

quest. 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.

Any employee who wilfully 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, shall, upon discovery and proof thereof, be removed and discharged. Charges alleging such deception or fraud may be initiated by the head of the department in which the employee is working at the time, or by the director of civil service, in conformity with the provisions of this section relating to notice of discharge and hearing before the civil service board.

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 (254-68) may be dismissed at any time at the discretion of the appointing officer.

Approved April 24, 1943.

CHAPTER 608—S. F. No. 958.

An act relating to county civil service, amending Laws 1941, Chapter 423, Sections 5.h and 7, and by adding a new section.

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

Section 1. **Law amended.**—Laws 1941, Chapter 423, Section 5.h, is hereby amended to read as follows:

•Sec. 5.h. **Appointment to vacancies.**—When a vacant position is to be filled, to certify to the appointing authority on-writ-

ten request the name of the three persons highest on the re-employment or employment list for the class. If there are no such lists, he may authorize provisional appointments pending the establishment of such employment list for such class. Such provisional appointment shall not continue for a period longer than four months, nor shall any person receive more than one provisional appointment or serve more than four months as a provisional appointee in any one fiscal year, nor shall there be more than one provisional appointment to any given position in any 12 months period; *except that, after November 3, 1942, 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 except in the case of appointments made through merit examinations under authority of Laws 1941, Chapter 476, Section 5, 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 persons shall automatically terminate and such office or employment shall be filled from such lists of eligibles as provided in this act. In case of an emergency, an appointment may be made of not to exceed ten days duration without regard to the provisions of this act, which appointment shall be immediately reported to the civil service director. Successive emergency appointments shall not be made.*

Sec. 2. **Law amended.**—Laws 1941, Chapter 423, Section 7 is hereby amended to read as follows:

Sec. 7. **Regular employees to be members of classified service.**—*All regular employees holding positions which are placed in the classified service under the provisions of this act shall be permanent members of the classified service without examination or working test period if they have been in the employ of the county for five consecutive years or more, immediately previous to November 3, 1942, and all employees who have been appointed through merit examinations administered under authority of Laws 1941, Chapter 476, Section 5, and who have not since been separated from the service shall also be permanent members of the classified service without further examination or working test period, except that any employee who has not completed his working test period as provided under the rules of the merit plan, shall be on probation for that period of time as he would have had to serve to complete his working test period under the merit plan. All other employees*

shall not be members of such classified service until such time as they shall have been appointed to such position in accordance with the provisions of this act. The civil service director subject to rules and regulations of the county civil service commission shall within two years of the date the board of county commissioners of such county elects to avail itself of the provisions of this act, prepare and offer once to all persons who, on the date the board of county commissioners of such county elects to avail itself of the provisions of this act, are incumbents of positions in the classified service with less than five years of service, a qualifying examination that is designed to test his fitness to perform the work of the class to which his position has been allocated. *No person holding an office for employment in the classified service previous to November 3, 1942, 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 permanent status until they have completed such qualifying examination and shall have been notified of the results thereof.* If such incumbents pass such qualifying examination, they shall become permanent members of the classified service. 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 or before 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.

Sec. 3. **Law amended.**—Laws 1941, Chapter 423, is hereby amended by adding a new section to read as follows:

Sec. 30. May exchange services with other agencies.—When practicable and with due regard to similarity of standards, rules and regulations, the commission may enter into arrangements with suitable agencies in other local, state or federal jurisdictions for the purpose of exchanging services or affecting transfers of employees or eligibles for appointment to positions under the county welfare board.

Approved April 24, 1943.

CHAPTER 609—S. F. No. 116.

An act relating to special assessments against county and school district property in cities, villages, and boroughs.