

CHAPTER 5—S. F. No. 74

An act relating to the payment of claims by counties, county welfare boards, county boards of education for unorganized territory, school districts, towns and cities of the second, third, and fourth class and park districts; amending Minnesota Statutes 1957, Section 471.38, Subdivision 1, as amended.

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

Section 1. Minnesota Statutes 1957, Section 471.38, Subdivision 1, as amended by Laws 1959, Chapter 56, Section 1, is amended to read:

471.38 Subdivision 1. **Itemization; declaration.** Except as provided in subdivision 2, where an account, claim or demand against any county, *county welfare board*, county board of education for unorganized territory, school district, town or city of the second, third or fourth class, including any city with a home rule charter, or any park district, for any property or services can be itemized in the ordinary course of business, the board or officer authorized by law to audit and allow claims shall not audit or allow the claim until the person claiming payment, or his agent, reduces it to writing, in items and signs a declaration to the effect that such account, claim, or demand is just and correct and that no part of it has been paid. The board or officer may in its discretion allow a claim prepared by the clerk or secretary of such board or officer prior to such declaration by the claimant if the declaration is made on the check or order-check by which the claim is paid, as provided in section 471.391, subdivision 2.

Approved February 9, 1961.

CHAPTER 6—S. F. No. 108

An act relating to disqualification of probate judges or referees; relating to substitution for disqualified probate judges; and amending Minnesota Statutes 1957, Section 525.05.

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

Section 1. Minnesota Statutes 1957, Section 525.05 is amended to read:

525.05 **Judge or referee; grounds for disqualification.**

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.

The following shall be grounds for disqualification of any judge or referee from acting in any manner: (1) that he or his wife or any of his or her kin nearer than first cousin shall be interested as representative, heir, devisee, legatee, ward, or creditor in the estate involved therein; (2) that it involves the validity or interpretation of a will drawn or witnessed by him; (3) that he may be a necessary witness in such matter; (4) that it involves a property right in respect to which he has been engaged or is engaged as an attorney, or (5) that he was engaged in a joint enterprise for profit with the decedent at the time of death or that he is then engaged in a joint enterprise for profit with any person interested in such matter as representative, heir, devisee, legatee, ward, or creditor. When grounds for disqualification exist, the judge may, and upon proper petition of any person interested in the estate must, request the probate judge of another county or a probate judge who has retired as provided in section 490.12, subdivision 2, to act in his stead in such matter.

Approved February 9, 1961.

CHAPTER 7—S. F. No. 101

[Not Coded]

An act relating to the annual salary of the county treasurer of Lake county.

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

Section 1. Lake County, treasurer's salary. The board of county commissioners of Lake county shall fix the annual salary of the county treasurer at not less than \$6,000, nor more than \$7,500, and the board may make such annual salary as fixed under this act effective as of December 1, 1960.

Sec. 2. Fees. All fees collected by the county treasurer shall be paid to the county in the manner and at the times prescribed by the county board, and the county treasurer shall not receive such fees as additional compensation.

Sec. 3. Effective date. This act shall become effective only after its approval by the board of county commissioners of Lake county and compliance with Laws 1959, Chapter 368.

Approved February 9, 1961.

Changes or additions indicated by *italics*, deletions by ~~strikeout~~.