

or bureau pension fund herein provided for, which fund shall be derived from the following sources: (1) dues of its members and from the gifts of real estate or personal property, rents or money, or other sources; (2) the commissioner of finance or department of finance of any city affected by this chapter shall deduct each month from the monthly pay of each member of such department or bureau of health relief association, a sum equal to ~~three~~ six percent of such monthly pay and place the same to the credit of the said health department or bureau pension fund, provided, however, that such ~~three~~ six percent shall not exceed ~~three~~ six percent of the current maximum monthly salary of a health sanitarian I in the employment of such department or bureau of health; (3) an amount or sum ~~equal to one-tenth~~ not in excess of four-tenths of one mill shall be annually assessed, levied and collected by the proper officers of such city where a health relief association exists upon each dollar of taxable property in such city as the same appears on the tax records of such city, which said sum shall by the proper officers of said city be placed to the credit of the health department or bureau pension fund, and shall not be used or devoted to any other purpose than for the purpose of health department or bureau pension fund.

Sec. 2. Subdivision 1. Retirement benefits of persons who retired from employment in the bureau of health of the city of St. Paul prior to June 6, 1969 are governed by the provisions of Minnesota Statutes, Chapter 425.

Subd. 2. Retirement benefits of persons who retired from employment in the bureau of health of the city of St. Paul on or after June 6, 1969, are governed by the provisions of Laws 1969, Chapter 1102.

Approved May 27, 1971.

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## CHAPTER 579—H.F.No.3107

[Not Coded]

*An act authorizing the creation of a health department for the county of Ramsey and the local governmental units therein contained.*

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

Section 1. **RAMSEY COUNTY; HEALTH DEPARTMENT; PURPOSE.** It is the purpose of this act to provide enabling authority

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

for the county board of Ramsey county to establish a comprehensive health department and to provide coordinated public and mental health services to the residents of Ramsey county. The term "county board" as used in this act shall mean the county board of commissioners of Ramsey county. The term "department" as used in this act shall mean the comprehensive health department established in Ramsey county. This act is in addition to any statutory authority now existing for the establishment of a health department for Ramsey county.

**Sec. 2. CREATION OF DEPARTMENT.** The county board may by resolution create a county health department which shall be under the supervision and control of the county board. Such resolution shall indicate the effective date for the initiation of the department and shall indicate the initial responsibilities of the department. It shall further set forth the initial budget for the operation of the department until the following January 1.

**Sec. 3. POWERS AND RESPONSIBILITIES.** Subdivision 1. The county board in its initial resolution establishing a health department or in subsequent resolutions shall enumerate the responsibilities assigned to the department to include but not to be limited to all or some of the responsibilities as set forth in the following subdivisions.

Subd. 2. The powers and duties now or hereafter vested in or imposed upon a local health board as provided in Minnesota Statutes 1969, Chapter 145 for the area of all of Ramsey county.

Subd. 3. The powers and duties now or hereafter imposed upon a board of county commissioners to employ public health nurses as provided in Minnesota Statutes 1969, Chapter 145.

Subd. 4. Health services for school children now or hereafter vested in or imposed upon any school district whenever the board of education of such school district petitions the county board to provide such services by contract or otherwise for its district.

Subd. 5. The powers and duties vested in or imposed upon the health officer of any city within the county of Ramsey who has elected to maintain local registration of vital statistics and the powers and duties of the clerk of the district court of Ramsey county as local registrar of vital statistics.

Subd. 6. The county board may authorize the health department to operate a mental health program and may utilize the authorities of the community mental health boards as set forth in Minnesota Statutes, Sections 245.61 to 245.68. When so authorized, the county board shall suffice to function in lieu of the community mental health board provided for in Minnesota Statutes, Section 245.66.

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Subd. 7. Prepare and cause to be published an annual report of the work of the health department.

Subd. 8. Recommend to the governing body of any governmental unit within the county of Ramsey local legislation pertaining to public health.

Subd. 9. The department may be authorized to provide such other health services as may be directed by the county board if such services are authorized by law to be provided by the county or by any agency or department thereof.

Subd. 10. The department may be authorized to purchase services from other agencies, public or private, which are providing services consistent with health department purposes.

Subd. 11. The department may be authorized to establish fee schedules based on ability to pay for services rendered.

Subd. 12. The county board shall have the authority to adopt and enforce regulations for the preservation of public health applicable to the whole or any portion of the county, but no county regulation shall supersede higher standards established by statute, the regulations of the state board of health, or provisions of the charter or ordinances of any municipality within the county pertaining to the same subject. Nothing in this subdivision shall prohibit any municipality from adopting ordinances or resolutions for the regulation of the public health setting higher standards than those of the state board of health, the county board, or state law.

Subd. 13. The health department shall cause all laws and regulations relating to public health to be obeyed and enforced within its jurisdictional area.

Sec. 4. **FUNDING.** Subdivision 1. The health department shall be operated and maintained from funds appropriated for and fees collected by such department together with such state, federal, and private grants which may be made available to it or to any of the local governmental units in the county of Ramsey for health purposes.

Subd. 2. The county board shall annually prepare and approve a budget of the department's proposed expenditures for the ensuing fiscal year. At its regular meeting in July the county board shall include in its annual levy of county taxes such amount as shall be necessary for health department purposes. Such levy may exceed the limits now or hereafter imposed by law for the general funds of the county. The amount so levied for the health department shall only be expended for the operation and maintenance of such department.

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**Sec. 5. TRANSFER OF FUNCTIONS.** Upon assignment by the county board of the responsibilities under section 3, the powers and duties of any department, board, agency, governmental subdivision, or bureau whose powers and duties have been placed in the health department shall cease and terminate and its records and personnel relating to such powers and duties are hereby transferred to such health department.

**Sec. 6. PERSONNEL.** Subdivision 1. The county board shall appoint a health officer who shall be designated the director of public health and who shall be responsible for the operation of the department. The county board shall fix his salary.

Subd. 2. The health officer shall be a licensed physician experienced or trained in public health administration, or in lieu thereof shall be a person, other than a physician, with training or experience in public health administration; provided that if the appointee is not a physician, the county board shall arrange for and provide in addition, such service of a licensed physician as may be necessary on either a part time or full time basis and provide reasonable compensation therefor. The director of the department shall select subordinate personnel subject to the approval of the county board.

Subd. 3. All persons transferred to the health department by this section and employees under a merit system governing public employees shall be deemed to have qualified for a permanent position of similar class and grade in the classified civil service of Ramsey county, without reduction in pay or seniority, and without examination. All other persons so transferred who were full time officers or employees shall take, within six months after the organization of the health department, and subject to civil service rules of Ramsey county, a noncompetitive, practical, qualifying examination. The qualifying examination shall involve only the duties of the position occupied immediately prior to the organization of the health department or the position occupied on the date the examination is given, whichever examination the officer or employee elects to take. If a person taking the qualifying examination possesses such ability and capacity as enables him to perform the duties of the position for which he was examined in a reasonably efficient manner, he shall be given a permanent civil service status in the Ramsey county civil service. Any person who willfully refuses to take the examination when offered without reasonable excuse shall be removed from his position immediately. Any person taking the examination who fails to pass shall be removed from his position at the expiration of 60 days after receipt of notice of failure to pass. A person required to take a qualifying examination shall not be laid off, suspended, discharged, or reduced in pay or position except in accordance with the provisions of laws applicable to members of the classified Ramsey county civil

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service having civil service status until he has completed such qualifying examination and has been notified of the result thereof.

Each city employee who becomes a Ramsey county employee by virtue of this act and who is a contributing member of a retirement system organized under the provisions of Minnesota Statutes, Chapter 425, shall continue to be a member of such system and entitled to all of the benefits conferred thereby and subject to all the restrictions of chapter 425, unless he applies to cancel such membership within six months after the effective date of this date. The normal cost to the public of the retirement allowances and other benefits accruing to such employees after employment by the county shall be the obligation of the county and shall be paid by it as part of the cost of operation and maintenance of the Ramsey county health department.

The cost to the public of that portion of the retirement allowances or other benefits accrued to such employees while in the service of the city of Saint Paul and the Saint Paul bureau of health shall remain an obligation of the city, and shall be discharged by the levy and collection of a tax as provided in chapter 425. The retirement board pursuant to chapter 425 shall certify to the county auditor and to the city comptroller the amounts and times of payment of the annual cost of amortizing the deficit under chapter 425 by the year 1997.

Part time officers or employees of a department, board, agency, governmental subdivision or bureau whose powers and duties have been placed in the health department may be transferred upon the organization of the health department and may become officers or employees thereof.

**Sec. 7. RESOLUTION, APPROVAL.** No resolution adopted by the board of county commissioners of Ramsey county establishing a county health department shall be deemed effective within each of the following governmental units unless approved by the governing body of the particular unit namely: city of St. Paul; city of White Bear Lake; villages of Arden Hills, Blaine, Falcon Heights, Gem Lake, Little Canada, Lauderdale, Maplewood, Mounds View, New Brighton, North Oaks, North St. Paul, Roseville, St. Anthony, Shoreview, Spring Lake Park, Vadnais Heights; town of White Bear. Such resolution shall become effective in any unit upon the approval of that unit's governing body.

**Sec. 8. COUNTY NURSING SERVICE.** The Ramsey county nursing service presently existing shall not be discontinued unless such discontinuance is approved by two thirds ( $\frac{2}{3}$ ) of the governing bodies of the governmental units listed in section 7 of this act.

**Sec. 9. PAYMENT FOR SERVICES.** No governmental unit listed in section 7 shall pay for any services provided by this act until

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its governing body has approved the resolution as provided in said section.

**Sec. 10. CITY HEALTH DEPARTMENTS; FUNCTIONS.** None of the functions of the presently existing city health departments in the county of Ramsey shall be abandoned by the county health department created by this act without proper provision for the exercise of such function by some agency of government.

**Sec. 11. APPROVAL.** This act shall take effect upon its approval by the board of county commissioners of Ramsey county, and upon compliance with Minnesota Statutes, Section 645.021.

Approved May 27, 1971.

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## CHAPTER 580—S.F.No.314

*An act relating to apartment ownership; providing for buildings of one or more apartments for common ownership of noncontiguous property, and for property held under long term lease; amending Minnesota Statutes 1969, Sections 515.01; and 515.02, Subdivisions 3, 6, 7, and 14.*

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

Section 1. Minnesota Statutes 1969, Section 515.01, is amended to read:

**515.01 CONDOMINIUMS; CITATION.** Sections 515.01 to 515.29 shall be known and may be cited as the “apartment ownership Minnesota condominium act.”

Sec. 2. Minnesota Statutes 1969, Section 515.02, Subdivision 6, is amended to read:

Subd. 6. “Building” means a building—, containing ~~two~~ one or more apartments, or two or more buildings, each containing ~~two~~ one or more apartments, with a total of two or more apartments for all such buildings, and comprising a part of the property.

Sec. 3. Minnesota Statutes 1969, Section 515.02, Subdivision 7, is amended to read:

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