing for places upon registers of persons eligible for original appointments.

Sec. 20. Positions filled without competition.—Positions in the classified service may be filled without competition only as follows:

(1) Whenever there are urgent reasons for filling a vacancy in any position in the classified service and the director is unable to certify from any appropriate eligible list for the vacancy, the director may issue a provisional permit or certify a suitable person to fill such vacancy provisionally only until a selection and appointment can be made after competitive examination; but no person shall receive more than one provisional appointment nor serve more than three months in any calendar year as a provisional appointee.

(2) In case of an emergency, an appointment may be made without regard to the provisions of this act, but in no case shall continue longer than ten days, and in no case shall successive emergency appointments be made. This provision shall apply to both persons and positions. No person shall receive more than three emergency appointments in any one or different positions within one year.

(3) In case of a vacancy in a position where peculiar and exceptional qualifications of a scientific, professional or expert character are required, and upon satisfactory evidence that for specified reasons competition in such special case is impracticable and that the position can best be filled by the selection of some designated person of high and recognized attainments in such qualities, the board upon recommendation of the director may suspend the requirements of competition in such case, but no suspension shall be general in its application to such position, and all such cases of suspension shall be reported in the annual report of the department with the reasons for the same.

(4) Where the services to be rendered by an appointee are for a temporary period not to exceed three months and a proper list of eligibles is not available, the director shall certify for such temporary service any person he deems qualified. The acceptance or refusal by an eligible of a temporary appointment shall not affect his standing on the register for permanent employment, nor shall the period of temporary service be counted as a part of the probationary period in case of subsequent appointment to a permanent position. Successive temporary appointments to the same positions shall not be made under this provision; provided, however, that during the period following the passage of this act and prior to the preparation of the appropriate eligibility lists a temporary appointment may be renewed for a period not to exceed a total of six months from the date of the first temporary appointment. No person shall receive more than one temporary appointment within one year.

Sec. 21. Appointments for probationary period.—Except as in this act otherwise provided, all original appointments to and promotions within the classified service, and offices or employments within the classified service held by persons who become members of the classified service without examination pursuant to section 10 of this act or by qualifying examination pursuant to section 10 of this act, shall be for a probationary period of six months, but dismissals or demotions may be made at any time during such period, subject to the provisions of section 19, subsection (3). At the end of the probationary period the appointing officer shall notify the director in writing whether the probationer is a satisfactory employee and should receive the status of a permanent appointee. Upon such notice the employee, if his service during the probationary period did not fall below such minimum standards as have been prescribed by the director of the civil service, shall be

deemed to have a permanent classified civil service status ; otherwise the employee is automatically separated from the service except as provided in section 19, subsection (3).

Sec. 22. Transfers.—(1) Transfers in the classified service may be made from a position in one grade and class to a position in another grade and class when the duties and compensation are similar and when such action is specifically approved by the director of the civil service.

(2) Any person holding a permanent position in the classified service of this state may be granted a leave of absence on the grounds of sickness, disability or other good and sufficient reason ; provided, however, that no leave shall exceed one year, except as provided in subsection (4) of this section.

(3) No leave of absence may be granted to an officer or employee holding a permanent position in the classified service to enable such person to take an appointive position in the state unclassified service.

(4) Any person who has held a position by permanent appointment in the classified service under the civil service law and rules and who has been separated from the service without any delinquency or misconduct on his part or who has been granted a leave of absence under subsection (2) of this section, may be reinstated within one year from the date of such separation or within one year from the expiration of an approved leave of absence, to a position in the same or similar grade or class in the classified service, but such action shall be subject to the approval of the director of civil service.

Sec. 23. Order of layoffs.—(1) Whenever one or more employees in the classified service are laid off because of a shortage of funds or curtailment of service or for any other reason beyond their control, the order of layoff shall be determined according to rules established by the board which shall be based on seniority within the department, and the names of such employees shall be placed at the head of the appropriate registers.

(2) In every case of layoff of a permanent officer or employee, the appointing authority shall at least 15 days before the effective date thereof give written notice to the employee and the director of civil service, and may certify to the director the reasons therefor. In any case where an appointing authority refuses to certify, or fails to certify before the effective date thereof, that the layoff was for reasons not reflecting discredit on the employe, it shall be deemed a dismissal

and shall be subject to the provisions concerning dismissals, as provided in this act.

(3) Whenever positions in the classified service are abolished by statute or by administrative action, the names of the incumbents of such positions, if they are members of the classified service, shall be placed at the head of the appropriate register, according to seniority.

(4) Persons who have been separated from the classified service because of layoff or the abolition of positions shall be given preference over all other eligibles in filling vacancies in the same or similar positions within the department in which they were employed immediately prior to their separation from the service, and the director shall certify for each vacancy only the former officer or employee whose name stands first on the appropriate eligible register.

Sec. 24. Not to be removed except for cause.—(1) No permanent employee in the classified service under the provisions of this act or the rules made pursuant thereto shall be removed, discharged, suspended without pay for more than 30 days, or reduced in pay or position except for just cause, which shall not be religious or political. In case of any such disciplinary action as enumerated above in this section, the employee shall, before such action is taken, be furnished with a statement in writing specifically setting forth the reasons for such disciplinary action. A copy of such statement shall be filed with the director of civil service prior to the effective date thereof.

Such employee, upon written request to the civil service board made within 30 days thereafter, may demand a hearing to determine the reasonableness of such action and the board shall grant the employee a hearing within 45 days after receipt of such request. In the event such hearing is not held within the 45-day period herein specified, following receipt of request for such hearing, then the employee shall be forthwith reinstated in his position with full pay for lost time, but this shall not jeopardize the right of the board to finally determine the matter at a later date. After hearing and considering the evidence for and against such disciplinary action, the board shall approve or disapprove the action. In case of approval the disciplinary action shall be deemed final as ordered. In case of disapproval the board shall reinstate the employee under such conditions as it deems proper, and may order full pay for lost time.

If the board finds that the disciplinary action was for religious or political reasons, then the employee shall forthwith be reinstated in his position and be reimbursed for any loss of pay occasioned by such disciplinary action.

(2) Provisional employees as provided for in subsection (1), emergency employees as defined in subsection (2), and temporary employees as defined in subsection (4) of section 20 may be dismissed at any time at the discretion of the appointing officer.

Sec. 25. Appointing officer shall notify director.—Each appointing officer shall report to the director forthwith in writing upon any appointment or employment in the service, the name of the appointee, or employee, the title and character of his office or employment, the date of commencement of service by virtue thereof, and the salary or compensation thereof, and shall report from time to time upon the date of the official action in, or knowledge of, any separation of a person from the service or any promotion, reduction, suspension, transfer, reinstatement or other change therein, the efficiency of his subordinates and employees, and other information, in such manner as may be prescribed by the director and the rules and regulations adopted by the board.

Sec. 26. Directors shall certify payrolls.—(1) Neither the state auditor nor other fiscal officer of this state shall draw, sign or issue, or authorize the drawing, signing or issuing of any warrant on the treasurer or other disbursing officer of the state, nor shall the treasurer or other disbursing office of the state pay any salary or compensation to any person in the classified or unclassified service of the state, unless an estimate payroll or account for such salary or compensation containing the name of every person to be paid shall bear the certificate of the director of the civil service that the persons named in such estimate, payroll or account have been appointed, employed, reinstated or promoted and are performing service as required by law and the rules established hereunder and that the salary or compensation is within the salary or wage schedule fixed pursuant to law.

(2) Any sum wilfully paid contrary to the provisions of this section may be recovered from any officer or officers making such appointments in contravention of the provisions of law or of the rules made in pursuance of law, or from any officer signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of same, or from the sureties on the official bond of any said officers, in

an action in the district court of any county within the state, maintained by the director of the civil service or any member of the civil service board. All moneys recovered in any action brought under this section when collected shall be paid into the state treasury.

(3) Any person employed or appointed contrary to the provisions of this act and the rules thereunder whose payroll or account is refused certification shall have action against such appointing officer employing or appointing or attempting to employ or appoint him for the amount due by reason of such employment or purported employment and the costs of such action. No appointing authority, during the time of his or their official service or thereafter shall be reimbursed by the state for any sum so paid or recovered in any such action.

Sec. 27. Officers and employees shall comply with law.—All officers and employees of this state shall conform to, comply with, and aid in all proper ways in carrying into effect the provisions of this act and the rules prescribed thereunder. Any wilful violation of this act by officers, officials or employees of the state shall be deemed a misdemeanor, and shall be punished accordingly. Conviction of same shall render the public office or position held by such person vacant.

Sec. 28. Violations and penalties.—Any civil service board member, director or examiner, or any other person,

(1) who wilfully or corruptly by himself or in cooperation with one or more persons, defeats, deceives, or obstructs any person with respect to his or her rights of examination or application according to this act or to any rules or regulations prescribed pursuant thereto, or

(2) who wilfully or corruptly falsely marks, grades, estimates or reports upon the examination or proper standing of any person examined, registered, certified, employed or promoted pursuant to the provisions of said sections, or aids in so doing, or who wilfully destroys and examination questions, answers or records thereon of any applicant for civil service within a period of one year after any examination has been completed, or

(3) who wilfully or corruptly makes or files any false representations concerning the persons examined, registered, certified, appointed, employed or promoted, or

(4) who wilfully or corruptly furnishes any person with any special or secret information for the purpose of either

improving or injuring the prospects or chances of any person so examined, registered or certified, being appointed, employed or promoted, or

(5) who personates any other person, or permits or aids in any manner any other person to personate him or her in connection with any examination or registration, or application or request to be examined or registered, or

(6) who wilfully or corruptly shall appoint to a position in the classified service or dismisses, suspends, reduces in rank or pay any officer or employee from any position in the classied service otherwise than in compliance with and in conformity to the provisions of this act and the rules and regulations of the civil service board adopted pursuant thereto, or

(7) who wilfully or corruptly refuses or neglects otherwise to comply with or conform to the provisions of this act and the rules and regulations made pursuant thereto, or violates any of such provisions, shall be deemed guilty of a misdemeanor and shall be punished accordingly.

Any conviction under this section shall render the public office or position held by the person or persons so convicted vacant and such person or persons shall be ineligible to hold public office for a period of five years from the date of such conviction.

Sec. 29. Violations and penalties.—No officer or employee holding a position in the classified service of this state shall, directly or indirectly, solicit, or receive, or be in any manner concerned in soliciting, or receiving, any assistance, assessment, or subscription, whether voluntary or involuntary, for any political purpose whatsoever, or for any political party or affiliate thereof. No officer or employee in the classified service shall be a delegate or alternate to any political convention. No officer, agent, clerk or employee of this state shall directly or indirectly use his authority or official influence to compel any officer, or employee in the classified service to apply for membership in or become a member of any organization, or to pay or promise to pay any assessment, subscription or contribution, or to take part in any political activity. Any person who violates any provision of this section shall be guilty of a misdemeanor, and shall be punished accordingly, and if any officer or employee in the classified service is found guilty of violating any provision of this section, he is automatically separated from the service.

(2) Any officer or employee in the state classified serv-

ice shall resign from the service upon filing as a candidate for public office.

Sec. 30. To furnish space for examination.—The officers having control of public buildings in political subdivisions of the state and school districts shall, upon request of the director of the civil service, furnish convenient space for examinations and necessary furniture, heat, and light for accommodation of the local examiners and for the holding of examinations. The director may request state or local officers or employees to aid in carrying out the provisions of this act, and it shall be the duty of such officers and employees, insofar as it may be consistent with their other duties, to give such aid upon written request of the director.

Sec. 31. Veterans' preference.—In all examinations under this act a veteran's preference shall be given to soldiers, sailors, nurses, and marines honorably discharged from the army, navy or marine corps of the United States, who had served in the Civil War, Spanish American War, Philippine Insurrection, China Relief Expedition, or World War; who are citizens of the United States and have been residents of the state of Minnesota five years immediately preceding their application or who enlisted from the state of Minnesota. And the veteran thus preferred shall not be disqualified from holding any position in the classified service on account of his age or by reason of any physical disability provided such age or physical disability does not render him incompetent to perform the duties of the position.

Recognizing that training and experience in the services of the government and loyalty and sacrifice for the government are qualifications of merit which cannot be readily discovered by examination; there shall be added to the examination rating of a disabled veteran a credit of ten points, and if such augmented rating gives to such disabled veteran a passing grade and such disabled veteran is able to perform the duties of the position sought with reasonable efficiency, his name shall be placed at the head of the eligible list for such position.

There shall be added to the examination rating of all other veterans a credit of five points, and if such augmented rating gives to such veteran a passing grade and if such veteran is able to perform the duties of the position with reasonable efficiency, his name shall be placed on the list of eligibles with the names of other eligible persons. The name of a veteran with such augmented rating shall be entered ahead of a non-veteran when their ratings are the same.

Such preference is hereby extended to the widows of deceased veterans and to the spouse of a disabled veteran, who, because of such disability is unable to qualify.

The fact that an applicant has claimed a veteran's preference shall not be made known to the examiners and the preference credit shall be added to the examination rating by the director, and the records shall show the examination rating and the preference credit.

A disabled veteran is one who is rated as disabled by the United States Veterans' Administration, and which disability is existing at the time preference is claimed.

In the event of the rejection by the appointing officer of the person so preferred when certified for promotion or to fill a vacancy or a new position, the appointing officer shall forthwith file in writing with the director the reasons for such rejection and shall furnish to the rejected veteran a copy thereof.

Sec. 32. State Civil Service to be available to municipalities.—(1) The services and facilities of the state civil service department and its staff shall be available upon request, subject to rules prescribed therefor by the board, to political subdivisions of the state. In making such service and facilities available, it shall be understood that requirements for the enforcement and administration of the provisions of this act shall be given precedence and that the political subdivisions shall reimburse the state for the reasonable cost of such services and facilities.

(2) The board may enter into arrangements with personnel agencies in other jurisdictions for the purpose of exchanging services and effecting transfers of employees. The board may also join or subscribe to any association or service having as its purpose the interchange of information relating to the technique of personnel administration.

Sec. 33. Director to co-operate in the conduct of employees training program.—The director of the civil service shall devise plans for and cooperate with appointing authorities and other supervisory officers in the conduct of employee training programs to the end that the quality of service rendered by persons in the state civil service may be continually improved. Provision may be made in the rules adopted by the civil service board to permit employees in the classified service to secure leaves of absence for the purpose of enrolling in courses of training for government service; and provision also may be made in said rules to permit qualified students to

serve as internes or apprentices for a period not greater than one year in the several departments and agencies concerned.

Sec. 34. Definitions.—(1) The word “eligible” as used in this act, unless the context otherwise indicates, shall mean a person who is on an employment list and qualified for appointment, a promotion, or reinstatement under this act.

(2) The “effective date” of this act shall be the date that it is approved by the governor or the date it becomes effective without his approval.

(3) The words “all persons holding offices or employments in the classified service on the effective date of this act” as used in this act in addition to their ordinary meaning shall mean and include all persons who have been employed by the state, which employment need not be continuous, for a total of five years or more prior to the effective date of this act, and who are on leave of absence on the effective date of this act.

(4) The words “commission of administration and finance” as used in this act in addition to their ordinary meaning shall mean and include the commissioner of administration in the event that such commissioner shall be authorized and appointed pursuant to any law heretofore or hereafter enacted.

Sec. 35. State Civil Service act.—Sections 1 to 38 inclusive shall be known and may be cited as the state civil service act.

Sec. 36. Inconsistent acts repealed.—All acts or parts of acts which are inconsistent with the provisions of sections 1 to 38 inclusive of this act are hereby expressly repealed to the extent of such inconsistency.

Sec. 37. Provisions severable.—The provisions of this act shall be severable and, if any of the provisions shall be held to be invalid, the decision of the court respecting such provision or provisions shall not affect the validity of any other provisions which can be given effect without such invalid provisions. It is hereby declared to be the legislative intent that this act would have been adopted by the legislature had such invalid provisions not been included herein.

Sec. 38. Laws superceded.—The provisions of the 1938 Supplement to Mason’s Minnesota Statutes of 1927, sections 4368, 4369, and 4369-1 are hereby superseded by section 31 of this act insofar as said sections 4368, 4369, and 4369-1, might be applicable to the state civil service as provided by this act; anything in the 1938 Supplement to Mason’s Minnesota Stat-

utes of 1927, section 4369-2, to the contrary notwithstanding; provided, however, that honorably discharged veterans of past wars and other persons enumerated in section 31 hereof holding offices or employment within the classified service on the effective date of this act are hereby given a permanent classified civil service status as of the effective date of this act, and shall thereafter be subject to and protected by the provisions of this act and shall not be subject to the probationary period provided for by section 21 hereof.

Sec. 39. **Law amended.**—Mason's Minnesota Statutes of 1927, section 53-7, is hereby amended to read as follows:

"53-7. **Powers of commission.**—The commission shall have the following powers: to approve or reject the compensation schedules submitted by the civil service board for the various classes, grades and titles of the employees of the various officials, departments, and agencies of the state government and institutions under their control; to require a complete record of the officers, assistants, and employees appointed thereby or employed therein, and to require the salaries of the same to be in conformity with the scale of compensation established pursuant to law; to prepare and prescribe classes of expenditures and revenue for the purpose of budget-making and accounting; to procure by lease, with the approval of the governor, office space and buildings for the use of the state government or any department, office, or institution thereof; to purchase, except as otherwise herein provided, all supplies and equipment for all state officials, departments and agencies of the state government, including tools, machinery, and materials to be used by the state in the construction and maintenance of state highways; but the commission in its discretion may designate an officer or employee of any such department to make, under the general supervision and direction of the commission such purchases for the department in which such designation is so made as the commission may specify.

The authority of the commission to approve or reject a scale of compensation therefor shall not apply to the unclassified service as prescribed by the state civil service act."

Sec. 40. **Law amended.**—The 1938 Supplement to Mason's Minnesota Statutes of 1927, section 53-23½ 1 (e) is hereby amended to read as follows:

"53-23½. **Deputies and employees.**—1 (e) The Commissioner may appoint a deputy, to serve at his pleasure, who may exercise all the powers of the Commissioner, subject to his direction and control. Such deputy shall receive the same salary as hereinafter prescribed for Directors of Divisions.

The Commissioner may employ such other assistants as may be necessary to carry on the work of the Department, and may fix the compensation of the persons employed as far as funds may be available therefor.

Sec. 41. Law amended.—The 1938 Supplement to Mason's Minnesota Statutes of 1927, section 9950-7, is hereby amended to read as follows:

“9950-7. Superintendent to appoint employees.—The superintendent is hereby authorized to appoint, in the manner provided, and to remove *as provided by the state civil service act* and to prescribe the duties of such skilled and unskilled employees, including an identification expert as may be necessary to carry out the work of said bureau, but not exceeding 28 in number; *provided, however, that the appointment and removal of such skilled and unskilled employees shall be in the manner provided by the state civil service act.* The superintendent and all officers and employees of said bureau shall, in addition to their compensation, receive their actual and necessary expenses incurred in the discharge of their duties, provided that the total expense of said bureau during any year shall not exceed the appropriation therefor.

There is hereby established within the bureau a division of criminal statistics, and the superintendent within the limits of membership herein prescribed shall appoint a qualified statistician and one assistant to be in charge thereof. It shall be the duty of this division to collect, and preserve as a record of the bureau, information concerning the number and nature of offenses known to have been committed in the state of the legal steps taken in connection therewith from the inception of the complaint to the final discharge of the defendant and such other information as may be useful in the study of crime and the administration of justice. The information so collected and preserved shall include such data as may be requested by the United States Department of Justice at Washington under its national system of crime reporting.

It shall be the duty of all sheriffs, chiefs of police, city marshals, constables, prison wardens, superintendents of insane hospitals, reformatories and correctional schools, probation and parole officers, school attendance officers, coroners, county attorneys, court clerks, the liquor control commissioner, the commissioner of highways, the state fire marshal to furnish to said division, statistics and information regarding the number of crimes reported and discovered, arrests made, complaints, informations and indictments, filed and the disposition made of same, pleas, convictions, acquittals, probations

granted or denied, receipts, transfers, and discharges to and from prisons, reformatories, correctional schools and other institutions, paroles granted and revoked, commutation of sentences and pardons granted and rescinded and all other data useful in determining the cause and amount of crime in this state and to form a basis for the study of crime, police methods, court procedure and penal problems. Such statistics and information shall be furnished upon the request of the division and upon such forms as may be prescribed and furnished by it. The division shall have the power to inspect and prescribe the form and substance of the records kept by those officials from which the information is so furnished."

Sec. 42. Law amended.—The 1938 Supplement to Mason's Minnesota Statutes of 1927, section 4337-30. (e), is hereby amended to read as follows:

"4337-30. Commission to appoint officers and employees.—(e) *Subject to the provisions of the state civil service act and to the other provisions of this Act, the commission is authorized to appoint, and prescribe the duties and powers of such officers, accountants, attorneys, experts, and other persons as may be necessary in the performance of its duties. The commission may delegate to any such person so appointed such power and authority as it deems reasonable and proper for the effective administration of this Act, and may in its discretion bond any person handling moneys or signing checks hereunder.*"

Sec. 43. Laws repealed.—Mason's Minnesota Statutes of 1927, sections 3861, 3863, 3864, and the 1938 Supplement to Mason's Minnesota Statutes of 1927, section 3862, are hereby expressly repealed.

Sec. 44. Law repealed.—Mason's Minnesota Statutes of 1927, section 53-11, is hereby expressly repealed.

Sec. 45. Laws to be continued in force.—Notwithstanding the provisions of the state civil service act and the amendments to existing statutes made by this act, all existing salaries and compensation schedules; and all laws and regulations governing said salaries and compensation schedules, in force on the day previous to the effective date of this act, shall continue in force until the salary and wage schedules are approved by the commission of administration and finance as provided in the state civil service act.

Approved April 22, 1939.