

CHAPTER 421

CIVIL SERVICE COMMISSIONS.

421.01 INJURED FIREMEN OR POLICEMEN MAY BE REINSTATED.

HISTORY. 1931 c. 320 s. 1; M. Supp. s. 1478-1.

421.02 CIVIL SERVICE RULES FOR UNSKILLED LABOR.

HISTORY. 1895 c. 8 ss. 190 to 192; 1933 c. 372 s. 1; M. Supp. s. 1459-1.
This act (421.02) is constitutional. OAG May 3, 1933.

421.03 NOTICE OF DISCHARGE OF EMPLOYEES.

HISTORY. 1913 c. 105 s. 11; 1917 c. 63 s. 11; M.S. 1927 s. 1465; 1933 c. 409 s. 1; M. Supp. s. 1465-1.

The commissioner of public safety of St. Paul, under the provisions of the city charter and ordinances thereunder, had no authority indefinitely to suspend from his position the superintendent of the bureau of police and fire alarm telegraph on the sole ground of a temporary deficiency in the funds provided in the city budget for all salaries and expenses of the bureau. There were more than 20 employees in the bureau, and no other employee was suspended. State ex rel v Warren, 195 M 180, 261 NW 857.

Inefficiency does not consist of a separate act but embraces a course of conduct, a lack of integrity, or limitation of capacity. Inefficiency denotes incapability for office, while misconduct denotes an improper discharge of the duties of the office. While an officer may not twice be punished for the same misconduct, such act of misconduct may be later used against him to prove that he is unfit for the office because of inefficiency. Hughes v Dep't of Public Safety, 200 M 16, 273 NW 618.

421.04 HEARING.

HISTORY. 1933 c. 409 s. 2; M. Supp. s. 1465-2.

421.05 HEARING.

HISTORY. 1933 c. 409 s. 3; M. Supp. s. 1465-3.

421.06 BOARD TO MAKE INVESTIGATIONS.

HISTORY. 1913 c. 105 s. 11; 1917 c. 63 s. 11; M.S. 1927 s. 1465; 1933 c. 409 s. 4; M. Supp. s. 1465-4.

Evidence before administrative tribunals. 23 MLR 68.

421.07 EMPLOYEES REMOVED, WHEN.

HISTORY. 1933 c. 409 s. 5; M. Supp. s. 1465-5.

The only questions for determination by a trial court upon an appeal from the findings of a board of appeal or referees are: (1) Was the decision of said board based upon legal evidence, and (2) if so, are the findings of the board of appeal or referees reasonable? Hughes v Dep't of Public Safety, 200 M 16, 273 NW 618.

Upon a hearing of charges of inefficiency, breach of duty, and misconduct in the performance of duty preferred against a police officer, it was proper for the board of appeal or referees to receive in evidence the service record of the officer

MINNESOTA STATUTES 1945 ANNOTATIONS

2473

CIVIL SERVICE COMMISSIONS 421.17

as bearing upon the question of his inefficiency, although such record would not be competent as evidence to prove charges of misconduct alleged to have been committed subsequent to the passage of the act and not included in the service record offered as evidence. *Hughes v Dep't of Public Safety*, 200 M 16, 273 NW 618.

421.08 BOARD TO SERVE WITHOUT PAY.

HISTORY. 1933 c. 409 s. 6; M. Supp. s. 1465-6.

421.09 LIMITATION.

HISTORY. 1933 c. 409 s. 7; M. Supp. s. 1465-7.

421.10 APPLICATION.

HISTORY. 1933 c. 409 s. 8; 1937 c. 434 s. 1; M. Supp. s. 1465-8.

421.11 WHO ARE EMPLOYEES.

HISTORY. 1933 c. 35 s. 2; M. Supp. s. 1455-2.

421.12 CLASSIFICATION OF SCHOOL EMPLOYEES.

HISTORY. 1933 c. 35 s. 1; 1939 c. 43; M. Supp. s. 1455-1.

Rights of classification and tenure is conferred upon all who were in the employ of the district on the date when this act became effective, and on all thereafter employed. OAG April 24, 1944 (120).

421.13 CLERK TO CERTIFY LIST.

HISTORY. 1933 c. 35 s. 3; M. Supp. s. 1455-3.

Laws 1933, Chapter 35, contemplates that the civil service board shall perform the same duties with reference to the employees of the board of education which it performs with reference to the employees of the city and such board has the obligation of paying all the expenses incurred in classifying employees and performing other duties. OAG June 26, 1933.

421.14 EMPLOYEES TO RETAIN POSITIONS.

HISTORY. 1933 c. 35 s. 4; M. Supp. s. 1455-4.

421.15 REGULATION OF PUBLIC UTILITIES; DEFINITIONS.

HISTORY. 1917 c. 358 s. 1; G.S. 1923 s. 1786; M.S. 1927 s. 1786.

Duluth may adopt an ordinance declaring sewage disposal plants to be a public utility and issue bonds to pay the cost of completing the same, payable out of the rentals or charges for the use of such plants, without an election, and sell them to the state. OAG Sept. 23, 1937 (387b-9).

Comparative law. The term "public utilities" defined in various jurisdictions. *Davies v Brown*, 137 F(2d) 204.

421.16 APPLICATION.

HISTORY. 1917 c. 358 s. 2; G.S. 1923 s. 1787; M.S. 1927 s. 1787.

421.17 CIVIL SERVICE COMMISSION.

HISTORY. 1913 c. 105 s. 1; 1917 c. 63 s. 1; 1917 c. 358 s. 3; G.S. 1923 ss. 1455, 1788; M.S. 1927 s. 1455, 1788.

Removal from public office in Minnesota. 20 MLR 721.

MINNESOTA STATUTES 1945 ANNOTATIONS

421.18 CIVIL SERVICE COMMISSIONS

2474

421.18 MEETINGS OF COMMISSION.

HISTORY. 1913 c. 105 s. 3; 1917 c. 63 s. 3; 1917 c. 358 s. 4; G.S. 1923 ss. 1457, 1789; M.S. 1927 ss. 1457, 1789.

421.19 JURISDICTION OF COMMISSION.

HISTORY. 1913 c. 105 s. 4; 1917 c. 63 s. 4; 1917 c. 358 s. 5; G.S. 1923 ss. 1458, 1790; M.S. 1927 ss. 1458, 1790.

421.20 PUBLIC UTILITIES BOARD.

HISTORY. 1917 c. 358 s. 6; G.S. 1923 s. 1791; M.S. 1927 s. 1791.

421.21 CITY MANAGER SUPERINTENDENT.

HISTORY. 1917 c. 358 s. 7; G.S. 1923 s. 1792; M.S. 1927 s. 1792.

421.22 POLICE AND HEALTH DEPARTMENTS.

HISTORY. 1917 c. 358 s. 8; G.S. 1923 s. 1793; M.S. 1927 s. 1793.

421.23 RULES.

HISTORY. 1917 c. 358 s. 9; G.S. 1923 s. 1794; M.S. 1927 s. 1794.

421.24 REMOVAL AND DISCHARGE OF EMPLOYEES.

HISTORY. 1917 c. 358 s. 10; G.S. 1923 s. 1795; M.S. 1927 s. 1795.

421.25 INVESTIGATIONS BY COMMISSION.

HISTORY. 1917 c. 358 s. 11; G.S. 1923 s. 1796; M.S. 1927 s. 1796.

421.26 COMMISSION, POWERS OF.

HISTORY. 1913 c. 105 s. 19; 1917 c. 63 s. 19; 1917 c. 358 s. 12; G.S. 1923 ss. 1473, 1797; M.S. 1927 ss. 1473, 1797.

421.27 FINDINGS.

HISTORY. 1917 c. 358 s. 13; G.S. 1923 s. 1798; M.S. 1927 s. 1798.

421.28 ADOPTION.

HISTORY. 1917 c. 358 s. 14; G.S. 1923 s. 1799; M.S. 1927 s. 1799.