

PROPOSED AMENDMENTS TO THE CITY CHARTER

Notice is hereby given that the following proposed amendments to the City Charter of the City of St. Paul, Ramsey County, Minnesota, will be submitted to the qualified voters of said City for adoption or rejection at a special city election to be held in said City on Monday, June 15th, 1936. (Which is the same day the County and State Primary Election will be held.)

To the Honorable Mark H. Gehan, Mayor of the City of Saint Paul:

The annexed is a draft of proposed amendments to the Charter of the City of Saint Paul, made, framed and adopted by the Board of Freeholders of the City of Saint Paul, appointed pursuant to Section 36, Article 4, of the Constitution of the State of Minnesota, and the laws and statutes enacted pursuant thereto, and said draft of said proposed amendments is hereby returned to you as Chief Executive of the said City of Saint Paul, signed by the undersigned majority of said Board, to be submitted to the qualified voters of said City for ratification in the manner provided by law.

Dated at Saint Paul, Minnesota, May 7th, 1936.

JOHN E. STRYKER,
GEO. W. LAWSON,
JOHN J. KENNA,
FRANK L. POWERS,
GEORGE G. CHAPIN,
LEO A. HILGER,
JAMES C. OTIS,
DEN E. LANE,
MCNEIL V. SEYMOUR,
JOSEPH E. OSBORN,
JOHN A. LAGERMAN,
ANDREW J. NEWGREN.

PROPOSED AMENDMENTS TO THE CHARTER OF THE CITY OF ST. PAUL, MINNESOTA.

The Charter of the City of Saint Paul is hereby amended by amending Section 356 of Chapter XVIII thereof to read as follows:

Composition.—Sec. 356. The said Commissioner shall, ex-officio, be the chief peace officer of the City, and, subject to the Charter and enactments in pursuance thereof, shall appoint the officers and employes hereinafter named, who, together with the chief of police appointed as hereinafter provided, shall constitute and be the Bureau of Police: A license inspector, and for a term of two years from and after his appointment and until his successor is appointed; provided, however, that this appointment shall be made with the approval of the Council.

Such captains, lieutenants, detectives, patrolmen, and such other employes as the Council, by an administrative ordinance, shall provide, including one or more women to be detailed for special work as police officers, and at such compensation as it shall fix; provided, however, that there shall be no more than one lieutenant and two sergeants for each police station.

Such surgeons and other employes, and at such compensation as the Council shall likewise provide and prescribe for the maintenance and operation of a police ambulance.

Such special policemen and watchmen, who shall serve without pay and who shall have all the authority conferred upon policemen in the regular service and who shall be subject to all the rules and regulations prescribed for such special policemen and watchmen who shall not be subject to the Civil Service provisions of this Charter.

The Charter of the City of Saint Paul is hereby further amended by adding after Section 356, Sections 356-(a), 356-(b), 356-(c), 356-(d), 356-(e), 356-(f), 356-(g) and 356-(h), which are as follows:

Commission for Selection of Eligibles for the Office of Chief of Police.—Sec. 356-(a). There is hereby created a commission for the purpose of determining persons eligible for appointment to the office of Chief of Police. Said commission shall consist of three members, who shall be electors of the city for a period of at least five (5)

the commission and may be amended by said commission from time to time. Having determined such qualifications, the commission shall provide for competitive, written and oral examinations to test the relative fitness of candidates for the position of chief of police. The commission is empowered to adopt rules and regulations for the conduct of such examinations and the grading of candidates, which rules and regulations shall provide, among other things, for the giving of reasonable notice of all examinations by publication of such notice in at least one newspaper of general circulation in the city and also by posting such notice in the Public Safety Building in the City of Saint Paul and on the bulletin board of the Court House, said notice to refer the candidates to the Secretary of the Commission for further information.

The Commission is hereby authorized to requisition the services of the Civil Service Examiner and his assistants and facilities in connection with any matters relating to the performance of the duties of the commission, including the preparation and conduct of examinations and the grading of candidates, and it shall be the duty of the Civil Service Examiner and his assistants when so requisitioned to assist the said commission and to provide such facilities as are at their disposal.

Certification of Eligibles.—Sec. 356-(d). The commission, having completed said examinations, shall certify the names of the three candidates receiving the highest ratings in the order of their rating to the Commissioner of Public Safety. The Commissioner of Public Safety shall, within five (5) days after said names are certified to him, appoint one of the persons certified Chief of Police, subject to the approval of the Council, which approval shall be made by a five-sevenths vote within five (5) days after said appointment. Should the Council fail to approve the person appointed, within the time aforesaid, the Commissioner of Public Safety shall appoint one of the other persons certified to him by the Commission, subject to the approval of the Council, in the manner and within the time hereinbefore stated. Should the Council fail to approve within the time aforesaid the second person so appointed by the Commissioner of Public Safety, then the Commissioner of Public Safety shall appoint the remaining person certified as aforesaid, subject to the approval of the Council in the manner and within the time hereinbefore stated. Should the Council not approve the last person appointed, then the person who has received the highest rating by the commission shall ipso facto be and become the Chief of Police without further action by the Commissioner or the Council. The Mayor shall have no power to veto any act of the Council relating to the appointment or removal of the Chief of Police.

Tenure of Chief of Police.—Sec. 356-(e). The term of office of the first Chief of Police appointed hereunder shall commence on the 15th day of September, 1936, and shall be for a term of six (6) years from and after said date and until his successor is appointed and shall have qualified; provided, however, that during the first year of his term of office he may be removed by the Commissioner of Public Safety by personal service upon him by said Commissioner of an instrument in writing terminating his office, which instrument shall be filed with the City Clerk; said removal, however, not to be effective until approved by the Council by a five-sevenths vote. The Chief of Police shall continue in office for a term of six (6) years after the expiration of a prior term unless the Council, not earlier than ninety (90) days nor later than sixty (60) days before the expiration of such prior term, shall determine by a four-sevenths vote to terminate his incumbency of the office on such expiration date. If the Council elects to terminate the said incumbency, it shall be the duty of the City Clerk to so notify the secretary of the commission.

In the event a vacancy occurs in the office of Chief of Police, the Commissioner of Public Safety shall forthwith designate some person in the Bureau

Approved

June 24th, 1936
Asst. Corporation Counsel

Louis P. Sheehy
Asst. Corporation Counsel

STATE OF MINNESOTA)
COUNTY OF RAMSEY) SS
CITY OF ST. PAUL)

KNOW ALL MEN THAT THESE PRESENTS CERTIFY, that the foregoing draft of the proposed Chief of Police--Police Board amendments to the Charter of the City of St. Paul, County of Ramsey and State of Minnesota, which proposed amendments amend the Charter of the City of St. Paul, viz., by amending Chapter XVIII thereof by amending Section 356 and by adding Sections 356-(a) to 356-(i), as returned to the Chief Magistrate of said City of St. Paul, to-wit, its Mayor, Hon. Mark H. Gehan, by the Board of Freeholders appointed by the Judges of the District Court of the Second Judicial District of said State, under and pursuant to the constitution and laws of the State of Minnesota, was submitted to the qualified voters of said City of St. Paul, Minnesota, at a special city election held in said City on Monday the Fifteenth day of June, 1936, at which said election there were cast in favor of said amendments Twenty-eight Thousand, Four Hundred Fifty-three (28,453) votes out of a total of Forty-six Thousand, Five Hundred Twenty-one (46,521) ballots actually cast and counted on the proposed amendments, and said amendments did receive the votes of more than three-fifths of the qualified voters voting at said special election in favor of the adoption and ratification thereof, and that all of the votes so cast by the qualified voters and electors at said election upon the subject of the adoption and ratification of said amendments were duly returned to and canvassed by the properly and duly authorized and official canvassing board of said City, and that said canvassing board, after such canvass, has duly declared said amendments to have been duly ratified and adopted by the electors of said City, and it is hereby declared and certified that said amendments were duly and properly ratified and adopted by the qualified voters and electors of said City at said election.

Witness our hands and corporate seal this Twenty-second day of June, 1936.

years preceding their appointment. Any member thereof, while serving on said commission, shall hold any other office or employment under the government of the city.

Appointment and Organization.—Sec. 356-(b). The members of said commission shall be appointed by the Mayor subject to the approval of the Council. The first commission shall be appointed not earlier than fifteen (15) days nor later than thirty (30) days after this amendment takes effect. One member shall be appointed for a term of two (2) years, one member for a term of four (4) years, and one member for a term of six (6) years. All of said members shall hold their offices until their successors are appointed and have qualified by taking the oath required by law. Thereafter, and within ten (10) days before the expiration of the term of any member, the Mayor shall appoint, subject to the approval of the Council, a member of said commission whose term of office shall be for six (6) years. Each member of said commission shall be president thereof during the last two (2) years of the term for which he is appointed. The terms of the members of said commission shall end on June 30 of the last year of their terms. The said commission shall appoint from among its members a secretary, who shall keep an accurate record of all proceedings of the said commission, and said proceedings shall be deemed public records and open to public inspection at all reasonable times.

The said commission shall have the power to obtain or employ such assistants as may be necessary or proper to enable it to perform its duties.

The members of said commission shall serve without pay, but it shall be the duty of the Council to pay or authorize to be paid from the municipal treasury such reasonable and necessary expenses as are incurred by the commission in connection with the performance of its duties.

The commission shall have the power to adopt rules for its procedure and to amend the same from time to time. In such rules it shall be the duty of said commission to provide for the holding of regular and special meetings.

Any vacancy in the membership of said commission for any cause shall be filled within ten (10) days after such vacancy occurs in the manner specified for the appointment of members of said commission, such vacancy to be filled for the unexpired term of the member.

Duties and Powers of Commission.—Sec. 356-(c). The commission after it has met and organized, shall procure such assistance and expert advice as it deems desirable in order to determine necessary and proper qualifications for a chief of police of the City of Saint Paul. Such qualifications shall be a matter of record in the proceedings of

of Police an acting chief of police, whose title and salary under the Civil Service Rules and Regulations shall not be affected thereby; and an examination shall forthwith be held to determine eligibles for a new chief of police, as hereinbefore provided; and the three persons having the highest rating shall be certified to the Commissioner of Public Safety, and a new chief of police appointed in the manner hereinbefore set forth; provided, however, that if in the opinion of the Commission the unexpired term is not of sufficient length to justify an examination to fill the vacancy, the Commission shall so notify the Commissioner of Public Safety, and the acting chief of police appointed by the Commissioner of Public Safety, or any successor so appointed, shall continue as such acting chief of police for the unexpired term and until a chief of police has been appointed and has qualified.

Salary of Chief of Police.—Sec. 356-(f). The salary of the Chief of Police shall be the sum of Five Thousand Dollars (\$5,000.00) per annum.

Removal from Office.—Sec. 356-(g). The Chief of Police may be removed for cause by a four-sevenths vote of the Council at any time upon charges preferred by the Mayor or by any member of the Council. The hearings on said charges shall be held before the Council.

Civil Service Provisions of Charter not Applicable.—Sec. 356-(h). The Civil Service provisions of this Charter shall not be applicable to the office of Chief of Police. All provisions of this Charter inconsistent with this amendment are hereby repealed.

Effective Date.—Sec. 356-(i). This amendment shall take effect upon its passage, and upon appointment of a Chief of Police in accordance with the provisions hereof, the term of any incumbent of said office shall immediately terminate.

I hereby certify that the foregoing is a true and correct copy of the proposed amendments to the City Charter which were proposed by the Board of Freeholders of the City of St. Paul, and have been ordered by the City Council of the City of St. Paul to be submitted to the voters of said City for ratification or rejection at a Special City Election to be held Monday, June 15th, 1936, (which is the same day the County and State Primary Election will be held).

L. R. S. Ferguson
City Clerk

Dated St. Paul, Minn., May 8th, 1936.
(May 16,-23,-30, June 6,-13, 1936.)

Wm. H. Egan
Mayor of the City of St. Paul

Attest

R. S. Ferguson
City Clerk

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STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUN 25 1936

Wm. A. Johnson
Secretary of State