

missioner of administration by the provisions of Minnesota Statutes, Sections 16.02, Subdivisions 9 and 10; and 16.23.

Sec. 7. *Minnesota Statutes 1967, Sections 16.57; 282.323, Subdivision 1; and Laws 1945, Chapter 315, are repealed. The city of Saint Paul shall continue to retire the bonds authorized by Laws 1945, Chapter 315 in the manner provided therein, and the amount of such bonds from time to time outstanding shall continue to be disregarded in determining the net indebtedness of said city as provided therein.*

Approved June 9, 1969.

CHAPTER 1151—H. F. No. 2820

An act relating to certain county officers and employees; amending Minnesota Statutes 1967, Sections 387.14; 387.20, Subdivisions 6 and 7; 387.22; 485.018, Subdivisions 6 and 7; 485.03; 641.06; and repealing Minnesota Statutes 1967, Sections 387.17; 387.18; 387.19; 387.21; 387.23; 387.24; 387.26; 387.27; 485.011; 485.012; 485.013; 485.014; 485.016; 485.017; 485.24; 485.25; and 485.26.

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

Section 1. Minnesota Statutes 1967, Section 387.14, is amended to read:

387.14 Counties; officers and employees; deputies. *The county board shall determine the number of permanent full time deputies and other employees and fix the compensation for each position. The county board shall also budget for special deputies, jailers, matrons, bailiffs and other temporary employees and shall fix their rates of compensation. Every* ~~The sheriff shall appoint in writing the under his hand a sufficient number of persons as deputy sheriffs~~ *deputies and other employees, for whose acts he shall be responsible and whom he may remove at pleasure. Before entering upon his official duties, the oath and appointment of each shall be filed with the register of deeds.*

Sec. 2. Minnesota Statutes 1967, Section 387.20, Subdivision 6, is amended to read:

Subd. 6. The county board by resolution shall provide the budget for (1) the salaries of deputies, jailers, matrons, bailiffs, clerks and other employees in the office of the sheriff; (2) other expenses

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

necessary in the performance of the duties of said office and (3) the payment of premiums of any bonds or license fees required of *the sheriff or any deputy or other employee in said office* and the board is authorized to appropriate funds therefor and for the salary of the sheriff. ~~Nothing in this subdivision shall limit the right of the sheriff to appoint deputies or other employees for said office as provided by law.~~

Sec. 3. Minnesota Statutes 1967, Section 387.20, Subdivision 7, is amended to read:

Subd. 7. The sheriff, if dissatisfied with the action of the county board in setting the amount of his salary or the amount of the budget for the office of sheriff, may appeal to the district court on the grounds that the determination of the county board in setting such salary or budget was arbitrary, capricious, oppressive or ~~in unreasonable disregard for~~ *without sufficiently taking into account the extent of the responsibilities and duties of said office.* The appeal shall be taken within 15 days after the date of the resolution setting such salary or budget by serving a notice of appeal on the county auditor and filing same with the clerk of the district court. The court either in term or vacation and upon 10 days notice to the chairman of the board shall hear such appeal. On the hearing of the appeal the court shall review the decision or resolution of the board ~~in like manner as though reviewed by certiorari, except in a hearing de novo and may hear new or additional evidence may be taken,~~ *or the court may order the officer appealing and the board to submit briefs or other memoranda and may dispose of the appeal on such writings. If the court shall find that the board acted in an arbitrary, capricious, oppressive or unreasonable manner or without sufficiently taking into account the extent of the responsibilities and duties of the office of the sheriff, it shall make such order to take the place of the order appealed from as is justified by the record and it shall remand the matter to the county board for further action consistent with the court's findings. After determination of the appeal the county board shall proceed in conformity therewith.*

Sec. 4. Minnesota Statutes 1967, Section 387.22, is amended to read:

387.22 Riots; special deputies; compensation fixed by district court. ~~The provisions of sections 387.18 to 387.21 for the salaries of sheriffs shall not include the salaries or fees of jailers, matrons, deputies whose attendance is required at terms of court, the board of prisoners, nor the payment of any of the expenses specifically provided for in sections 387.18 to 387.23.~~

When there is any riot or impending violation of law and the

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sheriff shall be of opinion that other than the regular deputies are required he shall apply to the judge of the district court to determine upon and fix the compensation of such special deputies as the sheriff may name and appoint and such special deputies so named and appointed and the compensation of whom is fixed by the judge shall have all the powers assigned to him by the sheriff in such appointment. The appointment by the sheriffs and the fixing of their compensation shall be immediately certified by the sheriff to the clerk of the district court of his county and such certificate filed by such clerk and such special deputies shall be paid in the same manner as deputies in attendance upon terms of court.

Sec. 5. Minnesota Statutes 1967, Section 485.018, Subdivision 6, is amended to read:

Subd. 6. Budget for office. The county board by resolution shall provide the budget for (1) the salaries of deputies, clerks and other employees in the office of the clerk of district court; (2) other expenses necessary in the performance of the duties of said office and (3) the payment of premiums of any bonds required of *the clerk of district court* or any deputy, clerk or employee in said office and the board is authorized to appropriate funds therefor and for the salary of the clerk of district court. ~~Nothing in this subdivision shall limit the right of the clerk of district court to appoint deputies for said office as provided in Minnesota Statutes 1961, Section 485.03.~~

Sec. 6. Minnesota Statutes 1967, Section 485.03, is amended to read:

485.03 Deputies. *The county board shall determine the number of permanent full time deputies, clerks and other employees in the office of the clerk of district court and shall fix the compensation for each position. The county board shall also budget for temporary deputies and other employees and shall fix their rates of compensation. By an instrument in writing, under his hand and seal, and with the approval of the judge endorsed thereon, The clerk may shall appoint in writing the deputies and other employees, for whose acts he shall be responsible, and whom he may remove at pleasure. Before entering upon his official duties, the appointment and oath of every such deputy each shall be filed with the register of deeds.*

Sec. 7. Minnesota Statutes 1967, Section 485.018, Subdivision 7, is amended to read:

Subd. 7. Appeal from resolution of the board. The clerk of district court if dissatisfied with the action of the county board in setting the amount of his salary or the amount of the budget for the

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office of clerk of district court, may appeal to the district court on the grounds that the determination of the county board in setting such salary or budget was arbitrary, capricious, oppressive or ~~in unreasonable disregard for~~ *without sufficiently taking into account the extent of the responsibilities and duties of said office.* The appeal shall be taken within 15 days after the date of the resolution setting such salary or budget by serving a notice of appeal on the county auditor and filing same with the clerk of the district court. The court either in term or vacation and upon 10 days notice to the chairman of the board shall hear such appeal. On the hearing of the appeal the court shall review the decision or resolution of the board ~~in like manner as though reviewed by certiorari,~~ *except in a hearing de novo and may hear new or additional evidence may be taken,* or the court may order the officer appealing and the board to submit briefs or other memoranda and may dispose of the appeal on such writings. If the court shall find that the board acted in an arbitrary, capricious, oppressive or unreasonable manner *or without sufficiently taking into account the responsibilities and duties of the office of the clerk,* it shall make such order to take the place of the order appealed from as is justified by the record and it shall remand the matter to the county board for further action consistent with the court's findings. *After determination of the appeal the county board shall proceed in conformity therewith.*

Sec. 8. Minnesota Statutes 1967, Section 641.06, is amended to read:

641.06 Appointment of employees; compensation. The sheriff of every county maintaining a jail, ~~with the approval of the judges of the district court therein,~~ shall appoint a competent woman as matron, who, under his direction, shall have exclusive charge of all female prisoners. ~~He may, in the same manner, when the average number of prisoners in such jail for the preceding 12 months shall have been ten or more, appoint a night watchman and, when 20 or more, an assistant jailer also. The judges shall fix the compensation of all such employees at not less than the following sums: The matron, \$5 for each day or fraction thereof when there is a female prisoner, the night watchman and assistant jailer, \$5 per day, provided, that they shall be discharged when the number of prisoners for any preceding 12 months has fallen below the number herein prescribed. Such officers shall be sober, responsible persons, able to read and write the English language intelligently. Their compensation shall be fixed by the judges and paid monthly; they Matrons and jailers shall hold office during the pleasure of the sheriff and judges and may be removed at any time by the sheriff or by the judges. When the sheriff performs the duties of jailer, he shall receive the compensation fixed therefor.~~

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Sec. 9. *Minnesota Statutes 1967, Sections 387.17, 387.18, 387.19, 387.21, 387.23, 387.24, 387.26, 387.27, 485.011, 485.012, 485.013, 485.014, 485.016, 485.017, 485.24, 485.25, and 485.26, are repealed.*

Approved June 9, 1969.

CHAPTER 1152—H. F. No. 2892

[Coded]

An act relating to the Minnesota State College Board; appropriating money and authorizing loans to the board for the acquisition and betterment of public lands, buildings, and improvements of a capital nature needed to provide facilities and services at the state colleges; creating a state college bond account in the Minnesota state bond fund; authorizing the issuance and sale of bonds under the provisions of Article IX, Section 6 of the Constitution to provide money for such loans, and appropriating money in connection with such bonds.

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

Section 1. [136.40] **State college board; bonds.** Subdivision 1. **Purpose and appropriation.** For the purpose of providing money to be loaned to the Minnesota State College Board for the acquisition and betterment of public land, buildings, and improvements of a capital nature needed to provide facilities and services at the state colleges, in anticipation of the receipt of net revenues derived from charges, fees, and rentals for such facilities and services, when authorized by law and requested by the board, the state auditor shall sell and issue bonds of the state of Minnesota for the prompt and full payment of which, with interest thereon, the full faith, credit, and taxing powers of the state are irrevocably pledged. The proceeds of such bonds are appropriated and shall be credited to the revenue fund of the board and shall be available until the purposes for which the bonds were authorized have been accomplished or abandoned, and none of such money shall be canceled. When the board shall certify to the state auditor that the purposes of any such issue have been accomplished or abandoned, the unexpended balance of the proceeds shall be transferred and credited to the state bond fund. Bonds shall be issued pursuant to this section only as authorized by subdivision 8 or by another law specifying the purpose or purposes thereof as herein authorized and the maximum amount of the pro-

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