

## CHAPTER 91—S.F.No. 1920

*An act relating to state government; modifying the appointment process and position classifications for the state archaeologist; amending Minnesota Statutes 1998, section 138.35, subdivisions 1 and 1a.*

## BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1998, section 138.35, subdivision 1, is amended to read:

Subdivision 1. **APPOINTMENT.** The state archaeologist shall be a qualified professional archaeologist appointed by the commissioner of administration in consultation with the executive council of the Minnesota historical society in consultation with, the Indian affairs council, and other interested parties to perform the duties in sections 138.31 to 138.42. ~~The position is in the unclassified service in the executive branch and is subject to chapter 43A but not chapter 179A. The compensation and terms and conditions of employment are as provided by section 43A.18, subdivision 3.~~ The state archaeologist's salary shall be established by the ~~commissioner of employee relations within a range established by the commissioner of employee relations.~~

Sec. 2. Minnesota Statutes 1998, section 138.35, subdivision 1a, is amended to read:

Subd. 1a. **ADMINISTRATIVE SUPPORT; STAFF.** The commissioner of administration shall provide the state archaeologist with necessary administrative services. State agencies shall provide the state archaeologist upon request with advisory staff services on matters relating to the duties and jurisdiction of the state archaeologist. The state archaeologist shall hire staff and maintain offices as necessary to perform the duties in sections 138.31 to 138.42. ~~Staff shall serve in the unclassified service and be governed by section 43A.18, subdivision 2.~~

Sec. 3. **POSITION TRANSFER.**

The commissioner of employee relations shall allocate positions described in sections 1 and 2 to the appropriate state job classifications in accordance with Minnesota Statutes, chapter 43A. Positions transferred with their incumbents do not create vacancies. Incumbents transferred to unlimited classified positions are transferred without examination but shall serve a probationary period as provided in the collective bargaining agreement or plan to which their positions are assigned, and shall receive credit for time already served in the position.

Sec. 4. **EFFECTIVE DATE.**

Section 3 is effective on the day following final enactment.

Presented to the governor April 20, 1999

Signed by the governor April 23, 1999, 11:38 a.m.

## CHAPTER 92—S.F.No. 1528

*An act relating to natural resources; modifying harmful exotic species provisions; amending Minnesota Statutes 1998, sections 84.027, subdivision 13; 84D.01, subdivision 2; 84D.02, subdivi-*

New language is indicated by underline, deletions by ~~strikeout~~.