

CHAPTER 99—H. F. No. 1103

An act fixing the salaries and compensation of county officers, their expenses and clerk hire in any county in the state now or hereafter having not less than 41, nor more than 43, whole or fractional congressional townships and an assessed valuation of not less than \$6,000,000, nor more than \$12,000,000, exclusive of money and credits and a population of not less than 25,000, nor more than 30,000, according to the federal census of 1930; and to repeal Laws 1921, Chapter 437, Laws 1925, Chapter 91, Laws 1929, Chapters 20 and 161, Laws 1933, Chapter 432, Laws 1937, Chapter 230, Special Session Laws 1937, Chapter 54, and all acts and parts of acts inconsistent herewith.

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

*Morrison
County*

Section 1. Salaries of county officers in certain counties.—In any county in this state, now or hereafter having not less than 41, nor more than 43, whole and fractional congressional townships, and an assessed valuation of not less than \$6,000,000, nor more than \$12,000,000, exclusive of money and credits, and a population of not less than 25,000, nor more than 30,000, in accordance with the federal census of 1930, the salary and compensation of the county officers, and their expenses and clerk hire shall be as hereinafter set forth:

Sec. 2. County Auditor.—The salary of the county auditor shall be \$2,580 per year and such fees as are now prescribed by law.

Sec. 3. County Treasurer.—The salary of the county treasurer, shall be \$2,580 per year and such fees as are now prescribed by law.

Sec. 4. Register of Deeds.—The salary of the register of deeds, shall be such fees as are now prescribed by law.

Sec. 5. Sheriff.—The salary of the sheriff, shall be \$2,400 per year and expenses in connection with official services rendered for the county, which salary and expenses shall be in lieu of all other fees and expenses paid by the county, except for the board and care of prisoners, and in addition thereto he shall be allowed to retain all other fees earned by him in connection with his office.

Sec. 6. County Attorney.—The salary of the county attorney shall be fixed by the county board in an amount not exceeding \$3,600 per year, and not less than \$2,000 per year;

if dissatisfied with the amount so fixed, the county attorney may appeal to the district court within 30 days by filing with the auditor a notice thereof. The court, either in term or vacation and upon eight days' notice to the chairman of the board, shall hear such appeal and summarily determine the amount of such salary for the term of office by an order, a copy of which shall be filed with the auditor.

Sec. 7. Judge of Probate.—The salary of the judge of probate, shall be \$2,040 per year and in addition thereto, he shall be allowed to retain, as part of his compensation, all fees collected in his office as are now prescribed by law. The salary of the clerk in the office of the judge of probate shall be fixed by the judge of probate.

Sec. 8. County Surveyor.—The county surveyor shall receive such compensation as the board of county commissioners may, in their discretion, fix, for any public work while employed in the performance of his respective duties, including the time necessarily spent in traveling to and from the field of his labor, together with all necessary expenses payable by the party or parties who employ the surveyor, and he shall be allowed such necessary help and expenses as the board of county commissioners may allow.

Sec. 9. Coroner.—The coroner shall receive such salary and fees as are now prescribed by law.

Sec. 10. Clerk of District Court.—The clerk of the district court, shall receive \$1,281 per year, which shall be in full compensation for all services rendered by him for his county, except in real estate taxes proceedings, and in addition thereto he shall be allowed to retain all fees earned and retained by him in connection with his office.

Sec. 11. Superintendent of Schools.—The superintendent of schools shall receive \$2,520 per year and such fees as are now prescribed by law.

Sec. 12. County Board.—The county commissioners shall receive the sum of \$456.00 per year each, and in addition thereto each member of such county board shall also receive three dollars per day for each and every day necessarily occupied by him in the discharge of his official duties, while acting on any committee under the direction of the board, and seven cents per mile each way for each mile necessarily traveled in attending meetings of the board not exceeding 12 meetings in any one year, and in addition thereto each member of such county board shall also receive three dollars per day and seven

cents for each mile necessarily traveled in attending the meetings of such board, when such board is acting as a board for the equalization of the assessment of the property of the county. Provided, further, that the county commissioners who are not members of the county welfare board may participate in the meetings of the county welfare board in an advisory capacity, without voice, when such welfare board transacts business pertaining to old age assistance. The compensation of such members of the county board to act in such capacity on the county welfare board shall receive in addition to any salaries they may receive from any other source the sum of three dollars per day for time actually spent while acting in such advisory capacity, on the welfare board and shall in addition thereto be entitled to mileage at seven cents per mile to and from such meetings while acting in such advisory capacity. The chairman of said county board shall also receive three dollars per day and seven cents for each mile necessarily traveled when acting as a member of the board of audit, and three dollars per day and seven cents per mile necessarily traveled in order to sign county warrants.

Sec. 13. County Engineer.—The county engineer, shall receive such sum as the board of county commissioners shall fix and determine, not however exceeding the sum of \$2,600 per year.

Sec. 14. Deputies and clerks in certain offices.—Upon a proper written application by the sheriff, clerk of the district court or county attorney to one of the judges of the district court of said county, showing the necessity therefor, the name of the deputy or clerk and the reasonable salary contemplated, and upon approval of said application by the court, there shall be fixed and allowed a reasonable sum by the district court for the hire and compensation of such deputy or clerk in the offices of the sheriff, clerk of the district court or county attorney of said county, and the compensation of such deputy or clerk shall be paid as set forth in this act.

Sec. 15. Deputies and clerks in certain offices.—There shall be allowed and paid for clerk hire in any such county offices, such sum or sums as shall be fixed and determined by the board of county commissioners of any such county, except as provided in Section 14.

Sec. 16. Traveling expenses.—All county officers and their deputies or clerks shall be allowed all necessary traveling expenses incurred by them in the performance of the official duties of such office. If any officer, deputy or clerk shall use an

automobile for travel in the performance of such duties, he shall be allowed and paid seven cents per mile for the use thereof.

Sec. 17. To be paid in monthly installments.—The county officers' annual salary and clerk hire in all offices maintained by the county shall be paid by auditor's warrant in 12 equal monthly installments. Claims for expenses herein authorized shall be made by presentation to the county board of itemized and verified accounts, which shall be audited, allowed and paid in the same manner as other claims against the county, except in the office of the county attorney, which claims shall be presented against the county attorney's contingent fund and paid as prescribed by law.

Sec. 18. Limits on clerk hire.—No sums whatever shall be paid or allowed for clerk hire in excess of the amounts actually paid or due for help necessarily employed. Additional sums for clerk hire may be authorized by the county board upon written application being made by any county officer to the county board; this application may also be made by any person not now employing any clerks in their office, it being the intention that the sums paid for clerk hire in all county offices shall be equal in accordance with the work of said clerks, their experience and the necessary amount of work to be performed. The salary of any county official, who received for his compensation salary and fees, shall not exceed in any one year the sum of \$3,600, any excess over and above said amount to be paid into and credited to the general revenue fund of said county. This provision as to maximum compensation of \$3,600 per year shall not apply to the office of the register of deeds.

Sec. 19. To be subject to existing laws.—This act shall also be subject to Mason's Minnesota Statutes of 1927, Sections 976 and 977, and in addition thereto the county officials' statement referred to therein shall be in duplicate, and shall include all salaries and fees paid to deputies and clerks. A certified copy of said statement shall be filed with the state auditor.

Sec. 20. Laws repealed.—Laws 1921, Chapter 437, Laws 1925, Chapter 91, Laws 1929, Chapter 20 and 161, Laws 1933, Chapter 432, Laws 1937, Chapter 230, Special Session Laws 1937, Chapter 54, and all acts and parts of acts inconsistent herewith are hereby repealed.

Approved March 31, 1939.