

## 261.001 GENERAL PROVISIONS

### RELIEF OF POOR

#### CHAPTER 261. GENERAL PROVISIONS

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261.01 to 261.03	Repealed.	261.08	Repealed.
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#### 261.001 Abolition of town system of poor relief

Subdivision 1. The town system for caring for the poor is hereby abolished; hereafter, the county welfare board of each county shall administer poor relief.

Subd. 2. All county welfare boards affected by Laws 1973, Chapter 380 are hereby authorized to take over for the county as of January 1, 1974, the ownership of all case records relating to the administration of poor relief in the several municipalities and towns in the county.

[1973 c 380 s 1]

#### 261.002 Transfer of town employees

Subdivision 1. The term "merit system" as used herein shall mean the rules for a merit system of personnel administration for employees of county welfare boards adopted by the commissioner of public welfare in accordance with the provisions of section 393.07, including the merit system established for Hennepin county pursuant to Laws 1965, Chapter 855, as amended, the federal social security act as amended, and merit system standards and regulations issued by the federal social security board and the United States children's bureau.

Subd. 2. All employees of any municipality or town who are engaged full time in poor relief work therein on January 1, 1974 shall be retained as employees of the county and placed under the jurisdiction of its welfare board.

All such employees shall be blanketed into the merit system with comparable status, classification, longevity, and seniority, and subject to the administrative requirements of the county welfare board. Employees with permanent status under any civil service provision on January 1, 1974 shall be granted permanent status under the merit system at comparable classifications and in accordance with work assignments made under the authority of the county welfare board as provided by the merit system rules.

The determination of proper job allocation shall be the responsibility of the personnel officer or director as provided under merit system rules applicable to the county involved with the right of appeal of allocation to the merit system council or personnel board by any employee affected by this transfer.

All transferred employees shall receive salaries for the classification to which they are allocated in accordance with the schedule in effect for county welfare board employees and at a salary step which they normally would have received had they been employed by the county welfare board for the same period of service they had previously served under the civil service provisions of any municipality or town; provided, however, that no salary shall be reduced as a result of the transfer.

All accumulated sick leave of transferred employees in the amount of 60 days or less shall be transferred to the records of the county welfare board and shall be the legal liability of the county welfare board. All accumulated sick leave in excess of 60 days shall be paid in cash to transferred employees by the municipality or town by which they were employed prior to their transfer, at the time of transfer. In lieu of the cash payment, the municipal-

ity or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to transfer, for all or part of the accumulated sick leave.

Subd. 3. Employees of municipalities and towns engaged in the work of administering poor relief who are not covered by civil service provisions shall be blanketed into the merit system subject to a qualifying examination. Employees with one year or more service shall be subject to a qualifying examination and those with less than one year's service shall be subject to an open competitive examination.

Subd. 4. All vacation leave of employees referred to in subdivision 2, accumulated prior to their transfer to county employment shall be paid in cash to them by the municipality or town by which they were employed prior to their transfer, at the time of transfer. In lieu of the cash payment, the municipality or town shall, at the option of the employee concerned, allow a leave of absence with pay, prior to transfer, for all or part of the accumulated vacation time.

[1973 c 380 s 2]

### 261.003 Eligibility standards, rules and regulations

The commissioner of public welfare shall promulgate rules and regulations in accordance with chapter 15, prescribing minimum standards of eligibility and payment for poor relief, which shall recognize cost of living differences in the various counties of the state.

[1973 c 380 s 4]

261.01 [Repealed, 1973 c 650 art XXI s 33]

261.02 [Repealed, 1973 c 380 s 18; 1973 c 556 s 2; 1973 c 650 art XXI s 33]

261.03 [Repealed, 1973 c 650 art XXI s 33]

(NOTE: Section 261.03 was also amended by Laws 1973, Chapter 380, Section 7, to read as follows:

"Sec. 7. Minnesota Statutes 1971, Section 261.03, is amended to read:

261.03 [Liability of county.] When any such poor person has none of the relatives named in section 261.01, or they are not of sufficient ability, or refuse or fail to support him, he shall receive such support or relief as the case may require from the county in which he has a settlement at the time of applying therefor, as hereinafter provided, except that in determining the need or amount of such support or relief the county shall exclude all sums received by members or dependents of

such poor person's family under the aid to the blind act.")

(NOTE: Section 261.03 was also amended by Laws 1973, Chapter 717, Section 22, to read as follows:

"Sec. 22. Minnesota Statutes 1971, Section 261.03, is amended to read:

261.03 [Liability of county, town, city, or village.] When any such poor person has none of the relatives named in section 261.01, or they are not of sufficient ability, or refuse or fail, to support him, he shall receive such support or relief as the case may require from the county, town, city, or village in which he has a settlement at the time of applying therefor, as hereinafter provided.")

### 261.04 Liability of estate

Subdivision 1. Support, maintenance, care, or burial. When any person is furnished or provided with support, maintenance, care, including care at the University of Minnesota hospitals, or burial as a poor person the county so furnishing such aid shall have a claim therefor against the person or his estate for the reasonable value thereof, which claim may be presented and prosecuted by such county at its option upon discovery of any property belonging to the poor person or to his estate.

[1973 c 380 s 8; 1973 c 650 art. XXI s 23]

[For text of subd. 2, see M.S.1971]

261.05 [Repealed, 1973, c 380 s 18; 1973 c 650 art XXI s 33]

261.06 [Repealed, 1973 c 380 s 18; 1973 c 650 art XXI s 33]

261.061 [Repealed, 1973 c 380 s 18; 1973 c 650 art XXI s 33]

### 261.063 Tax levy for social security measures; duties of county board

The board of county commissioners of each county shall annually levy taxes and fix a rate sufficient to produce the full amount required for poor

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relief, general assistance, aid to dependent children, and any other social security measures wherein there is now or may hereafter be county participation, sufficient to produce the full amount necessary for each such item, including administrative expenses, for the ensuing year, within the time fixed by law in addition to all other tax levies and tax rates, however fixed or determined, and any commissioner who shall fail to comply herewith shall be guilty of a gross misdemeanor and shall be immediately removed from office by the governor.

[1973 c 380 s 9; 1973 c 650 art. XXI s 24; 1973 c 717 s 23]

261.064 [Repealed, 1973 c 380 s 18; 1973 c 650 art XXI s 33]

261.065 [Repealed, 1973, c 380 s 18; 1973 c 650 art XXI s 33]

261.066 [Repealed, 1973 c 380 s 18; 1973 c 650 art XXI s 33]

261.067 [Repealed, 1973 c 380 s 18; 1973 c 650 art XXI s 33]

261.07 [Repealed, 1973 c 650 art XXI s 33]

(NOTE: Section 261.07, Subdivision 1, was also amended by Laws 1973, Chapter 380, Section 10, to read as follows:

"Sec. 10. Minnesota Statutes 1971. Section 261.07, Subdivision 1, is amended to read:

261.07 [Legal settlement of paupers.] Subdivision 1. Every person who has resided one year continuously in any county, shall be deemed to have a settlement therein. Every person who has resided one year continuously in the state, but not in any one county, shall have a settlement in the county in which he has longest resided within that year.")

(NOTE: Section 261.07, Subdivision 2, was also amended by Laws 1973, Chapter 717, Section 24, to read as follows:

"Sec. 24. Minnesota Statutes 1971. Section 261.07, Subdivision 2, is amended to read:

261.07 Subd. 2. The time during which a person has received aid to dependent children, or has been the in-

mate of a hospital, old age home, or nursing home for the care of the invalid or aged, or an institution, home or school for the mentally deficient, whether public or private, and the time during the pendency of any suit to determine his legal poor settlement, and the time during which a person has been an inmate of a poorhouse, jail, prison or other public institution, or under commitment to the guardianship of the commissioner of public welfare, or a private agency authorized by the commissioner to accept guardianship of children, or one of the state institutions as a mentally deficient, delinquent, or dependent person, and each month during which he has received relief from the poor fund of any county or municipality or from funds supplied by the state or the United States or any department or departments thereof, supplied as direct relief or in providing work on a relief basis and in lieu of direct relief, shall be excluded in determining the time of residence hereunder.")

261.08 [Repealed, 1973 c 650 art XXI s 33]

261.10 [Repealed, 1973 c 650 art XXI s 33]

261.11 [Repealed, 1973 c 650 art XXI s 33]

261.123 [Repealed, 1973 c 650 art XXI s 33]

261.124 [Repealed, 1973 c 650 art XXI s 33]

261.125 [Repealed, 1973 c 650 art XXI s 33]

261.126 [Repealed, 1973 c 650 art XXI s 33]

261.14 [Repealed, 1973 c 380 s 18; 1973 c 650 art XXI s 33]

261.141 [Repealed, 1973 c 380 s 18; 1973 c 650 art XXI s 33]

261.142 [Repealed, 1973 c 380 s 18; 1973 c 650 art XXI s 33]

261.143 [Repealed, 1973 c 380 s 18; 1973 c 650 art XXI s 33]

261.26 [Repealed, 1973 c 650 art XXI s 33]