

highest number of votes. Thereafter, the names of the four candidates receiving the highest number of votes shall be placed upon the ballot for the general election.

Section 3. **Filing—fee.**—At least 20 days before the primary election any party eligible and desirous of having his name placed on the primary ballot as a candidate for any school office, shall file his affidavit with the clerk, stating his residence, that he is a qualified voter of such independent school district, and the office for which he desires to be candidate. Upon payment by such candidate of \$2.00 to the clerk of such independent school district, the clerk shall place the name of such candidate upon the primary election ballot of such independent school district.

Section 4. **Compensation of judges and clerks.**—The judges and clerks of said election shall receive the same compensation as is provided for the judges and clerks at the regular independent school district election.

Section 5. **Primary election laws to apply.**—All laws now in force as applies to primary elections generally, are to apply to this act as far as applicable.

Approved April 21, 1937.

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#### CHAPTER 343—H. F. No. 49

*An act establishing county welfare boards and defining their powers and duties, and providing for the levy of a tax necessary to effectuate the purposes of this act.*

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

Section 1. **County welfare boards established.**—There shall be established in each county of the state a County Welfare Board which shall consist of five members, to be chosen as follows:

(a) Except in Counties which contain a city of the first class and Counties having a Poor and Hospital Commission, three members shall be chosen by the Board of County Commissioners, and at least one but not more than three shall be members of the Board of County Commissioners. Such members shall be residents of the County, shall hold office for the term of two years, and thereafter as each term expires a successor shall be appointed by the Board of County Commissioners for a like term of two years. Two members,

one of whom shall be a woman, shall be appointed by the Board of Control from a list of residents, five men and five women, submitted by the Board of County Commissioners. One member shall hold office for the term of one year, and one for the term of two years, and thereafter as each term expires a successor shall be appointed by the State Board of Control for the full term of two years from a list of five residents submitted by the Board of County Commissioners. When a vacancy occurs on the County Welfare Board by reason of the death, resignation or expiration of the term of office of a member of the Board of County Commissioners who is also a member of the County Welfare Board, the unexpired term of such member shall be filled by the appointment of another member of the County Board. Except to fill a vacancy and for the first year of its existence the term of office of each member of the County Welfare Board shall commence on the first Thursday after the first Monday in July, and shall continue until the expiration of the term for which such member was appointed or until a successor is appointed and qualifies. The members appointed immediately after this law goes into effect shall hold office from their appointment until the first Thursday after the first Monday in July, 1938.

(b) In any county containing a city of the first class operating under a home rule charter, wherein there is established in such city a Board of Public Welfare for administration of poor relief in such city only, the Board of County Commissioners shall be the County Welfare Board. In such counties the members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties under the provisions of this act. In such counties the County Auditor shall be ex-officio secretary of said board, but shall have no voice in its proceedings. In such counties the system of caring for the poor in effect at the time of the passage of this act shall be continued, subject to all provisions of law relating thereto, except that, if such county is operating under the township system of caring for the poor, such towns, villages and cities of the third and fourth class therein may by resolution of its governing body, agree with the County Welfare Board that the latter shall supervise and administer the poor relief fund in such town, village or city. In any such county the powers and duties of such Board of Public Welfare shall not be affected by the provisions of this act. Such Board of Public Welfare in administering poor relief funds, granted by any state agency authorized so to do by law, shall comply with all standards of administration and procedure prescribed by such agency.

(c) In any county and any city of the first class within such county, which such city shall contain taxable property having an assessed valuation of more than 95 per cent of the assessed valuation for taxation purposes of all property in such county, the Board of

Public Welfare shall be continued as the County Welfare Board and shall be appointed or elected as provided by Laws 1929, Chapter 371, as amended. The said board shall receive such compensation and shall have and exercise all the powers as provided by the said act of 1929, as amended, in addition to any other and further powers granted herein and shall have and perform all of the additional duties referred to in Section 7 of this act, except that the Executive Secretary of such board shall be appointed and his salary shall be fixed pursuant to Section 4 of this act.

(d) That in any county in this state having a population of more than 200,000, and an assessed valuation of more than \$250,000,000 and an area of over 5,000 square miles, the Board of Poor Commissioners shall be continued as the County Welfare Board and shall be appointed or elected as provided by Laws of 1907, Chapter 222, as amended. The said board shall receive such compensation and shall have and exercise all the powers as provided by the said Act of 1907, as amended, in addition to any other and further powers granted herein and shall have and perform all the additional duties referred to in Section 7 of this act.

(e) Any county now having a Poor and Hospital Commission, said Poor and Hospital Commission shall be the County Welfare Board.

**Section 2. Filing of oath of office.**—Each member of the Board, other than those holding some other public office for which they have qualified, shall take the oath of office prescribed in Mason's Minnesota Statutes 1927, Section 6963, and file same in the office of the County Auditor of the county for which such member was appointed. No person shall be qualified to act as a member of said County Welfare Board until such oath has been filed.

**Section 3. Per diem. of members.**—Except as herein provided in Section 1, Subdivisions (b) and (c), the members of the County Welfare Board shall receive, in addition to any salaries they may receive from any other source, from the state or county or any municipality, the sum of \$3 per day for time actually spent in transacting the business of the Board not exceeding, however, a maximum of twenty-five days a year. Members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties.

**Section 4. Election of officers.**—The County Welfare Board shall at its first meeting, and thereafter at its annual meeting on the first Thursday after the first Monday in July of each year, meet and organize by electing a Chairman, a Vice-Chairman and a Secretary, except as provided in Section 1, Subdivision (b), each of whom shall perform the customary duties of his office. Said Board shall

appoint an Executive Secretary and such assistants and clerical help as it may deem necessary to perform the work of the Board. The appointment of said Executive Secretary shall be made in accordance with rules and regulations to be adopted by the State Board of Control and shall be chosen upon the basis of his experience, training and general qualifications for the work. His salary shall be fixed by the County Welfare Board subject to the approval of the County Board of Commissioners, except the salary of the Executive Secretary of the County Welfare Board appointed pursuant to Section 1, Subdivision (c) hereof, which salary shall be approved by the Board of County Commissioners of any such county and the City Council of any city of the first class located within such county, and said County Welfare Board shall fix the salary of such other employes as it may hire.

Section 5. **County to provide offices.**—The county, except as herein provided in Section 1, Subdivision (c), shall provide suitable offices for the County Welfare Board and its employes.

Section 6. **Salaries etc., to be paid by county.**—The salaries, office, traveling and other necessary expenses of the County Welfare Board shall be paid by the county, except as provided in Section 1, Subdivision (c), and shall be subject to reimbursement out of state and Federal funds as may be provided by law.

Section 7. **Duties and powers of the board.**—After its establishment the County Welfare Board shall forthwith assume the powers, duties and responsibilities of the County Child Welfare Board, if any, existing in the county, and shall perform such duties as may be required of the County Child Welfare Board or by law or by the State Board of Control with regard to the enforcement of all laws for the protection of defective, illegitimate, dependent, neglected and delinquent children.

The County Welfare Board, except as provided in Section 1, Subdivision (b), shall be charged with the duties of administration of all forms of public assistance and public welfare, both of children and adults, and shall supervise, in cooperation with the Board of Control, the administration of all forms of public assistance which now are or hereafter may be imposed on the State Board of Control by law, including aid to dependent children, old age assistance, veterans aid, aid to the blind, and other public assistance or public welfare purposes. The duties of the County Welfare Board shall be performed in accordance with the standards, rules and regulations which may be promulgated by the State Board of Control in order to comply with the requirements of the Federal Social Security Act and to obtain grants-in-aid available under said act.

The County Welfare Board provided for in Section 1, Subdivision (b), shall be charged with the duties of administration of all

forms of public assistance and public welfare within the purview of the Federal Social Security Act and which now are, or hereafter may be, imposed on the State Board of Control by law, of both children and adults, including aid to dependent children, old age assistance and aid to the blind. The duties of such County Welfare Board shall be performed in accordance with the standards, rules and regulations which may be promulgated by the State Board of Control in order to comply with the requirements of the Federal Social Security Act and to obtain grants-in-aid available under said act.

**Section 8. To furnish estimates to county board.**—On or before the first day of July each year The County Welfare Board, except any such board referred to in Section 1, Subdivisions (b) and (c), of this act, shall submit to the County Board of Commissioners an estimate of the amount needed by it to perform its duties, including expenses of administration, and the County Board of Commissioners shall consider the estimates so submitted and, if approved, shall levy a tax as provided by law for said purposes. In the event said estimate is not approved, the County Board of Commissioners shall confer with the County Welfare Board and adjust a budget in accordance with the facts and levy a tax for the amount required.

In counties referred to in Section 1, subdivision (b), the estimate required shall not include poor relief in such counties or institutional requirements in any city of the first class located therein. The tax levy by the County Board of Commissioners in such counties shall be such as is required for categories of aid under the Federal Social Security Act, and shall be separate and distinct from other levies made by it. The governing body of any such city of the first class may annually levy a tax for poor relief as authorized by such home rule charter, on the real and personal property within the corporate limits of such city. Such tax levy and the proceeds thereof shall be subject to the same control and supervision as is imposed on any existing public welfare tax levy.

On the first day of July of each year the County Welfare Board referred to in Section 1, Subdivision (c), of this act, shall present its estimate of the amount needed by it to perform its duties, including expense of administration, to the Board of County Commissioners of any such county and the City Council of the city of the first class located in such county; the cost of all such relief, including the maintenance of any almshouse, sanitorium or hospital maintained by such county and city, shall be paid 72½% by such county and 27½% by such city.

**Section 9. County board to meet monthly.**—The County Welfare Board shall meet and advise with the Executive Secretary at least once each month and said Executive Secretary shall report

and be responsible to said County Welfare Board and shall be directed in his activities by said Board. The Executive Secretary shall be charged with the administration of the duties of the County Welfare Board and shall perform such additional duties as the County Welfare Board may designate.

Section 10. **Inconsistent acts repealed.**—All acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Section 11. **Effective July 1, 1937.**—This act shall take effect and be in force from and after July 1st, 1937.

Approved April 22, 1937.

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#### CHAPTER 344—H. F. No. 124

*An act to provide relief for counties in which the full value of the property which is exempt from local taxation because taxes thereon are paid under the gross earnings tax laws is greater than the taxable value of all other non-exempt real and personal property, exclusive of moneys and credits, and appropriating money therefor.*

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

Section 1. **Tax relief for certain counties.**—Any county in which the full value of all property which is exempt from local taxation, because taxes thereon are paid into the state treasury under the provisions of the gross earnings tax laws, exceeds the taxable value of all other non-exempt real and personal property, exclusive of moneys and credits, shall be entitled to receive from the state treasury such an amount annually as would be produced by computing a tax of one-fourth of the current tax rate for county purposes upon the full value of such property which is exempt from local taxation because of the provisions of the gross earnings tax laws.

Section 2. **Shall make application to State Auditor.**—Any such county desiring to take advantage of this act shall apply in writing therefor to the State Auditor, and such application shall contain the following facts:

(a) The valuation of the property in said county not subject to local taxation because the same is subject to taxation under the gross earnings tax law. Railroad valuation shall cover all railroad property located in said county except rolling stock, main tracks, and fills or bridges supporting the same.