

CHAPTER 629 — S.F.No. 1702

An act relating to counties; changing certain county powers; removing a lynching provision; fixing expenditure authority for various county activities; changing penalties; revising the language of the text of chapters governing county powers and county boards; allowing certain county officers to discharge duties relating to motor vehicles; amending Minnesota Statutes 1982, chapters 373, as amended, and 375, as amended; section 168.33, subdivision 2; repealing Minnesota Statutes 1982, sections 373.28; and 375.29.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1982, chapter 373, as amended by Laws 1983, chapters 247, section 146; and 359, section 54, is amended to read:

373.01 **POWERS.**

Subdivision 1. Each ~~organized~~ county is a body politic and corporate, and as ~~such empowered to act for the following purposes~~ may:

(1) ~~To~~ Sue and be sued;

(2) ~~To~~ Acquire and hold real and personal property for the use of the county, and lands sold for taxes as provided by law; ~~and to~~

(3) Purchase and hold for the benefit of the county real estate sold by virtue of judicial proceedings, to which the county is a party;

(3) ~~To~~ (4) Sell, lease, and convey ~~any~~ real or personal estate owned by the county, and ~~to~~ give contracts or options to sell, lease or convey ~~any such real or personal estate it~~, and make ~~such order~~ orders respecting the ~~same it~~ as ~~may~~ be deemed conducive to the interests of ~~its~~ the county's inhabitants; ~~provided,~~ No sale, lease or conveyance of ~~any such real estate owned by the county~~, nor any contract or option ~~therefor for it~~, shall be valid, without first advertising for bids or proposals in the official newspaper of the county for three consecutive weeks and once in a newspaper of general circulation in the area where the property is located. The notice shall state the time and place of considering the proposals, contain a legal description of any real estate, and a brief description of any personal property. All proposals shall ~~be considered~~ at that time be considered, and the one most favorable to the county ~~accepted~~, but the county board shall ~~reserve the right may~~, in the interest of the county, ~~to~~ reject any or all proposals. Sales of personal property the value of which is estimated to exceed \$500 shall be made only after ~~first~~ advertising for bids or proposals as ~~herein~~ provided for real estate. Sales of personal property the value of which is estimated to be less than \$500 may be made either on competitive bids or in the open market, in the discretion of the county board. ~~Provided, further, that~~ In no case shall ~~any such~~ lands be disposed of without there being reserved to the county ~~any~~ and all iron ore and other valuable minerals in and upon the ~~same lands~~, with right to explore for, mine and remove the ~~same iron ore and other valuable minerals~~, nor shall

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such ~~the~~ minerals and mineral rights be disposed of, either before or after disposition of the surface rights, otherwise than by mining lease, in similar general form to that provided by section 93.20 for mining leases affecting state lands; ~~such~~. The lease to shall be for a term not exceeding 50 years, and to be issued on a royalty basis, the royalty to be not less than 25 cents per ton of 2,240 pounds, and to fix a minimum amount of royalty payable during each year, whether mineral is removed or not; provided, further, Prospecting options for ~~such~~ mining leases may be granted for periods not exceeding one year, ~~such~~. The options to shall require, among other things, periodical showings to the county board of the results of exploration work done;

(4) ~~To~~ (5) Make all contracts and do all other acts in relation to the property and concerns of the county necessary to the exercise of its corporate powers.

Subd. 2. Notwithstanding ~~the provisions of any other contrary law to the contrary,~~ a county may enter into a rental purchase agreement or conditional sales agreement ~~for the acquisition of to acquire~~ road equipment. ~~Under such an agreement but~~ the seller shall be limited to the remedy of recovery of the property in case of nonpayment of all or part of the purchase price. The purchase price shall be payable over a ~~period not to exceed~~ not more than five years.

373.013 CERTAIN COUNTY CONVEYANCES NOT INVALID.

No deed of conveyance of real estate executed by a county ~~prior to before~~ July 1, 1952 shall be held invalid or void for failure to comply with ~~the~~ requirements of section 373.01, relating to the resolution of the county board ~~or,~~ notice of hearing ~~thereon on the resolution~~ or publication ~~thereof of the resolution~~. tion.

373.02 POWERS, HOW EXERCISED.

The powers of the county as a body politic and corporate shall only be exercised by the county board, or in pursuance of a resolution ~~by it adopted; and~~ by the county board. Deeds and other written instruments made by the county shall be executed in its name by the chairman of ~~such the county~~ board and by the ~~auditor as clerk thereof of the board.~~

373.03 CONVEYANCES TO COUNTY; EFFECT.

All real and personal estate conveyed by any form of conveyance to ~~any a~~ county or ~~the its inhabitants thereof,~~ or to any person for the use and benefit of ~~such a~~ county or its inhabitants, shall be deemed to be the property thereof; ~~and all such.~~ The conveyances shall have the same force and effect as if made to such the county by its corporate name.

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373.04 CERTAIN COUNTIES AUTHORIZED TO CONSTRUCT BRANCH RAILROAD TRACKS.

In all cases where ~~When~~ county buildings, or buildings in which a county is interested with other counties, are situated upon ~~on~~ land adjacent to or near a railway track, the county in which ~~such where~~ the buildings are located, may pay from ~~the its~~ general revenue fund ~~thereof~~, or from any money raised by ~~such county it~~ in excess of its proportionate share for ~~any such the~~ institution, the costs of procuring a right of way for and the building of a branch track suitable for the transportation ~~thereon~~ from the railway track to ~~such the~~ buildings of ~~any or all the~~ articles and commodities needed by the institution and of persons going to and from ~~the same it~~.

373.041 POLICE-OPERATED BROADCASTING STATIONS.

Subdivision 1. STATION AND MOBILE UNITS UNDER DIRECTION OF SHERIFF. Any ~~A~~ county of this state is hereby authorized and empowered to ~~may~~ establish, construct, equip and maintain a radio broadcasting station, with land-fixed repeater stations and two-way communication mobile units as ~~may~~ be necessary, to be used for public safety purposes under the direction of the sheriff, and to ~~to~~. The county may acquire land by gift, purchase or condemnation for use as a site or sites for such the station or stations. The county shall exercise its powers under this subdivision in conformance with any statewide plan for a coordinated system of radio communications adopted by the department of public safety after consultation with the professional communications officers representing law enforcement agencies involved in ~~such the~~ plan. The department of public safety shall adopt rules or regulations to implement ~~such the~~ statewide plan.

Subd. 2. RULES AND REGULATIONS; FEDERAL COMMUNICATIONS COMMISSION. Any ~~A~~ county owning and maintaining a broadcasting station under the ~~provision of~~ subdivision 1 may, subject to the rules and regulations of the Federal Communications Commission, extend ~~the its~~ facilities ~~thereof~~ to any city located ~~within in~~ the county, and to any adjoining county and any city ~~therein in an adjoining county~~, upon application of ~~the its~~ governing body ~~thereof~~ to the county board requesting radio communication and service; ~~provided that~~. All mobile radio equipment and apparatus for two-way communication used for ~~or in connection with such the~~ extended service shall be owned, maintained and serviced by the county owning the broadcasting station. Charges for the service extended to counties and municipalities shall be made on a cost sharing basis.

Subd. 3. SHERIFF RADIO AND MAINTENANCE FUND ACCOUNT. All ~~moneys money~~ received as charges for the service rendered under ~~the provisions of~~ subdivision 2 shall be kept in a ~~fund to be an account~~ designated ~~the~~ "Sheriff Radio and Maintenance Fund Account," shall not be transferred or apportioned to any other fund ~~or account~~, and shall be used for no other purpose

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than the purchase of radio equipment and maintenance of radio equipment and apparatus.

Subd. 4. **SHERIFF; DUTIES.** ~~It shall be the duty of~~ The sheriff of the county owning the radio facilities ~~to shall~~ broadcast all police dispatches and reports submitted which, in the opinion of the sheriff, ~~shall~~ have a reasonable relation to or connection with the apprehension of criminals, the prevention of crime and the maintenance of peace and order throughout the area serviced by ~~such~~ the broadcasting station or stations.

373.045 COUNTY ROADS, BONDS.

Any A county may issue county road bonds to a total amount not exceeding \$250,000 ~~for the purpose of providing to provide~~ funds to match federal funds allocated or to be allocated to ~~said~~ the county for the construction or improvement of roads. ~~Such~~ The bonds shall be issued as provided in chapter 475, and all of the provisions of ~~said~~ chapter 475 apply to them except ~~such~~ the bonds shall not be included in computing the net debt of ~~such~~ the county.

373.05 COUNTY BUILDINGS.

Each county shall provide at the ~~county-seat~~ county seat, and keep in good repair, a suitable ~~court-house~~ courthouse, supplied with fireproof vaults, a suitable and sufficient jail, and other necessary buildings.

373.052 COUNTY OFFICES; CLOSING, EFFECT.

Subdivision 1. County offices shall be open for public business on all business days except (a) legal holidays, (b) holidays established by the county board pursuant to contract with certified employee bargaining units, and (c) emergency situations. For purposes of this section "business day" means Monday, Tuesday, Wednesday, Thursday and Friday.

Subd. 1a. The county board shall establish the hours during which county offices shall be open on business days.

Subd. 1b. The county board by resolution of a ~~majority of its members~~ may authorize the closing of a county office on other days as stated in the resolution, if there is an emergency situation, public business is transacted at other reasonable times and places, and the public interest is served. An emergency closing may be retroactively approved by the county board at its next succeeding meeting.

Subd. 2. Any act authorized, required, or permitted by law or contract to be performed at or in county buildings, or their offices therein, which are closed as provided in this section, may be performed on the next succeeding regular business day and no liability or loss of rights on the part of any person shall result from ~~such~~ the closing.

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373.053 WAR MEMORIAL BUILDINGS.

Subdivision 1. COUNTY WAR MEMORIAL; LIMITATION ON COST. Subject to the limitations of this section, any a county may construct and maintain in said the county a building, including a hospital, to be erected as a memorial to the men and women who have served in the armed forces of the United States during a time when it was at war; ~~provided, if~~ the construction of such the building at a sum not to exceed a specified amount is authorized by a vote of the electors of the county in the manner provided by Minnesota Statutes 1941, section 375.20. The cost of such the building in any county shall not exceed \$250,000.

Subd. 2. SUPERVISION. The war memorial building, if not a hospital, shall be under the supervision and control of the county board. The building shall be used as a meeting place for local or county units of any war veterans' organization chartered by the Congress of the United States, and if there be is space, for offices of such the organizations. ~~In addition thereto~~ The building may also contain the county library and the exhibits of the county historical society and such other civic and recreational facilities as may be determined by the county board. If such the memorial be is a hospital, it shall be under the control of the county board or a hospital commission to be appointed by the board.

Subd. 3. CITY MAY CONVEY SITE. ~~Any~~ A city in which the construction of a war memorial building or hospital has been authorized, may acquire and convey to the county without compensation ~~therefor~~ a suitable tract of land upon which to construct such the building.

Subd. 4. WAR MEMORIAL BUILDING FUND ACCOUNT. ~~For the payment of~~ To pay the cost of the war memorial building or hospital, the county board, after approval of the project by a vote of the electors of the county, is authorized to ~~may~~ certify to the county auditor such the amount as may be necessary for the construction of such the building and the portion thereof of the amount to be levied in each succeeding taxable year, not exceeding five years, until the whole ~~thereof~~ has been raised. The county auditor on receipt of such the certification shall levy upon all taxable property in the county a tax in each year ~~so~~ certified by the county board sufficient to produce the amount ~~so~~ certified. The proceeds of such the tax levy shall be deposited in a separate fund ~~to be known as the~~ "War Memorial Building Fund Account."

Subd. 5. MAINTENANCE. The county board is authorized to ~~may~~ certify to the county auditor such the amount as may be necessary each year for the maintenance and operation of such the building or hospital. The county auditor upon receipt of the certification shall levy a tax upon all taxable property in the county sufficient to produce the amount ~~so~~ certified. The proceeds of such the tax levy shall be credited to the War Memorial Building Fund Account and shall be used only for the maintenance and operation of the war memorial

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building. Any balance remaining in the ~~fund~~ account at the end of any year shall be available for the next year, and the amount ~~to be~~ certified by the county board for the maintenance and operation of the war memorial building or hospital shall be reduced by the amount of ~~such~~ the balance.

Subd. 6. **GIFTS AUTHORIZED.** To carry out the purposes of this section the county board or hospital commission may accept grants or gifts from the federal government or any of its agencies, or from any person.

373.06 ACTIONS AGAINST COUNTIES.

No action shall be maintained by any claimant, except the state of Minnesota, against a county upon any claim ~~except~~ county orders, when the only relief demanded is a judgment for money, until ~~such~~ the claim ~~shall have~~ has been duly presented to the board and it ~~shall have~~ has failed to act upon ~~the same~~ it within the time fixed by law, or ~~unless such~~ the board ~~shall consent~~ consents to the institution of ~~such~~ the action.

No action shall be brought by any person, except the state of Minnesota, upon any county order until the expiration of 30 days after a demand for payment ~~thereof~~ of it has been made ~~and~~ . Any judgment against the county entered in an action brought on ~~any such~~ an order without ~~such~~ a demand ~~shall be~~ is void.

373.07 SUITS AGAINST COUNTIES; SERVICE; JURORS.

Service of summons or other original process in actions against a county shall be made upon the chairman of the board or upon the county auditor, either during a session of the board, or within ten days before the day appointed for one. The person served shall ~~forthwith~~ immediately notify the county attorney of ~~such~~ the service and ~~lay before~~ give the board at its next regular meeting all the information he ~~may have~~ has regarding ~~such~~ the action. In actions ~~where~~ in which the county is a party, its inhabitants, if otherwise qualified, may be jurors.

373.08 COUNTY, HOW NAMED IN SUITS.

In all actions and proceedings by or against a county, the name in which it shall sue or be sued shall be "The county of" (insert name of the county); ~~but~~ . This provision shall not prevent county officers, when authorized by law, from suing in their official names for the benefit of the county.

373.09 CLAIMS AGAINST COUNTY; APPEAL.

When ~~any~~ a claim against a county is disallowed in whole or part by the county board, ~~a~~ the claimant may appeal ~~from its decisions~~ to the district court by (1) filing a written notice of appeal in the office of the auditor within 15 days after written notice is mailed to the claimant by the county auditor showing the disallowance of the claim and (2) giving security for costs, to be approved by the auditor. The auditor shall notify the county attorney of the appeal.

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When ~~any a claim against a county~~ is allowed in whole or in part by the board, no order shall be issued to pay it or any part of it, until three days after the date of the decision. The county attorney may, on behalf and in the name of the county, appeal from the decision to the district court, by filing a written notice of appeal in the office of the auditor within three days after the date of the decision appealed from. Any seven taxpayers of the county may appeal in their own names from the decision to the district court by (1) filing a written notice of appeal stating the grounds ~~for it~~ in the office of the auditor within three days after the date of the decision appealed from, and (2) giving security to the claimant for his costs and disbursements. The security shall be approved by a judge of the district court. ~~Thereafter~~ After filing of a notice of appeal no order shall be issued in payment of the claim until a certified copy of the judgment of the court is filed in the office of the auditor. Upon filing of a notice of appeal, the court has jurisdiction of the parties and of the subject matter, and may compel a return to be made.

373.10 PROCEEDINGS ON APPEAL.

Within ten days after an appeal has been taken, the auditor shall, without charge, file in the office of the clerk of ~~such the~~ the court a certified copy of the claim and a transcript of the record of the action of the board ~~thereon on it~~, together with a copy of the notice of appeal, and the date of ~~the its~~ its filing ~~thereof~~ in his office. The proceedings shall be put upon the calendar for trial as an issue of fact ~~at the next general term of the district court, beginning not less than ten days after the date of the appeal; and on or before the second day of such term.~~ The court shall direct pleadings to be made ~~up~~ as in a ~~civil actions action~~, upon which the proceeding shall be tried, and all questions of law summarily heard and determined. Issues of fact shall be tried and judgment rendered and perfected as in a ~~civil actions action~~ but no execution shall issue ~~thereon on the judgment~~ except for the collection of a counter-claim or costs and disbursements in case of a judgment ~~therefor for them~~ against a claimant.

373.11 APPEALS; COUNTERCLAIM.

An appeal from the judgment of the district court may be taken as in other civil cases within 30 days after the actual entry of the judgment. If no appeal is taken, a certified copy of the judgment shall be filed in the office of the auditor. If an appeal is taken, the determination of the court of appeals shall be certified to the district court and judgment entered in accordance with it, and that judgment certified to and filed in the office of the county auditor. In either case, after the certified copy is filed, orders shall be drawn on the county treasury in payment of any judgment in favor of a claimant. Execution may issue out of the district court for the collection of any costs awarded against a claimant. ~~In any case where~~ If costs are awarded against a claimant and there is any allowance on the claim in his favor, the amount of the costs shall be deducted from the allowance. In any case of an appeal, the county may interpose in the district

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court as a counterclaim any demand which it has against the claimant, and have execution for the collection of any judgment in its favor.

373.12 JUDGMENTS AGAINST COUNTIES; HOW PAID.

When any a judgment is recovered against a county, or against any a county officer, in an action prosecuted by or against him officially, ~~where and the same judgment~~ is to be paid by the county, no execution shall issue except as ~~herein provided; but, in this section.~~ Unless reversed, the same judgment shall be paid from funds in the treasury, if ~~there be any available.~~ If funds are not available, the unpaid amount thereof of the judgment shall be levied and collected as other county charges, and, when ~~so~~ collected, shall be paid to the person in whose favor the judgment was rendered, upon the delivery of a proper voucher ~~therefor.~~ If payment is not made within 30 days after the time the treasurer is required by law to make settlement with the auditor next after the rendition of such the judgment, execution may issue, but only the property of the county only shall be liable ~~thereon~~ on it.

373.25 TAX LEVY, COUNTY BUILDING FUND.

Subdivision 1. The county board of any county except Hennepin and St. Louis counties may provide ~~for and establish~~ a fund to be known as the county building fund. In addition to all other kinds and amounts of taxes ~~and the amount thereof~~ permitted by law to be levied for county purposes, the county board of any county may include in its annual tax levy an amount for the county building fund. ~~The Its proceeds from any tax so levied~~ shall be credited to the county building fund. Any A county building fund established pursuant to this section and to which any such a tax shall have been is credited shall may be used by the county solely for the acquisition of or for the construction, reconstruction, maintenance to acquire, construct, reconstruct, maintain and repair of buildings used ~~or to be used~~ in the administration of its county affairs and the acquisition of to acquire lands necessary for said those purposes and the county is hereby authorized to use said fund for said purposes.

Subd. 2. This section ~~shall does~~ not be construed as repealing repeal or superseding supersede any existing other law now authorizing a levy for the same purpose.

373.26 COUNTY PARKING FACILITIES.

Subdivision 1. **APPLICATION.** No motor vehicle, either privately or publicly owned, may be parked upon any a parking lot or facilities owned or operated by any a county except as authorized by this section.

Subd. 2. **REGULATIONS BY RESOLUTION.** The county board of county commissioners of any county may regulate, by resolution, the parking of motor vehicles, either privately or publicly owned, including the authority to

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make charges for parking privileges, upon any parking lot or facility owned or operated by the county.

Subd. 3. **ENFORCEMENT.** Regulations promulgated under ~~the provisions~~ of subdivision 2 shall be enforced by the ~~county~~ sheriff unless the county board has entered into a service contract for ~~the enforcement thereof~~ with the ~~municipal council of the municipality in which~~ where the parking lot or facility is located.

Subd. 4. **REMOVAL AND IMPOUNDING OF VEHICLES.** Any A motor vehicle parked upon ~~any~~ a parking lot or facility owned and operated by the county not in conformity with the resolution of the county board regulating ~~the its~~ operation and use ~~thereof~~ may be deemed a public nuisance and the ~~county~~ board may provide for the abatement of ~~such~~ the nuisance by resolution.

Subd. 5. **PENALTIES.** Any A person, state, or county official, elective or appointed, firm, association, or corporation which violates ~~any of the provisions~~ a provision of this section or a resolution of the county board of county commissioners adopted under authority of this section is guilty of a misdemeanor and ~~upon conviction thereof, may be punished by a fine of not more than \$25 or by confinement in the county jail for not more than five days, or by both.~~

All fines imposed and collected by ~~any~~ a court for violations of ~~said~~ the regulations shall be remitted by ~~said~~ the court to the treasurer of the county within 30 days after the collection of ~~said~~ the fine.

Subd. 6. **EXCLUSION.** This section shall not apply to any county containing a city of the first class.

373.27 GREAT RIVER ROAD, FINANCIAL ASSISTANCE.

Subdivision 1. The county board of any county lying adjacent to the great river road or through which the great river road passes as ~~now existing or hereafter~~ established, may grant to the Mississippi river parkway commission of Minnesota, the commissioner of transportation, or the commissioner of natural resources ~~such sums of the money as are available and which it deems advisable, for the following purposes: The promotion~~

(a) To promote and ~~development of~~ develop the great river road in Minnesota; ~~the paying of~~

(b) To pay actual expenses of commission members incurred in the performance of their duties as commissioners; ~~the~~

(c) To purchase of stationery and office supplies; ~~and the payment of~~

(d) To pay dues to the national Mississippi river parkway commission, ~~for the;and~~

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(e) ~~To purchase of lands and interests in lands including scenic easements by the grantees, in addition to the normal right of way required for the great river road. Such~~

Lands and interests in lands purchased may include parkway features such as lands necessary for recreation, safety rest areas, and the conservation of natural scenic beauty, including ~~such areas as~~ submarginal lands, faces of adjacent hillsides, lakeshore and river banks, swamps and residual parcels and areas of historical, archeological or scientific interest, in accordance with the joint report to congress and the plan proposed by the state and approved by the secretary of commerce and the secretary of the interior.

Subd. 2. ~~Such County grants of the county may come from any moneys money available in the county treasury and the county may levy a tax upon all the taxable property within in the county for the purpose of making to make the grants herein authorized by this section.~~

Subd. 3. All moneys received as money grants heretofore and hereafter under subdivision 1 shall be deposited in the general fund in the state treasury and ~~credited to in~~ a special account in the name of the commission or commissioner named in subdivision 1 to whom it was granted and is appropriated to ~~such person~~ the commission or commissioner for the purposes specified in the grant. The moneys so granted, credited and appropriated money shall not cancel at the end of a fiscal year but shall remain available until expended for the purpose or purposes for which it was granted. If no specific purpose is named in the grant, the moneys money shall be available to ~~such the~~ commission or commissioner for any of the purposes set forth in ~~said~~ subdivision 1.

373.30 CHANGE IN POPULATION OF POPULOUS COUNTIES, APPLICATION OF STATUTES.

~~Any~~ A county with a population according to the 1960 federal census of less than 100,000 which has a population of over 100,000 as a result of according to the 1970 federal census shall be authorized to may continue to utilize use authorities granted to counties of under 100,000 population notwithstanding the change in population occurring as a result of the 1970 federal census. Statutory limitations and mandatory provisions of law relating to counties of over 100,000 population shall not apply to counties which had a population according to the 1960 federal census of less than 100,000 population. Statutory limitations and mandatory provisions of law applicable to counties of under 100,000 shall continue to apply to counties which according to the 1960 federal census had less than 100,000 and which according to the 1970 federal census have a population in excess of 100,000. Application of legislation passed in the 1969 legislative session or in subsequent sessions later shall not be affected by this section.

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373.31 ECONOMIC DEVELOPMENT AGREEMENTS WITH SUBDIVISIONS AND CORPORATIONS OF OTHER STATES.

Subdivision 1. ~~Any~~ A county or two or more adjacent counties may ~~enter into~~ make an agreement with contiguous political subdivisions of an adjacent state, with nonprofit corporations, or both, ~~for the purpose of improving to improve~~ the economic development of the area.

Subd. 2. Notwithstanding ~~the provisions and limitations~~ of section 275.09, and any other law, the county board of any county may appropriate from the general revenue fund a sum not to exceed one-thirtieth of a mill on the dollar of the taxable valuation of the county ~~for carrying to carry~~ out the purposes of this section.

373.32 LICENSE BUREAU AUTHORIZED.

For the purpose of promoting efficiency in county government and to afford better service to the general public Any county in the state is authorized to may establish a county license bureau. The license bureau may be located in the county seat or at ~~such other~~ another location or locations as the county board may designate ~~designates~~.

373.33 STATE LICENSES MAY BE ISSUED.

Notwithstanding any other law or regulation ~~designating or authorizing~~ a specific county official to issue any license or permit or to process or assist in preparing an application for any license or permit issued by the state, the A county license bureau is authorized to may issue, process or assist in preparing an application for any license or permit issued by the state or a state official including but not limited to game and fish, trapping, wild rice harvest, motor vehicle, manufactured home, trailer, snowmobile, water craft or drivers license or as many of the licenses as is designated by the county board ~~but~~. This authority ~~shall~~ does not include the issuance of marriage licenses. The county board may delegate the responsibility for the issuance of any county license or permit to the county licensing ~~license~~ bureau.

373.34 IMPLEMENTATION, NOTICE.

Subdivision 1. Sections 373.32 to 373.37 shall ~~not~~ be operative in any a county ~~until~~ when the county board of ~~county commissioners~~ shall ~~pass~~ passes a resolution declaring its intent to proceed under the ~~provisions~~ of these sections and to establish a ~~county license~~ bureau. The resolution establishing a county license bureau shall take effect at ~~such date as~~ when the county board shall ~~designate~~ designates but not less than 30 days after the date of the adoption of the resolution.

Subd. 2. ~~No~~ A resolution establishing a county license bureau shall ~~not~~ be valid unless a notice of intention to adopt a the resolution to establish a county licensing ~~bureau~~ has been mailed by the clerk of the county board to each state

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department having the responsibility for the issuance of a state license not less than 20 days ~~prior to~~ before the date of the meeting at which the adoption of a the resolution establishing a license bureau is to be considered. A similar notice shall be delivered by the clerk of the county board to the deputy registrar of motor vehicles for the county and to each county officer having the authority to issue, process or assist in the preparation of an application for the issuance of any license not less than ten days ~~prior to~~ before the date of the meeting at which the establishment of a license bureau is to be considered.

373.35 DIRECTOR OF BUREAU.

Subdivision 1. The county auditor shall serve as the director of the county license bureau, or, if he chooses not to serve as ~~the director,~~ he the county board shall appoint any other county officer or employee, or any other person, to serve as the director upon the terms and conditions ~~he the county board~~ deems advisable. The county board shall set the compensation of the director and may provide for the expenses of the office including the premium of any bond required to be furnished by the director. The director shall ~~exercise all~~ have the powers ~~granted to and perform all~~ duties imposed on the county officer who previously had the authority to issue or process the application for any license referred to in section 373.32.

Notwithstanding ~~the provisions of~~ section 168.33, subdivision 2, the commissioner of public safety may appoint, and for cause discontinue, the director as the deputy registrar of motor vehicles in the county and. If appointed a deputy registrar he shall have the same authority as a county auditor to appoint one or more deputy registrars as provided in section 168.33, subdivision 2.

Subd. 2. The director shall be responsible for all funds in his custody as ~~the director of the license bureau and shall deposit~~ the funds them in the county treasury, a state depository or forward the funds to the appropriate state official ~~at the times and in the manner as~~ provided by law or ~~regulation rule~~ or as designated by the county board ~~not inconsistent~~ consistent with applicable statutes and ~~regulations rules~~. The director of ~~the license bureau~~ or an employee in the bureau shall ~~not be permitted to~~ may not retain any portion of the fee charged by law or any surcharge upon the license or application, ~~his~~. The sole compensation shall be the salary provided by the county board.

373.37 TERMINATION OF BUREAU.

A county license bureau may be terminated in the same manner as provided in section 373.34 to establish a license bureau. ~~Any~~ Duties and responsibilities assigned to the director of the license bureau ~~upon termination of the bureau shall then~~ be vested in the officer or person ~~which who~~ has the responsibility for the function as provided by other law at the time of the termination.

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373.38 BUSINESS HOURS.

All such offices County license bureaus shall maintain hours to best serve the public need, and. They shall be open to the public each week for a minimum period of at least three hours one evening after 5:00 p.m. or on Saturday of each week.

373.39 EXPENDITURES FOR FIRE PROTECTION AND COMMUNITY PROJECTS.

Any county located outside the metropolitan area as defined in section 473.121, subdivision 2, may appropriate moneys from its general fund or expend funds received from the federal government under the State and Local Fiscal Assistance Act of 1972 (Title 1, Public Law 92-512) for the purpose of making to make grants to cities and towns within the county to be used for providing to provide fire protection, including the constructing construction and equipping of local fire departments, or for other community projects. The grants may be terminated upon expiration of the federal act.

Sec. 2. Minnesota Statutes 1982, chapter 375, as amended by Laws 1983, chapter 247, sections 147 and 219; chapter 307, sections 1, 2, 3, 4, and 5; chapter 314, article 11, sections 18 and 21; and chapter 359, section 55, is amended to read:

375.01 MEMBERS, NUMBER OF.

Each county shall have a board of five commissioners who shall be known as the county board and whose terms of office shall be four years and until their successors qualify; but, In St. Louis, Anoka, Hennepin, Anoka, and Ramsey, and St. Louis counties the board shall consist of have seven members.

375.025 COMMISSIONER DISTRICTS.

Subdivision 1. **STANDARDS.** The redistricting plan in use in a county shall be effective and continue to be used until a redistricting new plan is adopted in accordance with the provisions of this section. Each county shall be divided into as many districts numbered consecutively as it has members of the county board. Commissioner districts shall be bounded by town, municipal, ward, or precinct lines. Each district shall be composed of contiguous territory as regular and compact in form as practicable, depending upon the geography of the county involved and shall be as nearly equal in population as possible, provided that. No district shall vary in population more than ten percent from the average for all districts in the county, unless the result forces a voting precinct to be split. In addition, A majority of the least populous districts shall contain not less than a majority of the population of the county. A county may be redistricted by the county board after each federal census. When it appears after a federal census that the districts of the county are not in accord with the standards set forth in this subdivision, the county shall be redistricted by the county board within 180

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days of the date on which certified copies of the latest federal census are filed with the secretary of state in accordance with section 600.18. Before acting to redistrict a county, the county board, or a redistricting commission, if one ~~be~~ is appointed, shall ~~cause at least~~ publish three weeks ~~published~~ notice of its purpose ~~to do so~~, stating the time and place of the meeting where the matter will be considered, ~~to be published~~ in the newspaper having the contract ~~for publishing~~ to publish the commissioners' proceedings for the county for the current year.

Subd. 2. **VOTERS RIGHTS.** Any qualified voter may apply to the district court of the county for a writ of mandamus (a) requiring the county to be redistricted if the county board has not redistricted the county within the time specified in subdivision 1, or (b) to revise any arbitrary action or abuse of discretion by the county board in redistricting the county; ~~provided,~~ Any application for revision of a redistricting plan shall be filed with the district court within 30 days after the filing of the redistricting plan with the county auditor. The district court may direct the county board to show cause why it has not redistricted the county or why the redistricting plan prepared by it should not be revised, ~~and,~~ On a hearing ~~thereon~~ the matter it may allow the county board additional time in which to redistrict the county or to correct errors in the redistricting plan. If it ~~shall appear~~ appears to the district court that the county board has not been sufficiently diligent in performing its redistricting duties, the court may appoint a redistricting commission to redistrict the county in accordance with the standards set forth in subdivision 1 and any other conditions the court shall deem advisable and appropriate. If a redistricting commission is appointed, the county board shall be without authority to redistrict the county.

Subd. 3. **REDISTRICTING COMMISSION.** The redistricting commission shall be composed of not less than five nor more than nine residents of the county. No officer or employee of county or local government except notaries public shall be eligible for membership ~~on the commission.~~ Members of the commission shall not be eligible for election to the county board until two years after the redistricting in which they participated becomes effective. Members ~~of the commission~~ shall serve without pay but may be reimbursed their necessary expenses in the conduct of the business of the commission. The county board shall provide for the necessary expenses of the commission.

Subd. 4. **REDISTRICTING PLAN; ELECTION FOLLOWING REDISTRICTING.** A redistricting plan whether prepared by the county board or the redistricting commission shall be filed in the office of the county auditor. Notice that the plan is on file shall be published in the newspaper having the contract ~~for publishing~~ to publish the commissioners' proceedings for the current year. A redistricting plan shall be effective on the 31st day after publication of the notice unless a later effective date is specified; ~~provided,~~ but no redistricting plan shall be effective ~~as to~~ for the next election of county commissioners unless the plan ~~shall have been~~ is filed with the county auditor not less than 30 days before the first date candidates may file for the office of county commissioner.

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One commissioner shall be elected in each district who, at the time of the election, ~~shall be is~~ a resident thereof ~~and the of the district.~~ A person so elected shall be entitled to may hold the office only while he remains a resident of the commissioner district. The county board or the redistricting commission as ~~appropriate~~ shall determine the number of members of the county board who shall be elected for two year terms and for four year terms ~~in order~~ to provide ~~for~~ staggered terms on the county board. Thereafter, all commissioners shall be elected for four years. When a county is redistricted, there shall be a new election of commissioners in all the districts ~~of the county~~ at the next general election except that ~~where~~ if the change made in the boundaries of a district is less than 10 percent of the average of all districts of the county, the commissioner in office at the time of the redistricting shall serve for the full period for which he was elected.

375.03 TERM OF COMMISSIONERS.

In each new county, and in each county ~~which shall be entitled to that has~~ an increase of the number of commissioners, ~~there shall be elected at the next general election a commissioner shall be elected~~ from each odd-numbered district for a term of two years, and ~~one~~ from each even-numbered district for a term of four years; ~~and~~. Thereafter all commissioners shall be elected for a term of four years, except that elections to fill vacancies shall be for the unexpired term only. In counties having a population of more than 150,000, every ~~such~~ commissioner, before he ~~enters upon~~ begins his duties, shall give bond to the state in the sum of \$10,000, with a legally authorized surety company as surety, conditioned for the faithful performance of his official duties. ~~Such~~ The bond shall be approved by a judge of the district court, and together with his the oath of office and certificate of election, be filed with the county recorder. The premium on the bond shall not exceed that prescribed by law for county treasurers, and shall be paid by the county.

375.04 TIE DETERMINED BY LOT.

If two or more persons have an equal and the highest number of votes for the office of county commissioner in ~~any~~ a district, the auditor shall give written notice, ~~in writing,~~ to ~~such persons them~~ to attend at his office at a time specified, ~~and~~. He shall then and there, in their presence, publicly decide by lot which ~~of them~~ shall be declared elected. The person so selected shall be the commissioner from the district.

375.055 COUNTY COMMISSIONERS' COMPENSATION.

Subdivision 1. **FIXED BY COUNTY BOARD.** The county commissioners in all counties ~~of the state,~~ except Hennepin and Ramsey ~~counties,~~ shall receive as compensation for services rendered by them for their respective counties, annual salaries and in addition may receive per diem payments and reimbursement for necessary expenses in performing the duties of the office as set

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by resolution of the county board, ~~provided that~~. The salary and schedule of per diem payments shall not ~~become~~ be effective until January 1 of the next year. The resolution shall contain a statement of the new salary to be established set forth on an annual basis. The board may establish a schedule of per diem payments for service by individual county commissioners on any board, committee, or commission of county government including committees of the board, or for the performance of services by individual county commissioners when required by law. In addition to its publication in the official newspaper of the county as part of the proceedings of the meeting of the county board, the resolution setting the salary and schedule of per diem payments shall be published in one other newspaper of the county, if there ~~be~~ is one located in a different municipality in the county than the official newspaper. The salary of a county commissioner or the schedule of per diem payments shall not change except in accordance with the ~~provisions~~ of this subdivision.

Subd. 4. INCONSISTENT PROVISIONS SUPERSEDED. Except as otherwise herein provided, all acts or parts of acts, which relate to salaries of county commissioners, in any county of the state having a population of less than 100,000 according to the 1960 federal census, are hereby superseded as of January 1, 1969 insofar as they are inconsistent with the ~~provisions~~ of this section.

Subd. 5. OTHER BENEFITS. Except as provided herein nothing in this section shall limit the right of a county commissioner to collect and retain any fees, per diem payment made pursuant to subdivision 1, or any mileage or expense allowance, or reimbursement of expenses in attending meetings or in the conduct of the business of a board, commission or committee of county government on which he serves, which he is now authorized by any other ~~provision~~ of the law to collect and retain in addition to the stated amount of his annual salary; or to participate in any group insurance program instituted by the county board for county officers and employees; ~~provided that the several~~. Members of the county board shall not receive a per diem for service on the board of auditors, the board of equalization, or the canvassing board.

Subd. 6. VALIDATION. The salary heretofore paid any county commissioner under the ~~provisions~~ of any existing law insofar as they are it is inconsistent with this section, which may be found to be unconstitutional or invalid for any reason, by a court of competent jurisdiction, is hereby legalized and made valid.

375.056 SEVEN-MEMBER BOARD.

Any county with a population of 100,000 or more according to the last federal decennial census may by resolution of its county board provide for a seven-member board of county commissioners. A certified copy of the resolution of the county board of any county choosing to exercise this option shall be transmitted to the secretary of state, and. The county commissioner districts shall be redistricted by the county board in accordance with section 375.025.

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375.057 SPECIAL ACTS PROVIDING FOR PAYMENT OF PER DIEMS.

Any special act for a single county or group of counties providing for the payment of per diems to county commissioners is superseded to the extent that it is inconsistent with Laws 1975, chapter 301, sections 1 to 14. This section shall does not apply to Hennepin, Ramsey, and St. Louis counties.

375.06 COMPENSATION FOR COMMITTEE WORK; TRAVEL EXPENSES.

Subdivision 1. The ~~several~~ members of the county boards in counties other than Hennepin, Ramsey, and St. Louis, may be paid a per diem pursuant to section 375.055, subdivision 1, for each day necessarily occupied in the discharge of their official duties while acting on any committee under the direction of the board, and may be allowed and paid their actual and necessary traveling expenses in accordance with section 471.665 for travel incurred in the discharge of such the committee work. Any committee may be comprised of all of the members of the county board.

The ~~several~~ members of the county boards in addition to any compensation authorized for their duties may be allowed and paid their actual and necessary traveling expenses in accordance with section 471.665 for travel incurred in attending meetings of the board. The chairman of the county board may receive mileage reimbursement in accordance with section 471.665 for going to the county seat to sign warrants during recess of the county board.

Subd. 2. If a county commissioner is authorized to be reimbursed for ~~his~~ traveling expenses while performing ~~his~~ official duties as a county commissioner or while serving on a board, commission or committee, such the reimbursement shall be limited to expenses actually paid or incurred by him. If authorized to be paid mileage or receive reimbursement for expenses in performing any such a duty and the commissioner uses his private automobile, he may be reimbursed for ~~the its use thereof at not to exceed more than~~ the rate specified for such reimbursement in section 471.665 for each mile actually traveled. This subdivision shall does not supersede any law specifying a maximum mileage or expense allowance for a commissioner or for all commissioners on a county board.

375.07 MEETINGS; QUORUM.

The board shall meet at the county-seat for the transaction of business on the first Tuesday after the first Monday in January, and on other days it prescribes as ~~it deems~~ necessary for the interests of the county. A majority shall constitute a quorum, and no business shall be done unless voted for by a majority of the whole board, but less than a majority may adjourn. Sessions shall be called by a majority of the board and the clerk shall give at least ten days' notice of them to each of the commissioners.

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375.08 BOARD TO FILL VACANCIES IN COUNTY OFFICES.

When a vacancy occurs in the office of county auditor, county treasurer, county recorder, sheriff, county attorney, county surveyor, or coroner, the county board shall fill the ~~same~~ it by appointment. For that purpose it shall meet at the usual place of meeting, upon one day's notice from the chairman or clerk, which shall be served personally upon each member in the same manner as a district court summons is ~~authorized to be served~~. The person so appointed shall give the bond and take the oath required by law, and ~~shall hold for~~ serve the remainder of the ~~unexpired~~ term, and until ~~his~~ a successor qualifies; ~~provided, that~~. When ~~such~~ a vacancy occurs in any of the offices hereinbefore mentioned, in which ~~an~~ an office ~~there is~~ that has a chief deputy or first assistant, ~~then~~ the chief deputy or first assistant is ~~empowered and authorized to~~ may perform all of the duties and functions of the office until ~~such time as the same~~ it is filled by appointment by the county board.

375.09 MAY NOT HOLD OTHER OFFICE; NO INTEREST IN CONTRACT; VIOLATION; MALFEASANCE.

No county commissioner shall be appointed or elected by the board of which he is a member to any office or position of trust or emolument nor be employed by the county in which he is a commissioner, ~~and~~. No commissioner shall receive any money or other valuable thing as a condition of voting or inducement to vote for any contract or other thing under consideration by the board, or become a party to, or directly or indirectly interested in, any contract made by the board; ~~and~~. Every appointment or election made and every contract or payment voted for or made contrary to ~~the provisions of this section~~ shall be is void. Any violation of ~~the provisions of this section~~ shall be is a malfeasance in office.

375.101 VACANCY IN OFFICE OF COUNTY COMMISSIONER.

Subdivision 1. A vacancy in the office of county commissioner shall be filled at a special election ~~to be held~~ not less than 30 nor more than 60 days after the vacancy occurs. The special primary or special election may be held on the same day as a regular primary or regular election, ~~provided that~~ but the special election shall be held not less than 14 days after the special primary election. The person elected at the special election shall take office immediately after receipt of the certificate of election and upon filing the bond and taking the oath of office and shall serve the remainder of the unexpired term. If the county has been reapportioned since the commencement of the term of the vacant office, the election shall be based on the district as reapportioned.

Subd. 2. If the vacancy occurs less than 60 days before the general election preceding the end of the term, the vacancy shall be filled by the person elected at that election for the ensuing term who shall take office immediately

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after receiving the certificate of election and ~~upon~~, filing the bond and taking the oath of office.

Subd. 3. In addition to the events specified in section 351.02, absence from the county for six consecutive months shall be ~~deemed to~~ create a vacancy.

375.11 SEAL; AUTHENTICATED COPIES OF BOARD PROCEEDINGS PRIMA FACIE EVIDENCE.

The seal of the county auditor shall be the seal of the board and. Copies of its proceedings, authenticated as required by law, shall be prima facie evidence ~~thereof~~ of them in all cases.

375.12 PUBLICATION OF PROCEEDINGS.

Subdivision 1. The county board shall ~~cause~~ have the official proceedings of its sessions to be published in some qualified newspaper produced and published in its county, ~~which~~. The publication shall be let annually by contract to the lowest bidder, at the first regular session of the board in January each year. The board may elect to publish all or any part of the official proceedings; provided that. In the case of partial publication, the published proceedings shall indicate in what respect they are incomplete. In each county whose population exceeds 600,000, the proceedings shall be published in a daily newspaper. The board may reject any offer if, in its judgment, the public interests ~~so~~ require, and may ~~thereupon~~ then designate a newspaper without regard to any rejected offer. In any county whose population exceeds 50,000, and is less than 250,000, the proceedings may be published in one daily and one weekly newspaper at ~~their~~ respective the county seats seat. If the official newspaper of the county shall ~~cease~~ ceases to exist for any reason, except by consolidation with another newspaper, the county board shall ~~have authority to~~ may designate another newspaper for the remainder of the year. For the purpose of this section, a newspaper is produced and published in the county if it has in the county its known office of issue, as ~~such term~~ is defined in section 331.02, and if it does its typographic composition or presswork or both in the county.

Subd. 2. Individualized itemized accounts, claims or demands allowed by the county board pursuant to section 471.38, subdivision 1, need not be published pursuant to subdivision 1, ~~provided that~~ if the amount allowed from each claim is \$100 or less. The official proceedings following the itemization of accounts required shall contain a statement showing the total number of claims that did not exceed \$100, and ~~the~~ their total dollar amount ~~of these claims~~.

375.13 CHAIRMAN.

The county board, at its first session in each year, shall elect from its members a chairman and a vice-chairman. The chairman shall preside at its meetings and sign all documents requiring signature on its behalf and. His signature as chairman, attested by the clerk of the county board, shall be binding

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as the signature of such the board. In case of the absence or incapacity of the chairman, the vice-chairman shall perform his duties. If the chairman or vice-chairman are absent from any meeting, all documents requiring the signature of the board shall be signed by a majority ~~thereof~~ of it and ~~likewise~~ attested by the clerk.

375.14 OFFICES AND SUPPLIES FURNISHED FOR COUNTY OFFICERS.

The county board shall provide offices at the county-seat for the auditor, treasurer, county recorder, sheriff, judge of probate, clerk of the district court, and shall ~~provide~~ an office for the county engineer at a site determined by the county board, with suitable furniture ~~therefor~~, ~~also~~ and safes and vaults for the security and preservation of the books and papers ~~belonging thereto~~ of the offices, and provide ~~for the~~ heating, lighting, and maintenance of such the offices. The board shall furnish all county officers with all books, stationery, letter-heads, envelopes, postage, telephone service, office equipment, and supplies necessary to the discharge of their respective duties and make like provision for the judges of the district court ~~so far as may be necessary~~ to the discharge of their duties within the county or concerning matters arising ~~therein~~; ~~provided, that in it~~. The board ~~shall~~ is not be required to furnish any county officer with professional or technical books or instruments ~~except in so far as when the board may deem the same to be deems them~~ directly necessary to the discharge of his official duties as part of the permanent equipment of ~~his~~ the office.

375.15 DAMAGED RECORDS TRANSCRIBED.

~~In case~~ If the records of any ~~offices~~ office named in section 375.14 ~~shall be~~ are damaged so as to render any portion of them liable to become illegible, destroyed, or lost, the county board shall provide suitable books, and cause ~~such the~~ records to be transcribed, so that the new volumes will correspond, in designation, letter or number, and page, to the original records. The fees for ~~such the~~ work shall be fixed by ~~such the~~ board, and shall not exceed seven cents per folio for the whole work done. Printed record books shall be used when practicable for both original and transcribed records.

375.16 APPROPRIATION FOR INCIDENTAL EXPENSES.

At its regular meetings ~~in January and July~~ the county board may appropriate from the county revenue fund a sum to pay incidental expenses of county officers incurred for postage, and for necessary express, freight, telephone, telegraph, water, ~~and light and~~, other utility charges, ~~and~~ the mileage and per diem of town officers making election returns, to be paid on the warrant of the county auditor upon the presentation of a properly itemized and verified bill, ~~except in cases where~~. When the county auditor considers the sum charged excessive, ~~in which case~~ he shall file the bill, if requested by the person presenting ~~the same~~ it, for action by the board at its next meeting.

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375.161 INCIDENTAL COSTS AND EXPENSES; CONTINGENT FUND; ADDITIONAL APPROPRIATIONS.

Subdivision 1. In addition to the amount authorized by section 375.16, each county board may annually appropriate from the county revenue fund a ~~sum~~ not exceeding \$750 more than \$1,500 as a contingent fund for use by the county board to pay for incidental costs and expenses incurred by them in expediting the business of the county.

Subd. 2. Nothing in subdivision 1 shall operate to lessen the amount of a contingent fund available to the county board or the chairman of a county board under the authority of a special act for a single county enacted ~~previous to the effective date of Laws 1973, Chapter 373~~ before August 1, 1973.

375.162 IMPREST CASH FUNDS.

Subdivision 1. The county board may establish one or more imprest funds for the payment in cash of any proper claim against the county which it is impractical to pay in any other manner, ~~except that~~. No claim for salary or personal expenses of a county officer or employee shall be paid from ~~such funds~~ an imprest fund. The county board shall appoint a custodian of each ~~such imprest fund and he~~ who shall be responsible for its safekeeping and disbursement according to law. Money for the operation of ~~such an imprest fund~~ such an imprest fund shall be secured by a warrant issued on the general revenue fund. A claim itemizing all the various demands for which disbursements have been made from the fund shall be presented to the county board at the next county board meeting after the month in which the disbursements have been made. The county board shall act upon it as in the case of other claims and a warrant shall be issued to the custodian for the amount allowed. The custodian shall use the proceeds of the warrant to replenish the fund, and if the county board fails to approve the claim in full for any sufficient reason, the custodian shall be personally responsible for the difference.

Subd. 2. The county board may authorize an imprest fund for the purpose of advancing money to officers or employees to pay ~~the their~~ actual and necessary expenses of ~~such officer or employee~~ in attending meetings outside the county. The county board shall appoint a custodian of ~~such the~~ fund ~~and he~~ who shall be responsible for its safekeeping and disbursement according to law. Attendance at ~~such meetings outside the county~~ shall be authorized in advance by the county board. At a meeting of the county board in the month after ~~such a meeting outside the county~~, the officer or employee shall submit an itemized claim for the actual and necessary expenses incurred and paid by him in attending ~~such the~~ meeting. The county board shall act upon it as in the case of other claims and a warrant shall be issued to the officer or employee for the amount allowed. The officer or employee shall use the proceeds of the warrant to repay the amount advanced from the fund, ~~and~~. If the amount approved by

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the county board is insufficient to repay the advance, the officer or employee shall be personally responsible for the difference.

375.163 ASSOCIATION OF COUNTY COMMISSIONERS MINNESOTA COUNTIES; DUES, EXPENSES.

The county board of any county may appropriate out of its general fund money to pay the annual dues of the county for membership in the state association of county commissioners Minnesota counties and the actual necessary expense of delegates designated by the county board to attend meetings of the league association.

375.164 TELEVISION TRANSLATOR STATIONS, CONSTRUCTION BY COUNTY.

The county board of any county in this state is hereby authorized to may appropriate annually from the county general revenue fund of such county an amount necessary to fund the construction, acquisition, improvement, or maintenance of a translator station within such in the county for the purpose of receiving to receive and transmitting transmit television broadcasting signals.

375.165 COUNTY TRANSLATOR SYSTEMS; FUNDING.

Notwithstanding the provisions of section 375.164, or any other contrary law to the contrary, the county board of any county owning, operating or maintaining a translator system on April 14, 1976, may singly or jointly with contiguous counties appropriate from the general revenue fund an amount necessary to fund the construction, acquisition, improvement, maintenance and operations of a translator system either within in or without outside of the county for the purpose of receiving to receive and transmitting transmit television broadcasting signals. The county may singly or jointly with contiguous counties acquire, by gift, lease or purchase, any real estate or interest therein in real estate upon such the terms or conditions, including contracts for fees, as it shall determine determines, either within in or without outside of the county, for the purpose of establishing, improving to establish, improve or operating operate a television translator system. No real estate located in another county may be acquired unless the county board of the county in which where the real estate is located approves the proposed acquisition. The county may issue bonds in accordance with the provisions of chapter 475, for the acquisition, construction or improvement of television translator systems and the acquisition of real estate therefor for them.

375.167 NONPROFIT LEGAL ASSISTANCE CORPORATIONS.

Subdivision 1. **APPROPRIATIONS.** Notwithstanding the provisions and limitations of section 275.09, and any other contrary law to the contrary, the a county board of any county may appropriate from the general revenue fund to any nonprofit corporation a sum not to exceed one-fourth of a mill on the dollar

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of the taxable valuation of the county ~~for the purpose of providing to provide~~ legal assistance to persons who are unable to afford private legal counsel. This levy ~~shall be is~~ subject to the levy limits established by sections 275.50 to 275.59.

Subd. 2. **CONTIGUOUS COUNTIES MAY COMBINE APPROPRIATIONS.** Any two or more contiguous counties may by concurrent resolution of their county boards combine their appropriations to a single nonprofit corporation to serve the purpose of subdivision 1 in their counties.

375.168 UNDERCOVER BUY FUND; EXPENDITURE OF MONEY BY COUNTIES.

The A county board of ~~any county~~ may appropriate money for investigation of criminal activity relating to receiving or selling stolen goods, including the setting aside of money for "buy funds."

375.17 PUBLICATION OF FINANCIAL STATEMENTS.

Annually, not later than the first Tuesday after the first Monday in March, the county board shall make a full and accurate statement of the receipts and expenditures of the preceding year, which shall contain a statement of the assets and liabilities, a summary of receipts, disbursements, and balances of all county funds together with a detailed statement of each fund account, under the form and style prescribed by and on file with the state auditor, ~~which~~. The prescribed form and any changes or modifications ~~thereof of it~~ shall so far as practical be uniform for all counties and ~~shall~~ be approved by the attorney general and the state printer ~~and~~. Within 30 days ~~thereafter~~ after the first Tuesday after the first Monday in March the board shall cause the same to be published publish the statement for one issue in some a duly qualified legal newspaper within in the county, ~~which newspaper must be a duly qualified legal newspaper, as provided by law.~~ The county board may also refrain from publishing an itemized account of amounts paid out, to whom and for what purpose to the extent that the published proceedings of the county board contain ~~such the~~ information, ~~provided that if~~ all disbursements aggregating \$5,000 or more to any person are set forth in a schedule of major disbursements showing amounts paid out, to whom and for what purpose and are made a part of, and published with, the financial statement. The county board may refrain from publishing the names and amounts of salaries and expenses paid to employees but shall publish the totals of disbursements for salaries and expenses. The county board may refrain from publishing the names of persons receiving poor relief or direct relief and the amounts paid to each, but the totals of the disbursements ~~such those~~ purposes must be published. In addition to the publication ~~thereof~~ in the newspaper designated by the board as the official newspaper for publication of the financial statement, ~~the same~~ statement shall be published in one other newspaper of the county, if ~~there be one~~ is located in a different municipality in the county than the official newspaper. The county board shall call for separate bids for each publication. ~~Insofar as any~~ If a provision of this section is

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inconsistent with the provisions of section 393.07, the provisions of that section shall prevail.

375.18 GENERAL POWERS.

Subdivision 1. **ACCOUNTS, EXAMINATION, SETTLEMENT AND ALLOWANCE.** Each county board may examine and settle all accounts of the receipts and expenses of the county, and examine, settle, and allow all accounts, demands, and causes of action against the ~~same county~~, and, when so settled, issue county orders ~~therefor~~ for them, as provided by law.

Subd. 2. **MANAGE PROPERTY, FUNDS, BUSINESS.** Each county board may have the care of the county property, and management of the county funds and business, except in cases otherwise provided for, and make ~~such~~ orders concerning the ~~same them~~ as it deems expedient.

Subd. 3. **COURTHOUSE.** Each county board may erect, furnish, and maintain a suitable court house ~~but~~. No indebtedness shall be created for ~~such~~ purpose a court house in excess of 1-2/3 mills on each dollar of assessed valuation without the approval of a majority of the voters of the county voting on the question of issuing the obligation at an election.

Subd. 4. **TOWNS, ORGANIZATION, BOUNDARIES.** Each county board may set off, organize, vacate, and change the boundaries of towns subject to the limitations hereinafter prescribed, designate the time and place of holding the first town meeting ~~therein~~ of a town, and make all necessary orders for the disposition and preservation of the records of any town vacated.

Subd. 5. **TOWNS, APPORTIONMENT OF FUNDS.** Each county board may apportion, pro rata, according to the assessed valuation, among the several parts of a town divided by it, any funds of ~~such~~ the town not raised or theretofore appropriated for a purpose inconsistent with ~~such~~ the apportionment.

Subd. 6. **TOWNS, APPORTIONMENT OF TAXES.** Each county board may apportion all uncollected taxes ~~then~~ levied or assessed for the benefit of any town divided by the board, and ~~provide for the payment thereof~~ pay them when collected, pursuant to the apportionment, having due regard to the purpose for which ~~such~~ the taxes were levied.

Subd. 7. **TRANSFER OF SURPLUS.** Each county board may transfer by unanimous vote any surplus beyond the needs of the current year in any county fund to any other ~~such~~ county fund to supply a deficiency ~~therein~~, ~~except in counties having over 75,000 inhabitants in it.~~

Subd. 8. **COUNTY AGRICULTURAL SOCIETY, FARM IMPROVEMENT ASSOCIATION, APPROPRIATION.** Each county board may appropriate to any county agricultural society of its county, which is a member of the state agricultural society, or to any farm improvement association organized by the citizens of two or more counties jointly ~~for the purpose of advancing to~~

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advance the agricultural interest of each of such the counties, a sum of money not exceeding \$1,000 each, annually; ~~provided, that.~~ In any county in which where two county agricultural societies are members of the state agricultural society any appropriation so made shall be divided equally between them; ~~and.~~ In addition to the appropriation ~~above~~ referred to above, in all cases ~~where if~~ a county owns grounds and buildings used for agricultural fairs and other purposes, the county board, by a ~~four-fifths~~ majority vote, may appropriate annually a sum of money equal to ~~five~~ ten percent of the total value of such the property to the association or society having the management, control, and direction of agricultural fairs held ~~therein there~~, for the purpose of repairs, upkeep, improvements, extensions, to repair, maintain, improve, extend and alterations of such alter the grounds and buildings; ~~and, in all such cases, if the area of any such county is not less than 43, nor more than 45, full or fractional congressional townships and the population thereof is not less than 25,000, nor more than 31,000, according to the last federal census, such additional appropriation may be a sum not exceeding ten percent of the total value of such property.~~

Subd. 9. COUNTY FAIRS, PURCHASE OR CONDEMNATION OF LANDS. Each county board may purchase or condemn land, with such improvements, if any, as may be ~~thereon~~, for the purpose of holding ~~thereon on it, to hold~~ agricultural fairs and exhibitions and appropriate money in payment ~~therefor to pay for it,~~ not exceeding the sum of \$5,000, and such \$25,000. The county board may purchase or condemn land for holding such fairs and exhibitions ~~thereon~~ and appropriate money in payment ~~therefor for it~~ in excess of the sum of \$5,000 \$25,000 when authorized ~~so to do~~ by a vote of the people. It may accept and receive a donation ~~or donations~~ to be used to obtain lands for the purpose of holding ~~thereon~~ agricultural fairs and exhibitions and in such that case and for such that purpose, without being authorized by a vote of the people, ~~to it may~~ purchase or condemn lands not exceeding in value the amount of such the donation ~~or donations~~; improve and erect structures ~~thereon on the lands,~~ for which ~~purpose~~ they may receive donations of money, materials or labor; ~~and.~~ It may lease such the land from time to time to agricultural and other societies of similar nature and establish reasonable rules and regulations under which such land it may be used by all such the societies in the county; ~~provided, that.~~ All structures and improvements made on such the land by societies using the same it shall belong to the county.

(All proceedings for the condemnation of such the lands shall be had under the provisions of chapter 117.)

Notwithstanding this section, upon majority vote of the Dakota county board, the Dakota county board may spend up to but not to exceed \$240,000 for the purposes of payment for property needed for expansion of the Dakota county fairgrounds. This provision expires January 1, 1978.

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Subd. 10. **ERECTION OF MEMORIALS TO VETERANS.** Each county board may appropriate, ~~in counties having a population of not more than 20,000, a sum not exceeding \$10,000, and in counties having a population of more than 20,000, and less than 100,000, a sum not exceeding \$20,000, funds~~ to erect or aid in erecting a monument or other memorial to the soldiers and sailors of the nation, ~~such monument or other memorial~~ to be constructed on the court house square, or in a public park at the ~~county-seat~~ county seat, or in a cemetery adjacent to the ~~county-seat~~ county seat, or elsewhere in the ~~county-seat~~ county seat.

Subd. 11. **CONSTRUCTION OF RAILWAYS.** Each county board may authorize by resolution any person, company, or corporation to construct and maintain railway lines to be operated by other than steam power upon any public road outside of cities not boulevarded or parked, for a period not exceeding 25 years, upon the terms as to use and occupation prescribed in ~~such the resolution;~~ the resolution; The use so granted ~~shall not to~~ shall not to interfere with the reasonable use of ~~such the~~ such the road as a highway, and ~~to shall~~ shall cease in case of the vacation thereof of ~~the road,~~ the road, unless proceedings to condemn are taken within six months ~~thereafter after the vacation and diligently prosecuted; provided, that such.~~ thereafter after the vacation and diligently prosecuted; provided, that such. The railway and its property shall be subject to taxation by ~~such the~~ such the methods and at ~~such the~~ such the rate as the proper authorities may from time to time prescribe in accordance with law.

Subd. 12. **PARKS, ACQUISITION OF LAND.** Each county board may acquire by gift or purchase and improve ~~not exceeding one acre of~~ not exceeding one acre of land within the county, for use as a park, site for a building, or other public purpose, and, when required by the public interest, sell and convey ~~the same; which it.~~ the same; which it. The land may be paid for out of moneys in the county treasury not otherwise appropriated, or by issuing bonds of the county.

Subd. 13. **POWERS CONFERRED BY LAW.** Each county board may exercise ~~such the~~ such the other powers as are ~~or may be~~ may be conferred upon ~~them it~~ it by law.

375.181 SITES FOR COUNTY BUILDINGS.

If the board of county commissioners of ~~any county~~ any county at any regular or extra meeting shall ~~adopt~~ adopts and ~~enter~~ enters in the minutes of its proceedings a resolution declaring that it is necessary to acquire for the use of the county any land, describing it, to be used as a site for a courthouse or other public building or ~~for the purpose of enlarging to enlarge~~ for the purpose of enlarging to enlarge the site of ~~any such a courthouse or other public building already owned by the county, and the board of county commissioners is unable to purchase the land at a reasonable price, the title to any such land may be acquired by condemnation as provided in chapter 117.~~ any such a courthouse or other public building already owned by the county, and the board of county commissioners is unable to purchase the land at a reasonable price, the title to any such land may be acquired by condemnation as provided in chapter 117.

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375.19 ADDITIONAL POWERS.

In addition to all other powers now or hereafter by law conferred upon county boards, authority hereby is given to receive and A county board may accept for their counties its county real or personal property by gift, bequest, devise, conveyance, or otherwise from any person whose care, support, treatment, or maintenance, in whole or in part, is or may be chargeable to or furnished or provided by such counties the county, and to hold or dispose of the same it for the benefit of their counties the county, as by law provided in the case of other county property; ~~to~~. It may permit use of county equipment for soil conservation projects and ~~to~~ make annual expenditures from the general revenue fund for soil conservation purposes. All expenditures made by any county board of commissioners subsequent to May 1, 1947, not exceeding any annual amount provided for, are hereby validated.

375.192 REDUCTIONS IN ASSESSED VALUATION OF REAL PROPERTY.

Subdivision 1. Notwithstanding section 270.07, upon written application by the owner of the property, the county board of each county shall have power to may grant such a reduction, for the current year, of the assessed valuation of any real property in that county which erroneously has been classified; for tax purposes, as non-homestead property, as is necessary to give it the assessed valuation which it would have received if it had been classified correctly. The application shall be made on a form prescribed by the commissioner of revenue. It shall include the social security number of the applicant and a statement of facts of ownership and occupancy, and. It shall be sworn to by the owner of the property before an officer authorized to take acknowledgments. Before it is acted upon by the county board, the application shall be referred to the county assessor, or if the property is located in a city of the first class having a city assessor, to such the city assessor, who shall investigate the facts and attach his report of such the investigation to the application.

With respect to abatements relating to the current year's tax processed through June 30, the county auditor shall notify the commissioner of revenue on or before July 31 of that same year of all applications granted pursuant to this subdivision. Subsequently, With respect to abatements relating to the current year's tax processed after June 30 through the balance of the year, the county auditor shall notify the commissioner of revenue on or before the following January 31 of all such applications granted pursuant to this subdivision. The form submitted by the county auditor shall be prescribed by the commissioner of revenue and shall contain the information which the commissioner deems necessary.

Subd. 2. Notwithstanding section 270.07, upon written application by the owner of the property, ~~where such~~ if the application seeks a reduction in estimated market value not in excess of \$2,000, the county board may grant such

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~~the~~ reduction or abatement of estimated market valuation or taxes and of any costs, penalties or interest ~~thereon on them~~ as ~~said~~ the board may deem ~~deems~~ just and equitable and ~~to~~ order the ~~refundment~~ refund in whole or in part of any taxes, costs, penalties or interest ~~thereon~~ which have been erroneously or unjustly paid. ~~Such~~ The application must be approved by the county assessor, or, if the property is located in a city of the first class or ~~city~~ of the second class having a city assessor, by ~~such~~ the city assessor, and by the county auditor ~~prior to~~ before consideration by the county board. The methods of obtaining a reduction or abatement of ad valorem values contained in subdivisions 1 and 2 ~~shall be~~ are in addition to the method provided in Minnesota Statutes 1965, section 270.07.

Subd. 3. Subject to the approval of the commissioner of revenue, the county board shall authorize the county auditor to grant the credits denied under section 272.115, subdivision 4, ~~provided that if~~ a certificate of value has been filed with the county auditor. The county board shall not hear any requests under this subdivision after May 31 of the year in which the taxes are payable.

375.193 RETAIL VENDORS OF SOFT DRINKS, LICENSES.

~~There is hereby conferred upon each~~ A county board ~~the authority may,~~ by resolution or ordinance, ~~to~~ license or regulate the business of vendors at retail of soft drinks and other nonalcoholic beverages located outside the limits of any municipality. The board may impose a reasonable license fee ~~therefor~~ and suspend or revoke ~~such~~ a license for any violation of ~~such~~ the ordinance or resolution or of chapter 340. ~~Any~~ A person ~~violating the terms of any who~~ violates a resolution or ordinance adopted pursuant to this section ~~shall be~~ is guilty of a misdemeanor.

375.195 SALE OF BUILDINGS ON PUBLIC PROPERTY.

Subdivision 1. **COUNTY AUDITOR MAY SELL PROPERTY.** Upon resolution of the county board, the county auditor may ~~offer for sale and~~ sell at public auction for cash at not less than the value appraised by the county board, ~~any~~ buildings or improvements upon ~~any~~ lands held by the state in trust for the taxing districts. If ~~such~~ the buildings are not sold at the public auction as ~~herein~~ provided, they may ~~thereafter, and,~~ at any time within one year from the date ~~thereof of the~~ auction, be sold at private sale by the county auditor at not less than the appraised value.

Subd. 2. **SALE ON REQUEST OF COMMISSIONER OF NATURAL RESOURCES.** The county auditor may ~~offer for sale and~~ sell at public auction any buildings or improvements upon ~~state~~ lands or platted lots under the control of the commissioner of natural resources not held in trust for the taxing districts, at not less than the value appraised by the county board and approved by the commissioner of natural resources, ~~provided such buildings or improvements shall not be offered for sale by the county auditor unless if~~ requested to do so by the commissioner of natural resources. If ~~such~~ the buildings or improve-

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ments are not sold when offered at ~~such~~ the public sale, they may ~~thereafter~~ and within the period of one year ~~therefrom~~ from the date of the auction be sold at private sale by the county auditor at not less than ~~the~~ their appraised value ~~thereof~~.

Subd. 3. **FINDING BY COUNTY BOARD.** ~~No such~~ The buildings or improvements shall ~~not~~ be offered for sale or sold until the county board has, by resolution, found that ~~such buildings or improvements~~ they constitute a fire hazard, an inducement to trespass, or ~~constitute~~ a public nuisance. At least two weeks ~~prior to~~ before the sale of ~~such buildings or improvements~~, the county auditor shall ~~cause to be published~~ publish in a legal newspaper in the county and ~~shall~~ post on the bulletin board in his office and at least one other prominent place in the court house, a notice of ~~such~~ the sale, which ~~notice~~ shall include the date of the sale, a description of the buildings and improvements, and the lands upon which they are situated and ~~the~~ their appraised value ~~thereof~~.

Subd. 4. **SALE CONDITIONED UPON REMOVAL.** All sales under subdivisions 1 or 2 shall be conditioned upon the removal from the land by the purchaser of all buildings and improvements within 90 days of the date of purchase, and. Upon failure to so remove them, the buildings shall revert to the state and may be resold as provided in subdivisions 1 or 2.

Subd. 5. **DISPOSITION OF PROCEEDS.** The proceeds from the sale of ~~any such~~ buildings or improvements located on lands held by the state in trust for the taxing districts, shall be deposited in the forfeited tax fund of the county and ~~shall be~~ distributed in the same manner as if the parcel of land on which the buildings or improvements were situated had been sold. The proceeds from the sale of ~~any~~ buildings or improvements on lands held by the state free of any trust for the taxing districts shall be remitted by the county auditor to the commissioner of natural resources to be deposited in the state treasury in the fund to which the proceeds from the sale of the lands from which the buildings are removed would properly be credited.

375.20 **QUESTIONS SUBMITTED TO VOTE; BALLOT.**

~~When~~ If the county board is ~~authorized to~~ may do ~~any~~ an act, incur ~~any~~ a debt, appropriate money for ~~any~~ a purpose, or exercise any other power or authority, only ~~when~~ if authorized ~~to do so~~ by a vote of the people, the question ~~to be voted upon~~ may be submitted at a special or ~~any~~ general election, by a resolution specifying the matter or question to be voted upon; and. ~~If it~~ the question is to authorize the appropriation of money, creation of a debt, or levy of a tax, it shall state the amount ~~thereof~~. Notice of the election shall be given as in the case of special elections; and. If the question submitted is adopted, the board shall pass an appropriate resolution to carry it into effect. In ~~all such~~ elections the election the form of the ballot shall be: "In favor of (here state the substance of the resolution to be submitted), Yes No.....," with a square opposite each of the words "yes" and "no," in one of which the voter shall mark

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an "X" to indicate his choice. The county board may call a special county election upon ~~any such~~ a question to be held within 60 days after a resolution to that effect is adopted by the county board. Upon the adoption of the resolution the county auditor shall post and publish notices of the election, as required by section 204D.22, subdivisions 2 and 3. The election shall be conducted and the returns canvassed in the manner prescribed by sections 204D.20 to 204D.27, so far as practicable.

375.21 CONTRACTS OF COUNTY BOARDS.

Subdivision 1. When required by the dollar limitations ~~provided by of~~ section 471.345, a contract for work or labor, or ~~for the~~ to purchase of furniture, fixtures, or other property, or ~~for the construction to~~ construct or repair of roads, bridges, or buildings shall be made by a county board only after advertising for bids or proposals in a qualified legal newspaper of the county. ~~If~~ For the purchase of property or for work and labor, two weeks published notice that proposals will be received, stating the time and place, shall be given. ~~If~~ For the construction or repair of roads, bridges, or buildings, three weeks published notice shall be given. The notice shall state the time and place of awarding the contract and contain a brief description of the work. Every ~~such~~ contract shall be awarded to the lowest responsible bidder and duly executed in writing, ~~and~~. The person to whom ~~the same~~ it is awarded shall give a sufficient bond to the board for its faithful performance. If no satisfactory bid is received, the board may readvertise.

An advertised standard requirement price contract for supplies or services established by competitive bids may contain an escalation clause and may provide for a negotiated price increase or decrease. The escalation or negotiated change shall be based upon a demonstrable industry-wide or regional increase or decrease in the vendor's costs.

Every contract made without compliance with ~~the provisions~~ of this section shall be is void.

In case of an emergency arising from the destruction or impassability of roads or bridges by floods, rain or snow, or other casualty, or from the breaking or damaging of any county property, ~~where~~ if the public interests would suffer by delay, ~~such~~ contracts for purchase or repairs may be made without advertising for bids, but in ~~such~~ that case the action of the board shall be recorded in its official proceedings.

375.22 EMERGENCY.

In case of an emergency arising from breakage, damage, or decay in any county property of ~~any county with a population of more than 225,000~~, that cannot be allowed to wait for the time required to advertise for bids, ~~then~~ such repairs may be made without advertising for bids; ~~provided, such~~ if the work is authorized by a majority of the board of county commissioners, and ~~such~~ the

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action shall be is ratified and recorded in the official proceedings of the board at its next meeting.

375.23 ASSESSMENT AND ROAD DISTRICTS IN UNORGANIZED TERRITORY; ASSESSORS; OVERSEERS OF ROADS.

The county board of any county, any part of which is not organized into towns, shall, at its meeting in January, in each year, divide ~~such~~ the unorganized territory into one or more assessment and road districts and appoint a qualified person residing ~~therein~~ there as assessor for each district and another as overseer of roads ~~therein~~, each of whom shall possess the powers and perform the duties of a town assessor and town overseer of roads, respectively. Each shall hold ~~his~~ office for ~~the term~~ of one year. The compensation of ~~any such~~ an overseer of roads shall be fixed by the county board, not exceeding \$4 per day. The compensation of ~~any such~~ an assessor shall be fixed by the county board, not exceeding \$6 per day; ~~provided, that the county board at its annual meeting may fix the compensation of the assessor, or on an annual basis, but such compensation when so fixed shall not exceed~~ exceeding \$400 and shall not be ~~nor~~ less than \$75 in any one year and, in addition to the per diem or compensation fixed on an annual basis, The county board is authorized in its discretion to may also allow the assessor mileage at the rate of five cents per mile for each mile necessarily traveled in his assessment work.

375.24 APPOINTMENT OF CONSTABLES IN CERTAIN UNORGANIZED TERRITORY.

In ~~any~~ a county having no organized townships or ~~in which~~ having a full and fractional unorganized township is more than 20 miles from the nearest town or municipality or county seat and ~~is~~ entirely separated from the town or municipality or county seat by water, the county board ~~of the county~~ may appoint one or more constables for the unorganized ~~township~~ townships. The constables shall have the same powers and duties as constables in towns ~~in the county~~.

Before entering upon their duties, the constables shall give bond to the county in a penal sum as the county board determines. The bonds shall be otherwise conditioned as bonds for ~~such officers~~ constables in towns ~~in the county~~. The bonds shall be approved by the county board and filed with the clerk of district court.

375.25 COUNTY BONDS MAY BE BOUGHT BY FUNDS IN TREASURY; RE-SALE RESALE.

When ~~any~~ a fund in the treasury of ~~any~~ a county of ~~this state~~ having not more than 50,000 population is of ~~such~~ a size that, in the opinion of the county board, ~~the same would~~ it will not be necessary to be ~~expended~~ spent for the purpose for which it was paid in within ~~the next two or more years from the time of such determination~~, the board may ~~thereupon~~ authorize the auditor and

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treasurer of the county to purchase out of ~~such the~~ fund any outstanding bonds of the county at not ~~exceeding the more than their~~ face value thereof and accrued interest ~~thereon to the~~ date of purchase and. The bonds ~~so purchased~~ shall be kept by the treasurer as an asset of ~~such the~~ fund. ~~Any The~~ bonds ~~so purchased~~ may again be sold by the board at not less than ~~the their~~ face value thereof when, in its judgment, it is ~~deemed~~ necessary to replenish the fund out of which ~~such bonds they~~ were purchased.

375.26 GIFTS, ACCEPTANCE.

Any A county in this state may receive by grant, gift, devise, or bequest, and take charge of, own, hold, control, invest, and administer free from taxation, in accordance with the terms of the trust or the conditions of the gift, any personal property, and any real property ~~not to exceed 40 acres in any one county, for the use and benefit of the inhabitants of the county or as a park or recreation grounds, and in the encouragement to encourage, aid, and maintenance of maintain~~ the county cooperative work and education in agriculture and home economics. ~~Such The~~ county may, from time to time, by resolution of the county board, appropriate from the county revenue fund ~~such sum or the sums as may be by the board~~ be deemed necessary by the board to suitably maintain, improve, and care for the property for ~~such use and purpose~~.

375.27 LIABILITIES, LIMITATIONS, AND CONDITIONS OF GIFTS OF REALTY.

No county, by receiving any a grant, gift, devise, or bequest of any property pursuant to section 375.26 and holding and managing ~~the same~~ it, shall incur or be subject to any liability of any kind or nature growing out of ~~the its~~ ownership or management ~~thereof, except that, but~~ limitations and conditions may be imposed by the deed of gift as to the use of the property ~~donated and, if the gift is accepted by the county,~~ it shall be the duty of the county to comply with the limitations and conditions ~~so imposed them~~.

375.273 ACCEPTANCE OF DONATIONS FOR CARE OF CEMETERIES.

Subdivision 1. ACCEPTANCE OF DONATIONS. The board of county commissioners of any county may accept money from private sources or from any person, firm, or corporation, including fiduciaries, donated for the perpetual care of cemeteries located either wholly or partly within in the county, and use such the funds for the purposes provided in subdivision 2.

Subd. 2. COUNTY BOARD MAY EXPEND FUNDS IN CARE OF CEMETERIES. Any such The board of county commissioners may expend public funds under its control for the purpose of maintaining to maintain and improving improve, and otherwise permanently earing care for cemeteries located either wholly or partly within in the county, but any such. The expenditures

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shall be included in, and shall not be in excess of, any limitations on expenditures now fixed by law.

Subd. 3. **DONATIONS DEPOSITED WITH COUNTY TREASURER.** ~~All~~ The money donated or made available for use by ~~such~~ the board ~~in~~ to permanently ~~aring~~ care for ~~such~~ cemeteries, shall be paid into the county treasury, and kept in a separate fund and disbursed only as authorized by the county board.

375.28 REWARDS FOR CAPTURE OF PERSONS ACCUSED OF CRIME OR ESCAPING FROM JAIL.

The A county board of any county in this state shall have the power to may offer and pay rewards in such the amounts, not exceeding \$500 in any one case, as by it ~~may be deemed~~ it deems advisable for the apprehension, arrest, or conviction, or for information leading to the apprehension, arrest, or conviction, of ~~any person or persons~~ persons accused of crime in any ~~of the courts of court~~ in the county or for the apprehension, or for information leading to the apprehension, of any prisoner escaped from ~~any~~ a jail in the county.

375.30 COUNTY BOARD MAY APPROPRIATE MONEY FOR CERTAIN PURPOSES.

Subdivision 1. In addition to the powers now conferred on it by law, the A county board of any county shall have power to may appropriate, annually, a sum of money, ~~not exceeding \$500,~~ for the purpose of eradicating to eradicate and removing remove rust-producing bushes, including barberry and mahonia and excluding Japanese barberry. The money so appropriated ~~to~~ shall be expended in such manner spent as the county board may, by resolution, provide.

Subd. 2. The A county board of any county, by resolution, may appropriate and ~~expend~~ such sums of spend money as ~~may be~~ necessary to spray and otherwise eradicate wild hemp, commonly known as marijuana, on private property within the county. The county board of ~~any county~~ may authorize the use of county equipment, personnel and supplies and materials in spraying to spray or otherwise eradicating eradicate wild hemp on such private property, and may pro rate the expenses involved between the county and owner or occupant thereof of the property.

375.31 MOTOR VEHICLES, DAMAGE FROM OPERATION.

The A county board of any county may indemnify any county officer or employee of the county for loss or expense arising or resulting from any claim made against him because of bodily injury, death or property damage sustained by reason of his operation of a motor vehicle while performing official duties. The county board of ~~any county~~ may defend any suit brought against any such an officer or employee to enforce any such a claim. The county board of ~~any county~~ may settle any such the claim or suit and pay the amount of any such the

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settlement or the amount of any final judgment rendered against ~~any such an~~ officer or employee on ~~any such~~ the claim without first requiring him to pay it.

375.32 INSURANCE POLICIES; PREMIUM, PAYMENT.

Subdivision 1. **PAYMENT OF PREMIUM.** ~~The A~~ A county board of ~~any county~~ may pay the premium on ~~any an~~ insurance policy which insures ~~any a~~ a county officer or employee of the county or ~~any a~~ group of ~~such county~~ officers or employees against liability for injuries to person or property within the limitations of section 375.31. ~~Such~~ The payment shall not impose any liability upon the county. ~~Such~~ The insurance may be written ~~in~~ by any insurance company authorized to transact business in ~~the state~~ of Minnesota.

Subd. 2. **AUTOMOBILE INSURANCE COVERAGE.** ~~The A~~ A county board of ~~any county~~ may take ~~such~~ action as ~~may~~ be necessary to bring the county and its officers and employees within the provisions and limitations of chapter 65B.

375.335 REGIONAL PUBLIC LIBRARY SYSTEMS.

Subdivision 1. **ESTABLISHMENT.** Two or more counties or two or more cities located in two or more counties may, through action by their governing bodies under ~~the provisions~~ of section 471.59, establish and maintain a regional public library system, even though ~~any~~ one or more of the counties or cities may already have a library with a library board; ~~provided that~~. In ~~any a~~ county or city already having a library board, the approval of the library board shall also be required. Cities having public libraries may join in the regional public library system by being parties to the agreement which establishes the regional public library system through action of their library boards and their city councils, or as provided in subdivision 3.

Subd. 2. **LIBRARY BOARD.** The agreement establishing a regional public library system shall provide for a library board to govern the organization having all the powers and duties of city and county library boards as provided in sections 134.11, 134.12, and 134.13 and including exclusive determination of all library services to be provided under terms of the agreement as defined in section 134.30, subdivision 5, and exclusive control of the expenditure of all funds for the services. The regional library system board may consist of as many members as the contracting parties deem necessary, appointed in a number from among the residents of the contracting parties and for terms by each party to the contract as ~~may be~~ determined by the contracting parties, irrespective of the existence of one or more city and county library boards already in existence in the participating cities and counties. Not more than one member from each contracting party shall be a member of the governing body of a contracting party and no member may be appointed to serve more than three consecutive three-year terms. In the participating cities and counties, the portion of the proceeds of the city and

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county library tax authorized by section 134.07, shall be used ~~for the~~ to support of the regional public library system as the contracting agreement may provide.

Subd. 3. **CITY PARTICIPATION.** Where a regional public library system is established, ~~any~~ a city located in any of the contracting counties which is excluded from the county tax supporting the regional public library system under the provisions of section 134.07, may, upon recommendation of its library board and upon action by its governing body, be included in the county tax and become an integral part of the regional public library system. Cities included in the county tax and with public libraries which are part of the regional public library system, whether or not governed by home rule charter provisions, upon action by their city council, may levy taxes for the additional support of their local library services. ~~Any~~ A local public library board or governing body may, at its option, continue to control the local library fund or pay all or part ~~thereof~~ into of it to the regional public library system fund, to be used ~~for the~~ to increase or ~~improvement of~~ improve public library services in the city.

Subd. 4. **PROPERTY.** All property given, granted, conveyed, donated, devised or bequeathed to, or otherwise acquired by any regional library board or any regional public library system board however created shall vest in, and be held in the name of, the regional library board or regional public library system board. Any conveyance, grant, donation, devise, bequest, or gift made to, or in the name of, any regional library or public library system shall be deemed to have been made directly to the regional public library system board.

Subd. 5. **RATIFICATION.** All property heretofore given, granted, conveyed, donated, devised, bequeathed to, or otherwise acquired by any regional library board or any regional public library system board however created is ~~hereby~~ validated, ratified and confirmed as the property of the board.

Subd. 6. **RATIFICATION.** Any multicounty regional public library heretofore created, and the agreements creating them, are ~~hereby~~ validated, ratified, and confirmed and the benefits of subdivisions 1 to 5 shall hereafter apply to ~~these libraries~~ them.

375.34 MEMORIAL DAY, APPROPRIATION FOR OBSERVANCE.

The county board of each county may appropriate from the revenue fund of the county not more than ~~\$1,500~~ \$2,000 annually to aid in the observance of Memorial Day in commemoration of the noble and valiant deeds of the nation's soldier dead.

375.35 APPROPRIATION TO MILITARY SERVICE ORGANIZATIONS, MEMORIAL DAY SERVICES.

~~The several~~ A county boards in this state are ~~hereby empowered, in addition to the power now conferred on them by law, to board may also~~ appropriate annually not to exceed more than \$100 to each post of a recognized

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military service persons' organization or society, holding charter from congress or incorporated in this state, organized and existing in their respective counties, for defraying the county, to defray the expenses of Memorial Day exercises.

375.36 COUNTY BOARD TO ESTABLISH SOLDIERS' REST.

The A county board of county commissioners of any county in this state may purchase a plot of ground in any duly organized cemetery lying, in whole or in part, in the county, or in a contiguous county contiguous thereto, to be designated, set aside, and used exclusively as a soldiers' rest, and appropriate for the payment its cost, embellishment, and upkeep thereof, and for the opening and the closing of graves therein in it, not to exceed the sum of \$1,000 more than \$3,500 in any one year. Any county in this state now having, or which may hereafter have, a population of not less than 150,000 may appropriate for such purposes not to exceed the sum of \$3,500 in any one year.

The county board is authorized to may use such the portion of the appropriation as it may deem deems necessary for compensation and expenses of an agent, who shall be a veteran, to care for such the burial ground and to issue permits for burial therein in it.

375.37 "SOLDIERS' REST" USED EXCLUSIVELY FOR SOLDIERS, SAILORS, MARINES AND WAR NURSES.

Any plot of ground secured and designated as a "soldiers' rest" shall be used exclusively for the interment of deceased soldiers, sailors, marines, and war nurses of the United States, without charge for space therein in it.

375.38 VIOLATION A MISDEMEANOR.

Any A person interring who inters or causing causes to be interred a body, or make makes a charge for a burial lot in such a soldiers' rest, except as provided by section 375.37, shall be is guilty of a misdemeanor.

375.383 WAR RECORDS, PUBLICATION.

The A county board of county commissioners of any county may, by resolution, authorize the compilation, printing, and distribution of a book containing the war records, and, if desired by the board, pictures of residents of the county who served in the armed forces of the United States or any of its allies during the second world war, or who had active service on and after June 27, 1950, and prior to the final cessation of hostilities as proclaimed by proper federal authority, and such other information relative to war activities or services as the board deems desirable.

The board may make a tax levy in a sufficient amount to carry out the provisions of this section, which levy may be in addition to all other levies now authorized by law.

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

375.39 CHANGE OF NAME OF COUNTY; ORDER OF COUNTY BOARD.

The A county board of any county in this state may change the name of the county upon a petition signed by a number of the legal voters of the county equal to 55 percent of the votes cast at the last preceding general election, and shall adopt the new name suggested in such the petition as the official name of the county. Such The petition shall be filed with the county auditor and it shall be the duty of the auditor thereupon to who shall then promptly give public notice of the filing of such the petition by publishing the same it in the official newspaper of the county, and. The petition shall be taken up and considered at the next meeting of the board held not less than 30 days after the date of such the notice.

The prayer of the petition being granted, the board shall make a formal order to that effect, which shall be filed with the auditor, and thereupon. After filing, the official name of the county shall be the one so adopted.

375.40 COUNTY BOARD MAY LICENSE EXHIBITIONS AND SHOWS.

The A county board of county commissioners of any county of this state is hereby authorized to may license and regulate itinerant shows, carnivals, circuses, endurance contests, and exhibitions of any nature whatsoever, except those prohibited by section 624.66. Sections 375.40 to 375.42 shall do not apply to shows, carnivals, circuses, contests, and exhibitions held within the incorporated limits of a city.

The fee for such a license shall be fixed by the county board of county commissioners in such the amount as it shall deem deems advisable.

The board of county commissioners may require, as a condition to the for granting of such the license, the posting of a penal bond in such the amount as it shall determine.

Application for such a license shall be made on such the form as the county board of county commissioners shall determine determines. Upon the approval of such an application and the payment of the license fee and the posting of such the required bond as may be required, the county auditor shall issue the license.

375.41 TAKING PART IN UNLICENSED EXHIBITION OR SHOW A MISDEMEANOR.

Any A person, partnership, association, or corporation who conducts, or takes part in, any itinerant show, carnival, circus, endurance contest, or exhibition not licensed, as provided in section 375.40, shall be is guilty of a misdemeanor.

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

375.42 EXCEPTIONS.

The provisions of Sections 375.40 and 375.41 shall do not apply to any itinerant show, carnival, circus, endurance contest, or exhibition held in connection with any an agricultural association fair.

375.435 COST OF LIVING ADJUSTMENT.

A cost of living adjustment to the salary paid to a county auditor, county treasurer, county recorder, clerk of the district court, sheriff, county attorney, county assessor, or county commissioner pursuant to section 375.43, prior to January 1, 1976, shall be deemed part of the salary paid to the officer from January 1, 1976.

375.44 MILEAGE, COUNTY HOSPITAL BOARD MEMBERS.

The county board of any county in which a county hospital is located may by resolution authorize the members of any county hospital board who are not members of the county board to receive ~~seven and one-half cents~~ reimbursement for each mile necessarily traveled in attending meetings in the performance of their duties.

375.45 CHANGE FUNDS, ESTABLISHMENT.

The county board shall establish funds in the ~~offices of the auditor, treasurer, clerk of the district court, county recorder, sheriff and such other~~ offices and departments as it deems necessary for the purpose of making change only. The change funds shall be established by making an appropriation ~~therefor~~ for them from the proper fund in whatever amounts the county board shall determine. The officer receiving ~~such a~~ change fund shall be its custodian of ~~such fund~~ and he shall be responsible for its safekeeping and use. The change fund shall not be used ~~for the purpose of making to make~~ to make payments of expenses ~~such as are provided for in section 375.16.~~

375.46 ROAD AND HIGHWAY PATROL; SHERIFF'S DUTY.

Subdivision 1. ~~The A county board of county commissioners of any county~~ may appropriate, out of its general fund, money to permit the sheriff to patrol the roads and highways of ~~his~~ the county to investigate conditions respecting observances of laws.

Subd. 2. Upon request by the county board of ~~county commissioners~~ the sheriff of ~~such county~~ shall provide a patrol of roads and highways as provided in subdivision 1.

375.47 EXPENSE ALLOWANCES FOR MEMBERS OF BOARDS AND AGENCIES.

Subdivision 1. Except in Hennepin and St. Louis counties, the board of county commissioners of each county may, by resolution, set a reasonable

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allowance for expenses or a per diem allowance in lieu of expenses and a mileage allowance to be paid the members of boards or agencies authorized by statute, and members of advisory boards or committees, performing duties for all or part of the county, when the board or agency does not itself have power to make expense allowances for its members. The allowances shall be paid from the funds under the administration of the boards or agencies. Members of the board of county commissioners shall not receive any per diem pursuant to this subdivision.

Subd. 2. No member of a board, agency, advisory board, or committee shall receive an allowance for expenses, or a per diem allowance in lieu of expenses, or a mileage allowance pursuant to subdivision 1, if in another capacity he receives from the county under authority of any other statute or resolution either:

(a) an allowance for or per diem allowance in lieu of the same expenses or mileage; or

(b) a fixed amount, whether as part of his a salary or otherwise, for expenses of like kind incurred in the performance of his duties in such the other capacity.

375.471 LAND CONSERVATION AND UTILIZATION; FEDERAL AID.

The county boards of the several counties which have been designated as a resource conservation and development project area under ~~the provisions of 7 USCA, Sec. 1011(e) and acts amendatory thereof, are authorized to may~~ enter into such agreements as may be necessary with the secretary of agriculture of the United States and other agencies of the federal government for the program of land conservation and land utilization authorized by 7 USCA, Sec. 1010 and acts amendatory thereof, to accept assistance ~~therefor for the program~~ under 7 USCA, Sec. 1011 and acts amendatory thereof, to engage in such works of improvement as are necessary to effectuate for the purpose of such the acts and to cooperate with the said secretary of agriculture and federal agencies to the end so that residents of this state shall obtain the benefits and advantages available to them and intended by congress to be so available in such by the acts. The said county boards shall comply with any and all the requirements of federal law and any rules and regulations promulgated ~~thereunder~~ under it and with appropriate state laws in ~~accomplishing to accomplish~~ the purposes here intended by this section. If a proceeding is instituted by petition for an improvement under this section, ~~the proceedings thereafter~~ it may be conducted by a board in the same manner as is provided for the establishment of a drainage system under chapter 106. A majority of the landowners as defined in section 106.031, shall be required for a valid petition. They may also proceed under authority as ~~otherwise~~ provided by other law.

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375.48 EXECUTIVE SECRETARY; APPOINTMENT; QUALIFICATIONS.

Subdivision 1. Notwithstanding ~~the provisions of~~ sections 375A.01 and 375A.12, the a county board of county commissioners of any county may appoint and employ an executive secretary upon such the terms and conditions as it deems advisable and is authorized to. It may appropriate funds and provide suitable office space for such the office. The county board shall set the salary of the secretary. ~~He~~ The secretary shall be chosen solely on the basis of his training, experience and administrative qualifications and need not be a resident of the county at the time of his appointment. The executive secretary serves at the pleasure of the board and his employment may be terminated by the board without notice. The ~~county~~ board may provide for a termination allowance.

Subd. 2. The county board may appoint as executive secretary any county officer or employee except a county commissioner during the term for which he was elected. If a county officer or employee is appointed executive secretary, the ~~county~~ board may provide that the duties of executive secretary are in addition to his the duties as such an officer or employee.

375.49 DUTIES OF EXECUTIVE SECRETARY.

Subdivision 1. The county board shall prescribe the duties and ~~responsibilities~~ of the executive secretary. Insofar as required by the county board, he is responsible to the board for the proper administration and management of any duty assigned to him and for these purposes is deemed the head of a department.

Subd. 2. The executive secretary may be assigned any of the following duties and responsibilities:

(a) To manage any or all of the affairs of the county which county board has authority to control;

(b) To examine regularly the books, papers and accounts of each department, office, and agency of the county under the control of the county board and to report to the board the condition in which he finds them and ~~such~~ other information as the board directs;

(c) To submit to the board ~~such~~ recommendations concerning the affairs of the county, its future financial needs, and its offices, departments and agencies as he deems proper;

(d) To see that all orders, resolutions and regulations of the county board are faithfully executed;

(e) To initiate and present a proposed annual budget to the county board for its review and consideration; and

(f) To serve as clerk of the county board. Upon the adoption of a resolution directing the executive secretary to assume the responsibilities of clerk

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of the board, the county auditor shall no longer be held responsible for the duties as clerk to the board imposed by section 384.09.

375.50 RESCISSION OF RESOLUTION ESTABLISHING EXECUTIVE SECRETARY'S OFFICE.

The board at any time may rescind the resolution establishing the office of executive secretary. Any duties and responsibilities previously assigned to the executive secretary, upon adoption of the rescinding resolution, shall be vested in the officer or department which had responsibility for the function previous to before the transfer of the function to the executive secretary.

375.51 ORDINANCES; ENACTMENT, PUBLICATION.

Subdivision 1. **ENACTMENT.** In any instance in which a county board is authorized by law to enact ordinances, such county the ordinances shall be adopted in the manner hereinafter prescribed in this section except as otherwise provided by law. A public hearing shall be held prior to before the enactment of any ordinance adopting or amending a comprehensive plan or official control as defined in section 394.22. Every county ordinance shall be enacted by a majority vote of all the members of the county board except where unless a larger number is required by law. It shall be signed by the chairman of the board and attested by the clerk of the board. The ordinance shall be published as hereinafter provided in this section. Proof of the publication shall be attached to and filed with the ordinance in the office of the county auditor. Every ordinance shall be recorded in an ordinance book in the office of the county auditor within 20 days after its publication. All ordinances shall be suitably entitled and shall be substantially in the style: "The county board of county ordains:".

Subd. 2. **NOTICE OF INTENTION.** No county ordinance of a county shall be enacted unless a notice of the intention to enact such ordinance it has been published in the official newspaper of the county not less than ten days before the meeting or public hearing required by subdivision 1 at which the ordinance it is to be considered. Public hearings may be continued from time to time and additional hearings may be held. The notice shall state the subject matter and the general purpose of the proposed ordinance. Proof of the publication of the notice shall be attached to and filed with the ordinance, if enacted, in the office of the county auditor.

Subd. 3. **PUBLICATION.** Every ordinance enacted by a county board shall be published at least once as part of the proceedings of the meeting at which the ordinance was enacted. Publication shall be made in the official newspaper of the county but additional publications, either in the official newspaper or other newspaper, may be ordered. An ordinance may be published in its entirety, or otherwise as hereinafter provided in this subdivision.

To the extent of the authority described in subdivision 1 of this section, a county may incorporate in an ordinance by reference any statute of Minnesota,

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any administrative rule or ~~regulation~~ of any department of the state of Minnesota affecting the county, or any code. The term "code" as used herein in this subdivision means any compilation or parts of a compilation of regulations or standards or ~~parts thereof~~ prepared by any governmental agency or any trade or professional association for general distribution in printed form as a standard or model on the subject of building construction, plumbing, electric wiring, inflammable liquids, sanitary provisions, public health, safety, or general welfare.

In the case of A lengthy ~~ordinances, ordinance or ordinances~~ an ordinance which include includes charts or maps, the ~~ordinance~~ need not be published in its entirety if the title of the ~~ordinance~~ and a summary of the ordinance is are included in the publication of the proceedings of the meeting at which the ~~ordinance~~ was it is enacted. In such that case and in the case if a statute, administrative rule or ~~regulation~~ or a code is adopted by reference, all requirements of statute for the publication of ordinances shall be satisfied if the summary of the ordinance or the ordinance incorporating the statute, ~~regulation,~~ ordinance rule or code is published in the required manner and if, prior to such publication, at least one copy of the entire ordinance or of the statute, rule, ~~regulation~~ or code are is marked as the official copy and filed for use and examination by the public in the office of the county auditor. Provisions of the entire ordinance or of the statute, rule, ~~regulation~~ or code ~~thus~~ incorporated in such the ordinance by reference shall be as much a part of the ordinance as if they had been set out in full ~~therein~~ in it.

375.52 REVISION AND CODIFICATION.

Any A county may revise and codify and print in book, pamphlet or newspaper form any general and special laws, ordinances, resolutions and rules in force in the county. Such The codification shall be a sufficient publication of any ordinance included in it and not previously published in a newspaper if a substantial quantity of the codification is printed for general distribution to the public. A notice that copies of the codification are available in the office of the county auditor shall be published in the official county newspaper for at least two successive weeks. The county board ~~is authorized to~~ may make a reasonable charge for the cost of printing and distribution of ordinances or a codification of ordinances.

375.53 VIOLATIONS OF ORDINANCES, PENALTIES.

The county board ~~shall have power to~~ may declare that the violation of any ordinance shall be a penal offense and ~~to prescribe penalties therefor for a~~ violation. Such The penalties shall not exceed those permitted for conviction of a misdemeanor as defined by law.

375.54 PROSECUTIONS UNDER ORDINANCE.

All prosecutions for violation of county ordinances shall be brought by the county attorney in the name of the county upon complaint and warrant as in other criminal cases.

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375.55 DISPOSITION OF FINES RECOVERED FOR ORDINANCE VIOLATIONS.

All fines, forfeitures, and penalties recovered for the violation of any a county ordinance shall be paid into the county treasury. Every court or officer receiving such ~~moneys~~ money, on or before the tenth day after the last day of the month in which such ~~moneys~~ were the money is collected, shall make a return thereof of it under oath and be ~~entitled to~~ given duplicate receipts for the amounts paid. One of the receipts shall be filed with the county auditor.

375.551 COUNTY EMERGENCY JOBS PROGRAM.

~~Notwithstanding any other law to the contrary, the~~ A county board of ~~commissioners~~ of a county experiencing chronic high unemployment may establish an emergency employment program to meet the needs of its economically disadvantaged, unemployed residents.

375.552 DEFINITIONS.

Subdivision 1. **APPLICATION.** For the purposes of sections 375.551 to 375.555, the following terms have the meanings given them.

Subd. 2. **EMPLOYMENT PROGRAM.** "Employment program" means a program offering job training programs or jobs through public works projects to economically disadvantaged, unemployed residents of a county.

Subd. 3. **ECONOMICALLY DISADVANTAGED, UNEMPLOYED RESIDENT.** "Economically disadvantaged, unemployed resident" means a person (a) who is not eligible for or who refuses to accept financial assistance pursuant to chapter 256, 256B, 256D, or 268; (b) whose income or household income is at or below 25 percent of the statewide median household income as determined by the 1980 federal census; (c) who is a bona fide resident of the county; and (d) who is unemployed.

Subd. 4. **WAGE.** "Wage" means the basic minimum wage pursuant to Minnesota Statutes, section 177.24.

Subd. 5. **CHRONIC HIGH UNEMPLOYMENT.** "Chronic high unemployment" means an unemployment rate, as defined by the department of economic security, in a county or portion of a county that exceeds the national unemployment rate for four consecutive months in the 12-month period immediately preceding September 1.

375.553 COUNTY EMERGENCY EMPLOYMENT PROGRAM.

The funds authorized in section 375.555 shall be expended by the county for job training programs or for jobs through public works projects submitted to the county by its departments and agencies and those of cities, towns, school districts, state and federal agencies, park reserve districts, and other special districts, including metropolitan agencies that are located totally or partially

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within the county. The funds shall be expended only for training programs or public works projects located within the county. The projects shall be beneficial to the submitting local unit and may include permanent improvements or maintenance of public property, residential weatherization programs, landscaping of public grounds or parks, planting or trimming trees, improving open space areas, playgrounds, and recreational facilities owned or operated by the sponsoring unit of government, and reclamation and reforestation. The sponsoring unit of government shall provide the administration, supervision, supplies, and materials for its training program or public works project. All funds available through the authority granted in section 375.555 shall be expended for wages and benefits for program participants except that up to two percent of the total amount shall be available to reimburse the county for its actual cost of administering the program.

375.554 PROGRAM RULES.

The county board of ~~commissioners~~ shall establish rules governing the operation of the employment program. Rules shall include but not be limited to number of hours worked, benefits, and methods and terms of payment.

375.555 FUNDING.

To implement the county emergency jobs program, the county board is ~~authorized to~~ may expend an amount equal to what would be generated by a levy of 0.5 mills on all taxable property within the county. The money to be expended may be from any available funds not otherwise earmarked.

375.56 COUNTY PERSONNEL ADMINISTRATION SYSTEM; RESOLUTION TO ESTABLISH SYSTEM.

~~Any~~ A county board may establish a county personnel administration system by adopting a resolution creating a personnel department, establishing an effective date and appointing a personnel appeals board pursuant to section 375.65.

375.57 DEFINITIONS.

Subdivision 1. For the purpose of sections 375.56 to 375.71, unless the context clearly indicates that a different meaning is intended, the terms defined herein shall in this section have the following meanings ascribed to them ~~in this section~~.

Subd. 2. "Appointing authority" means the official, employee, board, or commission, or the person or group of persons empowered by statute, ordinance or resolution to make an appointment to positions as county employees within the scope of sections 375.56 to 375.69.

Subd. 3. "Director" means the director of the department of personnel.

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Subd. 4. "Personnel department" means the personnel director and his the employees engaged in the administration of the personnel department.

Subd. 5. "Board of appeals" means the personnel board of appeals established pursuant to section 375.65.

375.58 JURISDICTION.

Subdivision 1. The jurisdiction of a county personnel department created pursuant to section 375.56 shall include every county level public employment position for which the appointing authority is the county board, the county welfare board, the county human services board, an elected county official, an appointed county department head, or a commission or board appointed by the county board, except the positions excluded under subdivisions 2 and 3.

Subd. 2. The following positions are excluded from the jurisdiction of the county personnel department:

- (a) elected positions;
- (b) positions for which a county or district court judge is the appointing authority;
- (c) positions designated as department heads appointed by the county board;
- (d) positions designated as department heads appointed by boards or commissions appointed by the county board;
- (e) one position designated by each elected department head as his a chief or principal assistant;
- (f) one position designated by each elected department head as his a personal secretary.

Subd. 3. At the option of the county board, the following positions may be excluded from the jurisdiction of the county personnel department:

- (a) any ~~or~~ all positions subject to merit systems established pursuant to sections 12.22, subdivision 3, 144.071, 256.012, and 387.31 to 387.45;
- (b) positions designated as temporary or seasonal;
- (c) positions held by special deputies and volunteers serving without pay;
- (d) positions held by students in training.

375.59 PERSONNEL DIRECTOR APPOINTMENT.

A county board which has adopted the resolution authorized in section 375.56 shall as soon as practicable ~~thereafter~~ promptly appoint a personnel director or shall assign the function of personnel director to an existing officer or

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employee. In a county which is operating under an optional form pursuant to sections 375A.01 to 375A.13, the authority to appoint the personnel director shall be the same as for the appointment of other department heads. The terms and conditions of employment of the person appointed as director or assigned the function of director shall be established by the county board.

375.60 DUTIES AND POWERS OF THE DIRECTOR.

Subdivision 1. **PREPARATION OF PERSONNEL ADMINISTRATION RULES.** The personnel director shall prepare personnel rules, which shall become be effective upon approval by the county board ~~for the purpose of carrying, to carry~~ out the provisions of sections 375.56 to 375.71. These ~~The~~ rules shall provide, among other things, for:

(a) Preparation of a classification plan and classification of positions within the jurisdiction of the department in accordance with the plan.

(b) Creation and maintenance of lists of eligibles. No name shall remain on an eligible list for more than two years.

(c) Certification of names to the appointing authority from the eligible list for appointment, promotion, or reemployment.

(d) Establishment of procedures for the recruitment, selection and advancement of personnel on the basis of relative ability, knowledge and skills.

(e) Establishment of procedures assuring nondiscriminatory and fair treatment of applicants and employees in all aspects of personnel administration without regard to political affiliation, race, color, national origin, sex, or religious creed.

(f) Establishment of procedures for suspension or termination or other disciplinary action, including procedures for appeal of actions by appointing authorities with respect to suspension or termination or other disciplinary action.

Subd. 2. **ADMINISTRATION OF THE DEPARTMENT.** The director shall administer the personnel department. In addition to the duties imposed ~~on him~~ elsewhere in sections 375.56 to 375.71, he shall:

(a) Appoint, supervise and direct the work of the employees of the personnel department.

(b) Schedule and conduct hearings as required by rules adopted pursuant to sections 375.56 to 375.71 or at the direction of the county board.

(c) Provide for, formulate and hold competitive examinations as required by rule to determine the qualifications of persons seeking employment in positions within the jurisdiction of the department.

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(d) Make investigations concerning the administration and effect of rules made pursuant to sections 375.56 to 375.71 and report ~~his~~ the findings and recommendations to the county board.

(e) Establish programs for training and continuing education of employees as deemed appropriate by the county board to improve the quality of service of employees holding positions within the jurisdiction of the department.

(f) Prepare a compensation plan and recommend a schedule of salary or wage rates for positions within the jurisdiction of the personnel department for adoption by the county board.

375.61 PAYROLLS APPROVED BY DIRECTOR.

No disbursing officer shall pay ~~any~~ a salary or compensation for service to ~~any~~ a person holding a position within the jurisdiction of a personnel department established pursuant to sections 375.56 to 375.71 unless the payroll or account for the salary or compensation shall bear the certification of the is certified by the personnel director or ~~his~~ an authorized employee that the persons paid or compensated have been appointed in accordance with ~~the provisions~~ of sections 375.56 to 375.71 and rules adopted pursuant to sections 375.56 to 375.71. The director shall not certify a payroll item for a person holding a position within the jurisdiction of the department unless the person ~~shall have~~ has been appointed and employed in accordance with ~~the provisions~~ of sections 375.56 to 375.71 and rules adopted pursuant to sections 375.56 to 375.71.

375.62 CIVIL SERVICE AND MERIT SYSTEM RELATIONSHIPS.

Unless a county board has elected to exclude any or all positions otherwise subject to merit systems established pursuant to sections 12.22, subdivision 3, 144.071, 256.012, and 387.31 to 387.45, from the jurisdiction of the personnel department, the provisions of sections 12.22, subdivision 3, 144.071, 256.012, and 387.31 to 387.45 and any rules and regulations promulgated pursuant to those sections shall be superseded insofar as they are inconsistent; ~~provided that with~~ sections 375.66 to 375.71, but no positions subject to merit systems established pursuant to sections 12.22, subdivision 3₂, 144.071₂, and 256.012, shall be removed from existing merit system coverage and placed under a personnel department established pursuant to sections 375.56 to 375.71, until that personnel department is certified in accordance with the United States office of personnel management's standards for a merit system of personnel administration. Nothing in section 387.43, shall be construed to prohibit the inclusion of sheriff's department personnel in a personnel system established pursuant to sections 375.56 to 375.69.

375.63 VETERANS TO BE GIVEN PREFERENCE.

Nothing in sections 375.56 to 375.71 shall be construed to remove, limit, or extend the rights and preferences of veterans as established by ~~the provisions~~ of

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sections 197.455 and 197.46, except that the county board may enact rules relative to retirement age which shall apply to veterans on the same basis as they apply to other persons.

375.64 COLLECTIVE BARGAINING RELATIONSHIPS.

Subdivision 1. For purposes of negotiating collective bargaining agreements and resolving grievances involving such agreements them pursuant to sections 179.61 to 179.76, the appointing authority and the county board shall be deemed the joint employer for positions within the jurisdiction of a personnel department established pursuant to sections 375.56 to 375.71 and. Both shall be signatories to negotiated agreements or grievance settlements except that. In the event of disagreement between the county board and the appropriate appointing authority as to the final terms of a negotiated agreement or grievance settlement, the decision of the county board shall be final and binding on behalf of the county as employer for all employees of the county, including employees under the jurisdiction of an appointing authority other than the county board.

Subd. 2. Any employee holding a position covered by sections 375.56 to 375.71 shall, upon the effective date of the establishment of a county personnel administration system, retain his the position without further examination and suffer no loss in wages, seniority or benefits as the result of the implementation of sections 375.56 to 375.71.

375.65 PERSONNEL BOARD OF APPEALS.

Subdivision 1. The county board shall appoint three persons to serve staggered terms as members of a personnel board of appeals. After the first appointments, successors shall serve for terms of three years each. Expiration dates for expiring terms shall be fixed by the county board and vacancies shall be filled by a majority vote of the county board for the unexpired term. Persons appointed to the personnel board of appeals shall not serve while holding any county office or while standing as a candidate for any county office, or while employed by the county. Each member of said board shall be a resident of the county and shall forfeit his office if he becomes a nonresident.

Subd. 2. Compensation for members of the personnel board of appeals shall be set by the county board and each member shall be paid actual and necessary expenses.

Subd. 3. The personnel board of appeals shall organize by electing a chairman and vice-chairman and shall develop rules of procedure for matters brought before it under the provisions of sections 375.56 to 375.71 and rules promulgated pursuant to sections 375.56 to 375.71.

375.66 DUTIES OF BOARD OF APPEALS.

Subdivision 1. **JURISDICTION.** The personnel board of appeals shall meet upon call of its chairman or the personnel director to make findings and to

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report to the county board within 30 days of the filing of an appeal by an applicant, employee, or appointing authority in the following circumstances:

(a) Alleged arbitrary or capricious action on the part of the county board with respect to final establishment of rules under sections 375.56 to 375.71.

(b) Alleged discrimination by the personnel director or his employees in examination procedures or preparation of lists of eligible candidates, or discriminatory use thereof of them by the appointing authority under the provisions of sections 375.56 to 375.71 or rules promulgated ~~hereunder~~ under them.

(c) Alleged misinterpretation or evasion by the personnel director or the county board of provisions of sections 375.56 to 375.71 or the rules promulgated ~~thereunder~~ under them in a manner seriously detrimental to the party ~~or parties~~ bringing the appeal.

(d) ~~Such~~ Other matters of grievance as ~~may be~~ provided for in rules promulgated under ~~the authority of~~ sections 375.56 to 375.71.

Subd. 2. **PROCEDURES.** The personnel board of appeals shall establish procedures setting forth the methods and requisite timetable for appeals to the board.

Subd. 3. **APPEAL FINDINGS.** Findings and reports of the personnel board of appeals shall be submitted to the county board for consideration and action as deemed appropriate by the county board, ~~except that but~~, to the extent required ~~with respect to~~ for employees of departments and agencies paid in full or in part by federal funds, the findings of the personnel board of appeals shall be final and binding ~~in those circumstances~~ if necessary to conform to ~~any valid~~ a federal or state regulation affecting the department or position.

375.67 JUDICIAL REVIEW.

Subdivision 1. **APPEAL.** The employee or the appointing authority may appeal from an order of the board of appeals in accordance with chapter 14.

375.68 ABOLITION OF SYSTEM.

A personnel administration system established pursuant to sections 375.56 to 375.69 may be abolished at any time by resolution of the county board adopted by a majority of all its members. Upon adoption of the resolution, the personnel department shall cease to exist and the status of all departments, commissions, and employees shall be the same as if no personnel administration system had been established.

375.69 APPROPRIATION BY COUNTY BOARD.

The county board is ~~hereby~~ authorized to may make appropriations as necessary to carry out the ~~provisions~~ of sections 375.56 to 375.71.

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375.70 FEDERAL AID FOR MANPOWER SERVICES.

~~Notwithstanding any law to the contrary,~~ any A county may receive financial assistance from agencies of the United States, and plan for, and carry out comprehensive manpower services as provided for in the Emergency Employment Act of 1971, as amended, and the Comprehensive Employment and Training Act of 1973, as amended.

375.71 PROTECTION OF RIGHTS UNDER STATE AND FEDERAL LAWS.

Subdivision 1. Nothing in sections 375.56 to 375.69 shall be construed to permit or encourage any action or conduct prohibited by the Minnesota human rights act or prohibit recourse to any remedies provided in the Minnesota human rights act or any other state or federal law relating to equal employment opportunities, and the provisions of these acts shall continue to apply to county employment generally, including ~~these~~ positions excluded from the jurisdiction of the county personnel administration system.

Subd. 2. Nothing in sections 375.56 to 375.69 shall be construed to affect the rights and obligations of employees and employers under ~~the provisions of sections 179.61 to 179.76,~~ or to in any way supersede provisions regarding public employment relationships under the Public Employment Labor Relations Act of 1971, ~~as amended,~~ or the provisions of any contracts or agreements executed pursuant ~~thereto~~ to it.

Sec. 3. Minnesota Statutes 1982, section 168.33, subdivision 2, is amended to read:

Subd. 2. **POWERS.** The registrar shall have the power to appoint, hire and discharge and fix the compensation of the necessary employees, in the manner provided by law, as may be required to enable him to properly carry out the duties imposed upon him by the provisions of this chapter. As of April 14, 1976, the registrar may appoint, and for cause discontinue, a deputy registrar for any city as the public interest and convenience may require, without regard to whether the county auditor of the county in which the city is situated has been appointed as the deputy registrar for the county or has been discontinued as the deputy registrar for the county, and without regard to whether the county in which the city is situated has established a county license bureau which issues motor vehicle licenses as provided in section 373.32.

Effective August 1, 1976, the registrar may appoint, and for cause discontinue, a deputy registrar for any city as the public interest and convenience may require, if the auditor for the county in which the city is situated chooses not to accept appointment as the deputy registrar for the county or is discontinued as a deputy registrar, or if the county in which the city is situated has not established a county license bureau which issues motor vehicle license as provided

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in section 373.32. Any person appointed by the registrar as a deputy registrar for any city shall be a resident of the county in which the city is situated.

The registrar may appoint, and for cause discontinue, the county auditor of each county as a deputy registrar. Upon approval of the county board, the auditor, with the approval of the director of motor vehicles, may appoint, and for cause discontinue, the clerk or equivalent officer of each city or any other person as a deputy registrar as public interest and convenience may require, regardless of his county of residence. Notwithstanding any other provision, a person other than a county auditor or a director of a county license bureau, who was appointed by the registrar before August 1, 1976, as a deputy registrar for any city, may continue to serve as deputy registrar and may be discontinued for cause only by the registrar. The county auditor shall be responsible for the acts of deputy registrars appointed by him. Each such deputy, before entering upon the discharge of his duties, shall take and subscribe an oath to faithfully discharge his duties and to uphold the laws of the state. If a deputy registrar appointed hereunder is not an officer or employee of a county or city, such deputy shall in addition give bond to the state in the sum of \$10,000, or such larger sum as may be required by the registrar, conditioned upon the faithful discharge of his duties as deputy registrar. Each deputy registrar appointed hereunder shall keep and maintain, in a convenient public place within the place for which he is appointed, a registration and motor vehicle tax collection bureau, to be approved by the registrar, for the registration of motor vehicles and the collection of motor vehicle taxes thereon. He shall keep such records and make such reports to the registrar as that officer, from time to time, may require. Such records shall be maintained at the facility of the deputy registrar. The records and facilities of the deputy registrar shall at all times be open to the inspection of the registrar or his agents. He shall report daily to the registrar all registrations made and taxes and fees collected by him. The filing fee imposed pursuant to subdivision 7 shall be deposited in the treasury of the place for which he is appointed, or if such deputy is not a public official, he shall retain the filing fee, but the registration tax and any additional fees for delayed registration he has collected he shall deposit each day in an approved state depository to the credit of the state through the state treasurer. The place for which the deputy registrar is appointed through its governing body shall provide the deputy registrar with facilities and personnel to carry out the duties imposed by this subdivision if such deputy is a public official. In all other cases, the deputy shall maintain a suitable facility for serving the public.

Sec. 4. REPEALER.

Minnesota Statutes 1982, sections 373.28; and 375.29, are repealed.

Approved May 2, 1984

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