

Public Safety

CHAPTER 299A

DEPARTMENT OF PUBLIC SAFETY

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299A.01 DEPARTMENT OF PUBLIC SAFETY; CREATION AND ORGANIZATION. Subdivision 1. In order that the functions and services of the state of Minnesota relating to the safety and convenience of its citizens might be coordinated and directed in an accessible, identifiable manner; and to promote and insure the existing public safety operations of that government, the department of public safety is created under the supervision and control of the commissioner of public safety, which office is established. The commissioner of public safety is appointed by the governor, by and with the advice and consent of the senate for four year term. The governor may remove the commissioner only for cause, after a public hearing. A vacancy in the office of the commissioner shall be filled for the unexpired portion of the term. The commissioner may appoint a deputy who shall serve at the pleasure of the commissioner in the unclassified service. The salary of such deputy is fixed by the commissioner except when otherwise expressly provided for by law. The deputy may perform and exercise every power, duty, and responsibility imposed by law upon the commissioner when authorized so to do by the commissioner.

Subd. 2. The duties of the deputy shall include, in addition to such other functions and responsibilities as may be delegated or assigned by the commissioner or imposed by law, the following: (a) The coordination, development and maintenance of services contracts with existing state departments and agencies assuring the efficient and economic use of advanced business machinery including computers;

(b) The execution of contracts and agreements with existing state departments for the maintenance and servicing of vehicles and communications equipment, and the use of related buildings and grounds;

(c) The development of integrated fiscal services for all divisions, and the preparation of an integrated budget for the department;

(d) The establishment of a planning bureau within the department, which bureau shall consult and coordinate its activities with the state planning director.

Subd. 3. No delegation or assignment of a power or duty by the commissioner to an employee of the department shall be made in respect to, or in a manner resulting in a reenactment of, the powers, duties or responsibilities contained in section 299C.03, and acts amendatory thereof, except to the division of the bureau of criminal apprehension. Employees of the department of public safety are in the classified civil service except where otherwise specifically provided for by law.

Subd. 4. [Repealed, 1976 c 5 s 12]

Subd. 5. The commissioner of administration shall review on a regular basis the duties and responsibilities of the various state departments, agencies and boards which have an operational effect upon the safety of the public, and recommend to the governor and the legislature such organizational and statutory policies as will best serve the purposes of Laws 1969, Chapter 1129.

Subd. 6. The commissioner of public safety shall have the power to promulgate such rules and regulations pursuant to chapter 15, as are necessary to carry out the purposes of Laws 1969, Chapter 1129.

[1969 c 1129 art 1 s 1; 1976 c 5 s 1]

299A.02 COMMISSIONER OF PUBLIC SAFETY; LIQUOR CONTROL FUNCTIONS. Subdivision 1. **Director of division of liquor control.** No employee of the department of public safety having any responsibility for the administration or enforcement of chapter 340 shall have a direct or indirect interest in the manufacture, transportation or sale of intoxicating liquor or any malt or vinous beverages, intoxi-

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cating, non-intoxicating, or commercial or industrial alcohol. The commissioner shall remove an employee of the department in the unclassified civil service for any violation of sections 340.02, 340.031 to 340.036, 340.11 to 340.19, 340.355 to 340.357, 340.402 to 340.408, 340.44 to 340.493, 340.53 to 340.56, 340.601 to 340.62, or 340.70 to 340.983. Violation of the preceding sections by a classified employee of the department shall be grounds for removal of that employee pursuant to section 43.24.

Subd. 2. **General powers.** The commissioner shall administer and enforce the provisions of chapter 340 except for those provisions thereof for which administration and enforcement are reserved to the commissioner of revenue.

Subd. 3. **Reports; rules.** The commissioner shall have power to require periodic factual reports from all licensed importers, manufacturers, wholesalers and retailers of intoxicating liquors and to make all reasonable rules to effect the object of chapter 340. The rules shall include provisions for assuring the purity of intoxicating liquors and the true statement of its contents and proper labeling thereof with regard to all forms of sale.

Subd. 4. **Subpoenas.** In all matters relating to his official duties, the commissioner shall have the powers possessed by courts of law to issue subpoenas and cause them to be served and enforced. All public officials, and their respective deputies and employees, and all individuals, partnerships, firms, corporations, incorporated and unincorporated associations, and others who manufacture, transport, or sell intoxicating liquor, or are connected therewith in any manner, shall at all times attend and answer under oath the commissioner's lawful inquiries, produce and exhibit such books, accounts, documents and property as he may desire to inspect, and in all things aid him in the performance of his duties.

[1976 c 5 s 2]