

## CHAPTER 187—S. F. No. 635.

*An act to create a board of poor and hospital commissioners in counties having not less than eighty congressional townships, and an assessed valuation of not less than twenty million dollars, and not to exceed fifty million dollars, and to define the powers and duties of such board.*

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

Section 1. **Appointment of board of poor and hospital commissioners. Qualifications.**—In all counties in this state containing not less than eighty congressional townships, and having an assessed valuation of not less than twenty million dollars, and not exceeding fifty million dollars, there shall be appointed, as herein provided, a board of poor and hospital commissioners, consisting of five members, who shall be electors of said county. Such board shall be appointed by the board of county commissioners of such county, with the approval of the judges of district court of the judicial district in which, by resolution in writing duly adopted by said board of county commissioners, and filed in the office of the county auditor of such county. No member of the board of county commissioners shall be eligible to such appointment. The terms of two of the members of the first board so appointed shall expire on the first Monday in January of the second year after their appointment; and the terms of three members of the first board so appointed shall expire on the first Monday in January of the third year after their appointment. Upon the expiration of such first terms their successors shall be appointed in like manner for terms of three years each. Vacancies shall be filled by like appointment for the unexpired terms. All appointments, including those to fill vacancies and those for regular terms, shall be by resolution, and approved by the judges of the said district court, as aforesaid. Such board of poor and hospital commissioners shall elect one of its members to be president, and one of its members to be vice president, each to serve for one year, and until their successors are elected and qualified. Such board shall also appoint a clerk, as hereinafter provided. Such election of president and vice-president shall be by the vote of a majority of the members of said board, which vote shall be duly recorded in the minutes and proceedings of said board. And the appointment of said clerk shall also be duly entered in the minutes, records and proceedings of said board. A certified copy of such minutes and records of said board, showing the election of said officers and the appointment of said clerk, shall be filed in the office of the county auditor. Said board shall also adopt by-laws and make all necessary rules and regulations for its conduct and government, including the times and places for hold-

ing its meetings, and may amend such by-laws, rules and regulations at any time at a legal meeting of the board. The members of said board shall receive no compensation for their services or expenses. The board of county commissioners of the county shall provide a suitable room in the court house of such county for the meetings and use of such board of poor and hospital commissioners.

**Sec. 2. Powers.—Duties.**—Such board of poor and hospital commissioners shall have all the powers and duties relative to the care of the poor which, in counties having the county system, appertain to the county board. All moneys arising from the labor of poor persons in its care, or from the produce of the poor farm, shall be paid to the board and by it into the county treasury to the credit of the poor fund. No money shall be paid from such fund except on vouchers of the board, signed by its president or vice-president, and countersigned by its clerk. On the first Monday of January, April, July and October of each year, the board shall file with the county auditor an itemized statement of its receipts and expenditures for the preceding three months. Said board shall have full, complete and exclusive charge of and control of the poor of such county, and the handling, use, paying out and expending of all moneys for poor purposes in such county, including the poor fund thereof. In each of said counties having a county hospital, or in which there shall be established or provided a county hospital under the laws of this state, such board shall have the full, complete and exclusive control, care, management, maintenance and operation of such hospital and shall operate the same as a county hospital. Said board shall provide such by-laws, rules and regulations in reference to such hospital, as to the control, management, maintenance and operation thereof, as it shall deem necessary, proper or desirable. It shall fix the rates to be charged all patients cared for in such hospital, including the rates to be charged against the county for paupers or poor persons cared for at the request of such county. It shall appoint a superintendent of such hospital, who shall hold his office at the pleasure of said board, fix his salary, and prescribe his powers, duties and responsibilities. It shall have the power to employ and pay such other assistants, servants, physicians, surgeons, nurses and other employees as may be necessary or desirable for the maintenance and operation of such hospital. The amounts due, or to become due, from patients and others who may be served by said hospital, shall be collected by and paid to said board. Said board shall require to be kept accurate and complete books of account of all receipts and disbursements in the matter of the maintenance of such hospital, and on the first Monday in January of each year shall file with

the county auditor an itemized statement of all such receipts and expenditures for the preceding year, which statement shall be appended to and published with the financial statement of such county.

**Sec. 3. Clerk.—Appointment of.—Duties and compensation.**—Such board of poor and hospital commissioners shall appoint a clerk, to serve during the pleasure of such board, and fix his compensation which shall not exceed one hundred twenty-five (\$125.00) dollars per month, to be paid out of the county poor fund. Such clerk shall keep a record of all the doings of the board, preserve all documents relating to its business, keep an account of all receipts and expenditures, the names and addresses of all persons to whom relief has been granted, with the amount of such relief, investigate the condition and needs of all persons by or for whom application is made for relief, and report to the board thereon. The board may authorize such clerk to grant temporary relief in cases of emergency, without previous action by the board, but it shall be proper resolution limit the amount of such temporary relief to be so granted. Such clerk shall perform all of the duties and services, both as to such hospital and to the matter of the poor, as shall be prescribed by said board. The board may appoint such other assistants as may be necessary to discharge its duties.

**Sec. 4. Taxes.—How levied.**—Taxes shall be levied by said board for the support of the poor and for said hospital as follows: On or before the first day of October in each year said board shall determine, by separate resolutions duly passed, the amount of taxes to be levied for the ensuing year for the support of the poor in such county, the maintenance of the poor house and other buildings provided for the care of the poor, including the erection of any building or the making of any improvements for such purpose, and for the care, support, maintenance and operation of said hospital. The adoption of such resolution shall constitute a levy on the taxable property in such county to the full amount named therein, provided, however, that the tax so levied for said hospital purposes shall not exceed five-tenths of one mill ( $5/10$  of \$.001) upon the said taxable property in said county. On or before the fifth day of October in each year said board shall file a certified copy of each of said resolutions with the county auditor of such county, who shall thereupon enter the amount upon the tax list, and thereafter proceed to the assessing and collecting of such tax in the same manner as village or corporation taxes. Such taxes when collected shall be placed in, or credited to the hospital fund and to the poor fund, respectively.

**Sec. 5.** Should any paragraph or separate provision of this act be held invalid by any court having jurisdiction thereof so

to determine, such decision or judgment shall not be held to affect any other paragraph or provision hereof or herein.

Sec. 6. All acts and parts of acts inconsistent with this act are hereby repealed.

Sec. 7. All existing laws, not hereby expressly repealed, shall be construed in such a way as to effectuate and carry out the terms, conditions, spirit and purpose of this act, and to that end such laws shall be made to conform to and assist in carrying out this act.

Sec. 8. This act shall take effect and be in force from and after its passage.

Approved April 10. 1917.

#### CHAPTER 188—S F. No. 646.

*An act to amend Section 1836, Revised Laws 1905, as amended by Chapter 326, Laws 1907, which section relates to the appointment of members of the soldiers home board, so as to provide for the payment of a fixed sum and actual expense for railroad fare of said members as compensation for their services in attending meetings of the said board.*

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

Section 1. Trustees of Minnesota Soldiers' Home to receive \$10 per day and railroad fare for attending called meeting of same.—That Section 1836, Revised Laws 1905, as amended by Chapter 326, Laws 1907, be and the same is hereby amended so as to read as follows:

Section 1836. Said trustees shall be appointed by the governor with the consent of the senate, each for the term of six years, and until his successor qualifies. Vacancies shall be filled by like appointment for unexpired terms. *They shall receive as compensation for their services in attending regular meetings of the board and regular meetings of the executive committee the sum of ten dollars (\$10.00) per day for each such meeting day so attended and in addition thereto the sum actually expended for railroad fare in traveling from the place of residence of such member to the place of meeting. Claims for such compensation shall be paid by the state treasurer from the money provided for the support of the Soldiers' Home upon itemized and verified vouchers approved by the president and secretary, after audit by the state auditor. Not more than four of the trustees shall be members of the same political party, and in the selection of trustees, officers of the home, and employes of the board, preference shall be given to honorable discharged soldiers, sailors and marines. Each trustee shall give a bond to the state in the penal sum of five thousand dollars, conditioned for the faithful discharge of his duties and the economical expenditure of the*