

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

Section 1. Definitions.—When used in this act the following words and phrases have the meaning ascribed to them in this section:

(1) County government means all officers and agencies of the county.

(2) County means any county which now has or hereafter may have a population of 250,000 and less than 350,000 inhabitants.

Sec. 2. Compensation to be fixed by County Board.—Except as otherwise provided herein, the compensation of all officers and employees of the county government shall be fixed by the county board.

Sec. 3. Temporary employees.—The county board may authorize the employment in emergencies of temporary employees; provided that conditions constituting an emergency shall be defined by the county board by resolution.

Sec. 4. Application of act.—Subdivision 1. This act shall not apply to any elective officer or to any officer or employee whose compensation is provided for by Laws 1923, Chapter 77, Laws 1927, Chapter 155, Laws 1929, Chapter 371, Laws 1939, Chapter 362, or Mason's Minnesota Statutes of 1927, Section 8258 and 8649.

Subdivision 2. This act shall be subject to Laws 1941, Chapter 513, and acts amendatory thereof.

Sec. 5. Inconsistent acts repealed.—Except as otherwise provided herein all acts or parts of acts which are inconsistent with this act are hereby expressly repealed to the extent of such inconsistency.

Sec. 6. Effective January 1, 1943.—This act shall be effective from and after January 1, 1943.

Approved January 14, 1943.

CHAPTER 3—S. F. No. 16

(AMENDING SECTION 161.03 MINNESOTA STATUTES 1941.)

An act relating to the trunk highway fund, providing for the

investment of any surplus therein, and amending Mason's Supplement 1940, Section 2554, Subdivision 2.

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

Section 1. **Law amended.**—That Mason's Supplement 1940, Section 2554, Subdivision 2 be and hereby is amended to read as follows:

"2554. Powers of Commissioner of Highways—apportionment of highway funds.—Sub. 2. (1) On the first Tuesday of April of each year it shall be the duty of the commissioner of highways, state auditor and state treasurer following the transfer to the trunk highway fund of any surplus remaining in the trunk highway sinking fund, as provided in this act, to set aside from the total sum in said fund—

"1. The proportion of expense of the highway department to be borne by the trunk highway fund authorized by section 12 of this act, not to exceed One Hundred Fifty Thousand (\$150,000) Dollars.

"2. The proportion of the trunk highway fund provided by this act to be set aside for maintenance.

"3. Such sum as may be found necessary for the payment of interest and principal on trunk highway bonds of the State of Minnesota or bonds issued by the State of Minnesota to take up maturing county bonds or county bonds assumed by the state under Article 16 of the constitution.

"4. Such sum as may be necessary to equal the total sum of the federal aid received from the United States Government for road purposes in Minnesota.

"Any sum remaining in the trunk highway fund after setting aside the sums hereinbefore mentioned together with the sum set aside to meet the government aid, and the total amount received as government aid, excepting such portion of government aid as may be required to make connections on the federal aid system with adjoining states, shall constitute the portion of trunk highway fund available for construction purposes for that year. The highway commissioner is hereby authorized to use during the ensuing year for hard surface construction on the trunk highway not to exceed 20 per cent of such construction fund, provided that the commissioner of highways, may, in his discretion, if the provisions of federal aid should so require as a condition precedent to receiving such aid, use an additional amount from such fund not to exceed, in any event, an additional thirteen and one-third per cent from such construction fund in any one year. The

remainder of such construction fund shall be used by the commissioner on the trunk highway system for the acquisition of right of way and for construction purposes on the trunk highway system, provided the same shall be expended among the various sections of the state in equitable proportions as far as practicable in the construction of said unfinished portions of the trunk highway. Provided further, that the commissioner of highways shall have authority to use for construction purposes on the unfinished portions of the trunk highway system any portion of the funds set aside as herein provided that shall not be needed as a part of the fund so set aside, and is further authorized to use any portion of the trunk highway fund, set aside for maintenance in any one county, for construction purposes in such county when not needed for maintenance therein.

"(2) Whenever there shall be a surplus in the trunk highway fund which is not currently needed, the commissioner of highways shall certify to the state board of investment the amount thereof and when it will be needed for highway purposes. Upon receipt of the certification, the state board of investment may invest the amount so certified in bonds or securities of the United States of America, so conditioned as to be convertible into cash without discount through federal government agencies at the option of the state on or before the time when the proceeds will be needed as certified by the commissioner of highways. At or before the time so certified, except as the commissioner of highways may then certify that there is no current need therefor, the board shall proceed to cash such bonds or securities and shall deposit the proceeds in the trunk highway fund. All interest and profit accruing from the bonds or securities shall be credited to and be a part of the trunk highway fund."

Approved January 15, 1943.

CHAPTER 4—H. F. No. 12

An act relating to certain proceedings heretofore taken for the improvement of streets by certain villages and validating such proceedings and authorizing the issuance and sale of certificates of indebtedness and the levy of assessments.

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

Section 1. Proceedings for improvement of streets invalidated in certain cases.—In all cases where any village has prior to