

CHAPTER 496—S. F. No. 717

An act relating to corrections; providing for the powers of the commissioner of corrections; placing certain personnel in the classified service of the state; amending Minnesota Statutes 1967, Section 241.01, Subdivision 3.

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

Section 1. Minnesota Statutes 1967, Section 241.01, Subdivision 3, is amended to read:

Subd. 3. Department of corrections; officers, employees and agents. Subject to the provisions of ~~Laws 1959, Chapter 263~~ *this chapter*, and to other applicable laws, the commissioner of corrections is authorized to organize the department and to employ such officers, employees, and agents as he may deem necessary to discharge the functions of his department, define the duties of such officers, employees, and agents and to delegate to them any of his powers, duties, and responsibilities, subject to his control and under such conditions as he may prescribe.

The commissioner shall also appoint a chief executive officer for each institution under his exclusive control and may, under the provisions of section 43.24, remove him for cause. Every such executive officer shall have the qualifications and perform the duties now or hereafter required by law, or by rules prescribed by the commissioner. He may appoint an acting chief executive officer during such interim period as is necessary to select and appoint a chief executive officer. In case of an apparent conflict between the powers conferred by law upon any executive officer of a state correctional institution and those conferred by this chapter upon the commissioner of corrections, it shall be conclusively presumed that the power belongs to the latter. The commissioner may require that a chief executive officer reside upon the institution grounds.

The chief executive officers of the state training school for boys, the Minnesota home school, and the reception and diagnostic center shall be in the classified service of the state, and the salaries of such chief executive officers shall be in the same personnel classification and salary range.

When not prohibited by law, and when special circumstances warrant, the commissioner of corrections may direct that personnel, agents and facilities, of one division shall be utilized in carrying out the duties of the other division. He may obtain institutional consultant services from the commissioner of public welfare by agreement with

Changes or additions indicated by italics, deletions by strikeout.

the said commissioner. Appointments to exercise delegated power shall be by written order filed with the secretary of state.

Sec. 2. *The effective date of this act shall be July 2, 1969.*

Approved May 20, 1969.

CHAPTER 497—S. F. No. 943

An act relating to insurance; amending Minnesota Statutes 1967, Section 60A.23, Subdivision 5.

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

Section 1. Minnesota Statutes 1967, Section 60A.23, Subdivision 5, is amended to read:

Subd. 5. **Insurance; fidelity and surety companies; limits of risk.** (1) **Requirements and acceptability.** No company for guaranteeing the fidelity of persons in fiduciary positions, public or private, or for acting as surety, shall transact any business in this state until it shall have satisfied the commissioner that it has complied with all the provisions of law and obtained his certificate to that effect. Thereupon it shall be authorized to execute as sole or joint surety any bond, undertaking, or recognizance which, by any municipal or other law, or by the rules or regulations of any municipal or other board, body, organization, or officer, is required or permitted to be made, given, tendered, or filed for the security or protection of any person, corporation, or municipality, or any department thereof, or of any other organization, conditioned for the doing or omitting of anything in such bond or other instrument specified or provided; and any and all courts, judges, officers, and heads of departments, boards, and municipalities required or permitted to accept or approve of the sufficiency of any such bond or instrument may in their discretion accept the same when executed, or the conditions thereof guaranteed solely or jointly by any such company, and the same shall be in all respects full compliance with every law or other provisions for the execution or guaranty by one surety or by two or more sureties, or that sureties shall be residents or householders, or freeholders, or all or either.

(2) **Countersignature not required.** The countersignature of a licensed resident agent shall not be required of any bid bond is-

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