

CHAPTER 383C

ST. LOUIS COUNTY

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BUDGET PROCEDURE

383C.01 BUDGET PREPARATION.

In all counties in this state having a population in excess of 150,000 and an area in excess of 5,000 square miles, the county board shall make an itemized statement for each fund under its control which shall govern such fund for the next ensuing fiscal year. In the preparation of such a statement, it shall require that detailed budget requests be submitted to it for each department or activity supported in whole or in part from the fund, which shall show the actual amounts expended during the previous two calendar years, the amount expended during the first six months of the current calendar year, the amount allowed for the current year, and the amount requested for the ensuing year. The statement prepared by the county board for each fund shall itemize the expenditures deemed necessary during the ensuing year in such manner as the county board shall determine to be most conducive to efficiency and economy and without regard to the boundaries of any commissioner election district, and in such detail as the board may deem advisable provided that within the general revenue fund the amount for each department, office or activity shall constitute a separate item, and within the road and bridge fund the amount for salary and expenses of the highway engineer and assistants, the amount for workers compensation, the amount for maintenance of highways within each maintenance division, and the amount for each proposed construction project

shall each constitute a separate item, provided that an item may be set up for minor or miscellaneous construction projects, or to supplement any specified project, but the total amount of this item shall not exceed 20 percent of the total amount for construction purposes.

History: 1941 c 118 s 1; 1975 c 359 s 23; 1986 c 444

383C.011 ESTIMATED INCOME.

The statement of each fund prepared by the county board shall show the estimated income to be received to the credit of such fund from all sources other than the current tax levy, the estimated unencumbered cash balance or cash deficit at the beginning of the ensuing fiscal year, and the amount which it shall be necessary to levy to provide a total fund equal to the proposed expenditures, and any deficit, but the amount to be levied shall not exceed any limit fixed by law. For all purposes where the amounts or charges are fixed by law, the full amount required to meet the same shall be provided for in such itemized statement of expenditures. Such statement and estimate shall be adopted by the board not later than November 1st and shall be included in the published proceedings of the board, and shall constitute the tax levy for such fund and the maximum amount which may be appropriated, expended or obligated by the board from such fund and for each item therein during the next ensuing fiscal year.

History: 1941 c 118 s 2

383C.012 COMMISSIONS AND BOARDS; BUDGETS.

For each fund or activity of such county placed by law under the control of any commission, board or agency other than the county board, such commission, board, or agency shall cause similar detailed budget requests to be made and shall prepare a similar statement of proposed expenditures and estimated income for each fund under its control which shall be presented to the county board for its approval. The county board may decrease but not increase the total of all items of expenditure set forth therein and shall require a revised itemization in accordance with any reduction in the total for each such fund of the proposed expenditures. Provided, however, that the amounts approved shall not require a tax levy in excess of any limit fixed by law, such statement and estimate as approved by the county board shall constitute the tax levy for such fund and shall be the maximum amount which may be appropriated, expended, or obligated by such commission, board, or agency from each fund and for each item therein during the next ensuing fiscal year.

History: 1941 c 118 s 3

383C.013 OBLIGATIONS NOT TO EXCEED APPROPRIATIONS; EXCEPTIONS.

In all such counties no obligation shall be created except pursuant to an appropriation made by resolution as hereafter provided. Neither the county board nor any other board, commission, or agency which is authorized by law to enter into any contract or to authorize the creation of any obligation against any fund shall award any contract, or contract for any employment, or order any goods or services, or in any manner create any obligation, or authorize any officer, agent, or employee to create any obligation until and unless the county board or the other board or commission involved shall have first made an appropriation from the proper fund and item for the payment of the resulting obligation, or for the payment of the cost of the specific project or activity for which said obligation is incurred and no officer, agent or employee shall have any authority to order any goods or services or incur or attempt to incur any obligation except pursuant to and within an appropriation so made, provided, however, that except for contracts awarded by specific resolution of the county board, all obligations against appropriations of road and bridge funds shall be incurred only by or under the direction of the county highway engineer who may delegate the authority to expend or obligate such appropriation and to verify any payrolls in connection therewith. The county auditor shall set up an account for each appropriation and shall deduct the

amount of such appropriation from the proper fund and item. For all employees paid a salary on a monthly basis, or who are allowed an expense or mileage account, the annual amount of such salary and the maximum to be allowed for such expense or mileage account shall be appropriated at the beginning of the fiscal year or for the remainder of the fiscal year when such employee enters the service during such year. When the amount of all obligations incurable under any appropriation have been incurred and charged thereto or when any appropriation shall be canceled by the appropriating authority, the unexpended and unencumbered balance thereof shall be returned by the auditor to the proper fund and item and no further obligations shall be incurred under such appropriation. Neither the county board nor any other commission, board, or agency, shall make any appropriation in any fiscal year against any item within any fund which shall exceed the unappropriated balance in such item, nor shall the county board appropriate from any item set up for the maintenance of highways for any year, more than 85 percent for expenditure during the first three quarters of the year. The allocation of any fund to specific items and purposes shall be of no effect after the close of the fiscal year for which such allocation is made, except that items set up to be paid out of the income of the current year for specific purposes which are not completed within such year shall continue in force and effect until the purpose for which they were set up shall have been accomplished or abandoned, and all appropriations except appropriations from such items shall lapse and become void at the close of the fiscal year, provided, however, that the encumbered portion of any appropriation shall continue in force until all obligations arising thereunder have been paid.

History: 1941 c 118 s 4

383C.014 RECORDS; RULES AND REGULATIONS.

A record of every appropriation shall be kept by the county auditor, or by such officer, agent or employee as may be designated in regulations established as hereinafter provided, which will at all times show the amount of any appropriation which has already been expended, contracted or obligated, and the remaining unencumbered amount which is available for expenditure, to the extent necessary to enable every officer, agent or employee, who has any authority to incur any obligation, to know when the incurring of any additional obligation will exceed any such appropriation. Within 90 days after the taking effect of sections 383C.01, 383C.011, and 383C.012, the county auditor and the county board shall establish and may from time to time amend such rules and regulations governing in detail the manner in which any boards, commissions, administrative officers and employees of the county shall incur, record and report obligations, as may be reasonably necessary to enforce and regulate the keeping of the records herein required and to enable the county auditor to determine and certify whether any such obligation is within and pursuant to an appropriation made as required by sections 383C.01 to 383C.019. Such rules and regulations and amendments thereto shall be binding upon all boards, commissions, officers, agents and employees of the county, and no contract or obligation shall be valid for any purpose unless and until it shall have been incurred, recorded, reported and certified in accordance therewith. No claims or payrolls shall be presented to the county board or other board, commission or agency for allowance, or allowed unless they shall have been audited by the county auditor and certified by the auditor to have been incurred within and pursuant to an appropriation as required by sections 383C.01 to 383C.019. The county auditor shall not certify any claims or payrolls without ascertaining that they have been so incurred and no such claim shall be allowed or paid until so certified. Before certifying any such claims or payrolls, the county auditor shall also ascertain that the goods or services have actually been received by the county as shown by a receiving report or time record which shall be signed only by an officer, agent or employee who shall have personal knowledge that the goods or services were received or furnished to the county. Any person who shall falsely or fraudulently sign a receiving report or time record shall be personally liable to the county for any loss sustained.

History: 1941 c 118 s 5; 1986 c 444

383C.015 BUDGET PROCEDURES.

The itemized statement for any fund shall not be altered or amended after the commencement of the fiscal year to which it shall apply, except that the county board may by a five-sevenths vote transfer any unexpended and unappropriated balance to the credit of any item to any other item within the same fund or transfer the same to new or additional items within the same fund, but it shall not transfer between funds; provided that during any year in which federal or state funds are received for specific purposes the county board may appropriate and expend such funds in the amount received for the specific purposes in addition to the itemized statement adopted for such year.

History: 1941 c 118 s 6; 1969 c 211 s 1

383C.016 EMERGENCY FUND.

There is hereby established an emergency fund of not to exceed \$100,000 and the county board is authorized to levy an amount only sufficient to replenish this fund at the beginning of each fiscal year, which fund shall not be itemized and may be expended by transfer to any item in any fund but only by a unanimous vote of the county board and only for purposes for which the county is legally authorized to expend money, and only in case of actual emergency arising from the exhaustion of any item from unforeseen demands which cannot be provided for by transfers from other items within the same fund.

History: 1941 c 118 s 7; 1985 c 118 s 1

383C.017 REVOLVING FUND FOR MAINTAINING AND OPERATING COUNTY EQUIPMENT.

The county board may establish a revolving account or accounts for the purpose of maintaining and operating county equipment or for purchasing, maintaining, and operating county equipment, or for the purpose of maintaining and operating a county garage or garages for the storage and repair of county equipment, or for the purchase and storage of supplies and materials, or for the purchase of federal surplus commodity stamps pursuant to arrangements with the United States Department of Agriculture or any agency thereof. The county board may include an item or items within any appropriate county fund or funds for the purpose of establishing or maintaining such accounts. It shall establish or provide for the establishment of rates, rentals, or charges for the use of such equipment, garage facilities or supplies and materials taken from such stores adequate to perpetuate such accounts in a solvent condition by providing for the encumbering and charging of the proper appropriations in the same manner as for any other expenditure, and crediting the proper revolving account. For any revolving account for purchasing, maintaining and operating equipment, the rates for the use of such equipment shall be adequate to cover depreciation and obsolescence in addition to all other costs. No obligation shall be incurred against any such revolving account except pursuant to an appropriation which shall be made and encumbered in the same manner as for any other expenditures, provided that no appropriation shall be made in excess of the actual unappropriated balance in any revolving account. When earnings result in an unencumbered balance in any revolving account for the operation and maintenance of road and bridge equipment in excess of the balance in such account at the beginning of the fiscal year, and the amount of that item set up in the itemized statement for the establishment or maintenance of such account, such excess may be transferred by a majority vote of the county board to any item or to set up new or supplementary items in the road and bridge fund.

The county board may establish an insurance revolving account for the purpose of providing funds for the replacement of county property destroyed by fire or casualty by providing for the charging of the proper appropriations amounts equivalent to a reasonable premium for such insurance, and crediting the insurance revolving account. No expenditure shall be made from the insurance revolving account except pursuant to an appropriation, and no appropriation shall be made except in the case of actual

loss, and then only to the extent and in the amount of the loss actually sustained and for the purpose of repairing or replacing the property destroyed or damaged, and in no case in excess of the unappropriated balance in the insurance revolving account.

The balance in each revolving account shall remain intact and be carried over from year to year for the purpose of the account.

History: 1941 c 118 s 8

383C.018 ACTS CONTRARY VOID.

Any act of any county board, commission, officer, agent or employee which is contrary to the provisions of sections 383C.01 to 383C.019 or the regulations authorized hereunder shall be wholly void. The county shall not be liable upon any obligation incurred or attempted to be incurred except pursuant to sections 383C.01 to 383C.019 and any regulations adopted hereunder, and within the limits of an appropriation made as herein provided, nor shall the county be liable or subject to suit on account of benefits received in connection with any contract or obligation unless the same was incurred within the limits of such an appropriation and recorded and reported in accordance with sections 383C.01 to 383C.019 and any such regulations, but any officer, agent or employee who willfully incurs or attempts to incur any such obligation in violation of any of the provisions hereof or without compliance with such regulations, shall be personally liable on such obligation, shall be guilty of a gross misdemeanor, shall forfeit the office or position held, and for a period of two years shall be ineligible to any appointive position or employment in the business of the county.

History: 1941 c 118 s 9; 1986 c 444

383C.019 DEFINITIONS.

When used in sections 383C.01 to 383C.019:

(a) The term "fund" shall mean all money received or to be received from taxes or otherwise for a purpose for which a tax levy is specifically authorized by law.

(b) The term "item" shall mean the amount of money allocated or set aside at the time of making the tax levy except as otherwise herein provided, to be expended out of the fund for a specified purpose or activity.

(c) The term "itemized statement" shall mean the statement of proposed expenditures for each fund broken down into items or lump sum amounts at the time of making the tax levy for such fund as required by sections 383C.01, 383C.011, and 383C.012.

(d) The term "appropriation" shall mean a resolution adopted by the board or commission having jurisdiction, authorizing an expenditure or expenditures for a specified purpose out of an item previously established and set up in the itemized statement for any fund, or from the unappropriated balance in any revolving account.

History: 1941 c 118 s 10

CIVIL SERVICE

383C.03 COUNTY CIVIL SERVICE COMMISSION CREATED IN CERTAIN COUNTIES.

There shall be created and maintained in any county in the state of Minnesota now or hereafter having a population in excess of 150,000 and an area of more than 5,000 square miles, a county civil service commission for county employees with powers and duties as hereinafter provided. Any such county desiring to avail itself of sections 383C.03 to 383C.059 shall do so by the adoption by the board of county commissioners upon a record vote of a resolution providing (1) for the creation of a county civil service commission as provided in sections 383C.03 to 383C.059 and (2) for the submission of such resolution to the voters of the county at the next general election for ratification, provided that until such resolution has been so ratified by a majority of the voters voting upon said question it shall be of no force or effect.

History: 1941 c 423 s 1

383C.031 CIVIL SERVICE COMMISSIONERS; APPOINTMENT; QUALIFICATIONS; COMPENSATION.

Within 30 days after a majority of the voters of the county voting upon said question elect to come within the provisions of sections 383C.03 to 383C.059, the board of county commissioners shall by majority vote, appoint three persons as county civil service commissioners to serve for designated terms of one for two years, one for four years, and one for six years. Each alternate year thereafter the board of county commissioners shall appoint one person as successor for the county civil service commissioner whose term shall expire, to serve six years. Any vacancies shall be filled by the board of county commissioners for the unexpired term. No person shall be appointed or shall act as a member of the county civil service commission at any time while holding any public office or while standing as a candidate for any public office, notary public excepted, or any public employment or position in a political party within the two years immediately preceding appointment. Each member of said commission shall be a resident in the county and on becoming a nonresident, thereby forfeits the office. Within 15 days after appointment, each commissioner shall qualify by subscribing to an oath for the faithful discharge of duties and file said oath with said court administrator of the district court and such oath shall include a statement of belief in and desire to support the principles of the merit system. If an appointee fails to so qualify, another shall be named. Each commissioner shall hold office until a successor has been appointed and qualified, except in case a commissioner shall stand as a candidate for elective public office, whereupon the filing of candidacy thereby automatically results in forfeiture of the office. Each member of the county civil service commission shall be paid \$20 per day for each day actually devoted to duties as a member of the commission, but in no case shall any member be paid more than \$600 in any one year; provided that in addition thereto each member of the commission shall be paid actual and necessary expenses on itemized and verified bills, and provided further that during the first two years after any county has availed itself of sections 383C.03 to 383C.059, each member of the commission may be paid not to exceed \$600 in each of said two years. The county civil service commission shall organize by electing one of its members as presiding officer and the civil service director hereinafter provided shall serve as secretary.

History: 1941 c 423 s 2; 1949 c 198 s 1; 1953 c 543 s 2; 1986 c 444; 1Sp1986 c 3 art 1 s 82

383C.032 APPOINTMENT OF CIVIL SERVICE DIRECTOR.

The county civil service commission shall appoint as hereinafter provided a civil service director. The civil service director shall be appointed by the county civil service commission on the basis of merit and fitness after an open competitive examination. Within 30 days after the first members of the county civil service commission have been appointed and qualified, and thereafter whenever a vacancy exists in the office of the civil service director, the civil service commission shall appoint an examining committee of three persons to examine the qualifications of all persons applying for appointments to the office of the civil service director. At least two members of the examining committee shall be public personnel administrators or public personnel specialists of recognized standing. As soon as practicable after its appointment, the examining committee shall examine applicants for the position of civil service director, and shall certify to the county civil service commission the names of the three persons rated highest in the competitive tests and found by the committee to possess the necessary qualifications for the office of civil service director. The county civil service commission shall then appoint one of the persons so certified to the office of civil service director. No person who has not been examined and certified by an examining committee as herein provided for shall be appointed to the office of civil service director. The civil service commission shall fix the compensation and shall authorize the payment of expenses of members of the examining committee provided for in this section.

The civil service director shall be in the classified service and shall not be removed

by the county civil service commission except under written charges and after a public hearing by the commission.

History: 1941 c 423 s 3

383C.033 MEETINGS; RECORDS; RULES AND REGULATIONS.

Members of the county civil service commission shall hold regular meetings at least once each month and may hold such additional meetings as may be required in the proper discharge of their duties. Meetings of the commission shall be open to the public. The commission shall keep records and minutes of its business and official actions and such records and minutes shall be public records open to public inspection, subject to such rules as to hours and conditions of inspection as the commission may establish. It shall be the duty of the county civil service commission as a body:

(a) After public hearing to adopt such rules and regulations for the administration of sections 383C.03 to 383C.059, such classification and compensation plans for the classified service, together with rules for their administration, and amendments thereof as may be recommended by the civil service director after a thorough survey of personnel organization included in such plan or plans, and suitable regulations covering vacations, leave of absence and sick leave, the order of layoff in case of a curtailment in the number of employees in any class in any department, compulsory retirement at a fixed age, and any other conditions affecting the employment of persons within the classified service, which, when approved by the board of county commissioners, shall have the force and effect of law and be binding upon all county officers, boards and commissions. Rules and regulations affecting employees of the county welfare board should be in conformance with any federal regulations established by the social security board.

(b) To make investigations either on petition of a citizen or of its own motion concerning the enforcement and effect of sections 383C.03 to 383C.059, to require observance of its provisions and the rules and regulations made thereunder.

(c) To hear and determine appeals or complaints respecting the administrative work of the civil service director, the rejection of an applicant for admission to an examination, and such other matters as may be referred to the commission by the civil service director.

(d) To make such investigations as may be requested by the board of county commissioners and to report thereon.

History: 1941 c 423 s 4; 1969 c 169 s 1

383C.034 DUTIES OF DIRECTOR.

The civil service director as executive head of the county civil service commission shall direct and supervise all of its administrative and technical activities in addition to the duties imposed, elsewhere in sections 383C.03 to 383C.059, and shall:

(a) Attend the regular and special meetings of the county civil service commission, to act as its secretary and to record its official actions.

(b) Appoint, supervise and direct such employees of the civil service department as may be necessary to carry out the provisions of sections 383C.03 to 383C.059. Such employees shall be chosen in accordance with and shall be subject to the provisions of sections 383C.03 to 383C.059.

(c) Prepare and recommend rules and regulations for the administration of sections 383C.03 to 383C.059, which shall become effective after approval by the commission and the board of county commissioners, as provided in sections 383C.03 to 383C.059, to administer such rules and regulations and to propose amendments thereto.

(d) Establish and maintain in card or other suitable form a roster of all officers and employees in the service of the county, which shall show the employment history of each such employee. The director shall have access to all records and papers, the examination of which will aid in the discharge of duties in connection with such roster.

(e) Ascertain and record the duties and responsibilities pertaining to all positions in the classified service and classify such positions in the manner hereinafter provided.

(f) As soon as practicable after the adoption of the classification plan, prepare a schedule of salary or wage rates and ranges for each class, grade or group of positions in the classification. Such salary and wage schedules when approved by the civil service commission after public hearing shall be submitted to the board of county commissioners who may approve or reject such schedules. When approved by the board of county commissioners, they shall be used in connection with all payrolls and accounting records and with all budget estimates for all departments or agencies of the county government. Nothing in this section shall prevent the board of county commissioners from increasing or reducing the salary or wage rates of positions to conform to the terms of a negotiated labor agreement.

(g) Provide for, formulate and hold competitive tests to determine the relative qualifications of persons who seek employment in any class of positions and as a result thereof, establish employment lists for the various classes of positions.

(h) When a vacant position is to be filled, to certify to the appointing authority the names of the three persons highest on the re-employment, promotional, or employment list for the class, provided, however, that if there are less than three names remaining on the re-employment or the promotional lists, the director shall certify such lesser numbers remaining on said lists, thereby using all names of persons willing to accept appointment before drawing any names from an employment list. If there are no such lists, the director may authorize provisional appointments pending the establishment of such employment list for such class. Such provisional appointment shall not continue for a period longer than four months, nor shall any person receive more than one provisional appointment or serve more than four months as a provisional appointee in any one fiscal year, nor shall there be more than one provisional appointment to any given position in any 12 months period; except that, after November 3, 1942, and prior to the time that lists of eligibles are available, appointments to offices and employments in the classified service may be made in accordance with existing laws and without regard to the provisions of sections 383C.03 to 383C.059. Persons so appointed shall not be entitled to any of the privileges set forth in sections 383C.03 to 383C.059 except in the case of appointments made through merit examinations under authority of Laws 1941, chapter 476, section 1, but they shall be permitted to apply for and take any competitive examination for which they may be eligible. Such employees may continue in such employment, notwithstanding any contrary provisions of sections 383C.03 to 383C.059, until 60 days after the director shall have certified that lists of eligibles are available for such office or employment, whereupon the employment of such persons shall automatically terminate and such office or employment shall be filled from such lists of eligibles as provided in sections 383C.03 to 383C.059. In case of an emergency, an appointment may be made of not to exceed ten days duration without regard to the provisions of sections 383C.03 to 383C.059, which appointment shall be immediately reported to the civil service director. Successive emergency appointments shall not be made.

(i) Establish the length of the probation or working test period which shall not be less than six months and not more than 12 months, during which time discharges may be effected without specifying cause or granting a hearing, to enable the appointing authority to determine whether new officers and employees are able and willing to perform their duties satisfactorily; and for the method of removal or transfer of such officers and employees whose work or conduct during such period is unsatisfactory.

(j) Establish record of performance and a system of service ratings to be used in determining increases and decreases in salaries and in promotions.

(k) Keep such record as may be necessary for the proper administration of sections 383C.03 to 383C.059.

(l) Provide a system of checking payrolls, estimates and accounts for payment of salaries or wages to employees in the classified service, as to enable the director upon satisfactory evidence thereof, to certify or cause to be certified that the persons whose

names appear thereon have been regularly employed in the performance of the duties indicated at the compensation rates and for the periods for which compensation is claimed or are on authorized leave before payment may be lawfully made to such employees.

(m) Make investigations concerning the administration and effect of sections 383C.03 to 383C.059 and the rules made thereunder, and report the findings and recommendations to the commission.

(n) Make an annual report to the county civil service commission.

History: 1941 c 423 s 5; 1943 c 608 s 1; 1951 c 425 s 1; 1961 c 416 s 1; 1980 c 365 s 1; 1986 c 444

383C.035 UNCLASSIFIED CIVIL SERVICE.

The officers and employees of such county and of any agency, board, or commission, supported in whole or in part by taxation upon the taxable property of such county or appointed by the judges of the district or probate court for such county, are hereby divided into the unclassified and classified service. The unclassified service shall comprise:

(a) All officers elected by popular vote or persons appointed to fill vacancies in such offices.

(b) Judges and receivers, referees, arbiters, court reporters, jurors, notaries public, and persons appointed by a court to make or conduct any special inquiry of a judicial and temporary character.

(c) Superintendent or principal administrative officer or comptroller of any separate department of county government which is now or hereafter created pursuant to law, who is directly responsible to the board of county commissioners or any other board or commission, as well as the county agricultural agents and the home demonstration agents under the control of the county extension committee.

(d) Members of nonpaid board, or commissioners appointed by the board of county commissioners or acting in an advisory capacity.

(e) Assistant county attorneys or special investigators in the employ of the county attorney.

(f) All common labor temporarily employed on an hourly basis.

(g) All inmate or patient help in county institutions.

(h) All physicians, dentists, registered nurses and medical laboratory technicians working under the direction of a licensed physician or dentist in any hospital or sanatorium operated by a commission or board of such county.

(i) All county commissioners' clerks appointed by the county board after the passage of sections 383C.03 to 383C.059; but nothing in sections 383C.03 to 383C.059 shall affect the civil service status of any person previously appointed and now holding such a position in the classified service of the county.

(j) A legislative lobbyist/grant coordinator appointed by the county board to act as legislative liaison with the St. Louis county legislative delegation and pursue legislative concerns and grant opportunities for the county, and the clerk for that position.

(k) The county recorder.

(l) Any department head designated by the county board.

The classified service shall include all other positions now existing and hereinafter created in the service of the county or any board or commission, agency, or offices of such county.

History: 1941 c 423 s 6; 1949 c 255 s 1; 1949 c 258 s 1; 1949 c 309 s 1; 1951 c 310 s 1; 1959 c 217 s 1; 1961 c 329 s 1; Ex1961 c 27 s 1; 1967 c 142 s 1; 1969 c 420 s 1; 1984 c 398 s 1; 1986 c 366 s 2

NOTE: Clause (l), as added by Laws 1986, chapter 366, section 2, is effective January 1, 1989. See Laws 1986, chapter 366, section 5.

383C.036 CLASSIFICATIONS; EXAMINATIONS.

Subdivision 1. Classified service. All regular employees holding positions which are placed in the classified service under the provisions of sections 383C.03 to 383C.059 shall be permanent members of the classified service without examination or working test period if they have been in the employ of the county for five consecutive years or more, immediately previous to December 31, 1943, or when a regular employee has been transferred from the unclassified service to the classified service and has been in the employ of the county for five consecutive years or more, immediately previous to said transfer from the unclassified service to the classified service, and all employees who have been appointed through merit examinations administered under authority of Laws 1941, chapter 476, section 5, and who have not since been separated from the service shall also be permanent members of the classified service without further examination or working test period, except that any employee who has not completed a working test period as provided under the rules of the merit plan, shall be on probation for that period of time of service otherwise necessary to complete the working test period under the merit plan. All other employees shall not be members of such classified service until such time as they shall have been appointed to such position in accordance with the provisions of sections 383C.03 to 383C.059. The civil service director subject to rules and regulations of the county civil service commission shall within two years of the date the board of county commissioners of such county elects to avail itself of the provisions of sections 383C.03 to 383C.059, prepare and offer once to all persons who, on the date the board of county commissioners of such county elects to avail itself of the provisions of sections 383C.03 to 383C.059, are incumbents of positions in the classified service with less than five years of service, a qualifying examination that is designed to test fitness to perform the work of the class to which the position has been allocated. No person holding an office for employment in the classified service previous to December 31, 1943, who is required by sections 383C.03 to 383C.059 to take a qualifying examination shall be laid off, suspended, discharged or reduced in pay or position, except in accordance with the provisions of sections 383C.03 to 383C.059 applicable to members of the classified service having permanent status until they have completed such qualifying examination and shall have been notified of the results thereof. If such incumbents pass such qualifying examination, they shall become permanent members of the classified service. If, however, any of the aforementioned incumbents who are required by sections 383C.03 to 383C.059 to take a qualifying examination shall fail to pass the same, they shall be removed from their positions at or before the expiration of three months following receipt of notice of failure to pass such examination. All persons who shall willfully fail or refuse to take the examination when offered without reasonable excuse, shall be removed from their positions immediately.

Subd. 2. Education employees. All regular employees of the county board of education on the effective date of Laws 1961, chapter 329, section 2, holding a position which is placed in the classified service under the provisions of sections 383C.03 to 383C.059 shall be subject to and have the benefit of all provisions of subdivision 1 of this section in like manner as all county employees subject thereto on the effective date of Laws 1941, chapter 423, were subject thereto and had the benefit thereof.

History: 1941 c 423 s 7; 1943 c 608 s 2; 1947 c 187 s 1; 1949 c 310 s 1; 1961 c 329 s 2; 1986 c 444

383C.037 CLASSIFICATION PLAN.

The civil service director shall, as soon as practicable after sections 383C.03 to 383C.059 take effect and after consultation with appointing authorities and principal supervising officials, recommend to the county civil service commission a classification plan, together with proposed rules for its administration. Such classification plan shall show each class of positions in the classified service, and when approved by the county civil service commission, shall be made public, together with the rules for its administration. Each such class shall include such positions requiring duties which are

substantially similar in respect to duties and responsibilities and shall be designated by titles indicative of the duties; and that the same schedule of compensation can be made to apply with equity under like working conditions. The class titles shall be used in personnel, budget and financial records and communications. As far as practicable the natural or probable line of promotion to and from the class of positions shall be designated or indicated.

History: 1941 c 423 s 8

383C.038 ALLOCATION OF POSITIONS.

The civil service director shall, as soon as practicable after the adoption of the classification plan, and after consultation with appointing authorities, allocate each position to its proper class. Any employee whose position or title is affected by such allocation shall be notified thereof and may appeal the allocation to the county civil service commission within 30 days of such notice, and after hearing such employee the civil service commission shall approve or modify such allocation.

History: 1941 c 423 s 9; 1986 c 444

383C.039 ADDITIONAL CLASSES.

With the approval of the county civil service commission additional classes may be established for new positions created, or positions not included in any previously established class may be allocated thereto, as good administration may require. Any existing class or classes may be divided, combined, altered or abolished and positions allocated to any class or classes may be reallocated. The appointing authorities shall promptly report to the civil service director intention to establish new positions that may be classified and allocated, and that certifications may be made or appropriate tests provided for and held for the purpose of establishing requisite employment lists from which appointments may be made as provided in sections 383C.03 to 383C.059.

History: 1941 c 423 s 10

383C.04 LAYOFFS.

Whenever any employee in the classified service, who has been performing all duties in a satisfactory manner, as shown by the records of the employing department or other agency, is laid off because of lack of work or lack of funds, or has been on authorized leave of absence for more than one year and is ready to report for duty when a position is open, or has resigned in good standing and with the consent of the county civil service commission and the employing department, and has withdrawn the resignation without being restored to the position, the civil service director shall cause the name of such employee to be placed on the re-employment list for the appropriate class. No re-employment list shall be valid for more than two years. The order in which names shall be placed on the re-employment list for any class shall be established by rule. No person shall be reinstated or be restored to a re-employment list unless such resignation is withdrawn within one year after it has been presented and accepted.

History: 1941 c 423 s 11; 1986 c 444

383C.041 CIVIL SERVICE DIRECTOR; TESTS.

The civil service director shall, from time to time, as conditions warrant, hold tests for the purpose of establishing employment lists for the various positions in the classified service. Such tests shall be public, competitive and open to all persons who may be lawfully appointed to any position within the class for which such examinations are held with limitations specified in the rules of the commission as to residence, age, health, habits, moral character and prerequisite qualifications to perform the duties of such positions. Promotion tests shall be competitive to such persons examined or appointed under the provisions of sections 383C.03 to 383C.059 and who have completed the probationary period in a class or rank previously declared by the commission to involve the performance of duties which tend to fit the incumbent to the performance

of duty in the class or rank for which the promotion test is held. In promotion tests, efficiency in service shall form part of such tests. The civil service director shall hold promotion tests for each superior class of service whenever there is an inferior rank in the same class, the duties of which directly tend to fit the incumbents thereof for the performance of the duties of the superior grade. If fewer than two persons submit themselves for a promotion test, or if after such test is held all applicants fail to attain a general average of not less than the minimum standard fixed by the rules of the county civil service commission, the director shall forthwith hold an original entrance test and certify from the employment list resulting therefrom.

All tests shall be practical, and shall consist only of subjects which will fairly determine the capacity of the persons examined to perform the duties of the class of work for which the examination is being conducted, and may include tests of physical fitness or of manual skill. No credit shall be allowed for service rendered under provisional appointment. No question in any test shall relate to religious or political opinions or affiliations. As many tests shall be held as may be necessary to provide eligibles for each class of position, and to meet all requisitions and to fill all positions held by provisional appointees. From the return and report of the examiners or from the tests provided by the civil service director, the director shall prepare a list of eligible persons who shall attain such minimum mark as may be fixed for the various parts of such test, and whose general average standing upon the test for such position is not less than the minimum fixed by the rules of the commission, and who may lawfully be appointed. Such persons shall take rank upon the list in the order of their relative excellence as determined by the tests. The markings of all tests shall be completed and the resulting employment list posted as soon as possible thereafter. The life of any eligibility list shall not exceed one year but may be extended an additional year by motion of the civil service commission.

The markings and test papers of each candidate shall be open to the candidate's inspection. The markings and test papers of all persons upon any list of eligibles may be opened to public inspection in the discretion of the county civil service commission. An error in the markings of any test other than an error in judgment, if called to the attention of the commission within one month after the establishment of an employment list resulting from such test, shall be corrected by it; provided, however, that such correction shall not invalidate any certification or appointment previously made. Public notice of each examination shall be given.

History: 1941 c 423 s 12; 1986 c 444

383C.042 POWERS OF DIRECTOR.

The civil service director may reject an application of any person for admission to a test or refuse to test any applicant, or to certify the name of an eligible for employment who is found to lack any of the established qualification requirements for the position applied for or tested on, or who is physically unfit to effectively perform the duties of the position, or who is addicted to the use of drugs or the habitual use of intoxicating liquors to excess, or who has been guilty of any crime or infamous or notoriously disgraceful conduct, or who has been dismissed from the public service for delinquency, or who has made a false statement of any material fact or practiced or attempted to practice deception or fraud in the application or in the test, or in securing eligibility or appointment. Any such person may appeal to the county civil service commission from the action of the civil service director in accordance with the rules established hereunder.

History: 1941 c 423 s 13; 1986 c 444

383C.043 VACANCIES.

Whenever a position in the classified service becomes vacant the appointing authority, if it desires to fill the vacancy, shall make requisition upon the civil service director whereupon the civil service director shall certify the names of the three persons highest on the re-employment list, or where there is no re-employment list the director

shall certify the names of the three highest on the promotional list. In case there are less than three names on the re-employment or promotional lists, the director shall certify the number of names remaining on said lists willing to accept appointment provided that no name shall be certified from an employment list as long as there is a re-employment list or a promotional list for the class. The appointing authority shall at its discretion appoint one of the persons so certified for the working test period. At the end of the working test period the appointing officer shall notify the civil service director in writing whether the probationer is a satisfactory employee and should receive the status of a permanent appointee. Upon such notice the employee, if service during the working test period did not fall below such minimum standards as have been prescribed by the civil service director, shall be deemed to have a permanent classified civil service status; otherwise the employee is automatically separated from the service.

History: 1941 c 423 s 14; 1961 c 416 s 2; 1986 c 444

383C.044 TRANSFER OF EMPLOYEES.

The civil service director may at any time authorize the transfer of any employee in the classified service from one position to another position in the same class or grade and not otherwise; provided, however, that persons who are not members of the classified service under the provisions of sections 383C.03 to 383C.059 shall not be entitled to transfer. Transfers shall be permitted only with the consent of the civil service director and the department concerned.

History: 1941 c 423 s 15

383C.045 LAYOFF OF EMPLOYEES.

In accordance with the rules, an appointing authority may lay off an employee in the classified service whenever the authority deems it necessary by reason of shortage of work or funds, or the abolition of a position or other material change in duties or organization. The seniority of employees shall be the factor in determining the order of layoffs. The appointing authority shall give written notice to the civil service director of every proposed layoff a reasonable time before the effective date thereof, and the civil service director shall make such orders relating thereto as the director considers necessary to secure compliance with the rules. The name of every regular employee so laid off shall be placed on the appropriate re-employment list.

History: 1941 c 423 s 16; 1951 c 425 s 2; 1986 c 444

383C.046 CERTIFICATION OF PAYROLLS.

The county auditor, county treasurer, and the board of county commissioners, or any other officer or employee of the county, shall not approve the payment of, or be in any manner concerned in paying, auditing, or approving any salary, wage or other compensation for services to any person holding a position in the classified service unless there shall first have been filed with the county auditor a payroll, estimate, or account for such salary, wage or other compensation containing the names of the persons to be paid, and a statement of the amount to be paid each such person and the services on account of which the same is paid, and a statement that such services have been performed, and bearing the certificate of the civil service director that the persons named in such payroll, estimate, or account have been appointed or employed in pursuance of law and of the rules made by the county civil service commission under the provisions of sections 383C.03 to 383C.059 and have complied with the terms of sections 383C.03 to 383C.059 and of the rules of the commission when required so to do. Before making any such certificate the civil service director shall investigate the nature of each item of such payroll, estimate or account and on ascertaining that the provisions of the law in respect to any such item have not been strictly complied with, the director shall refuse to certify such item. The civil service director shall refuse to certify the pay of any such public officer who shall willfully or through culpable negligence violate or fail to comply with the provisions of sections 383C.03 to 383C.059 and the rules of the county civil service commission.

History: 1941 c 423 s 17; 1986 c 444

383C.047. CIVIL ACTIONS.

It shall be the duty of the county civil service commission to begin and conduct all civil suits for the proper enforcement of sections 383C.03 to 383C.059 and of the rules of the commission and to defend all civil suits which shall be brought against the commission. The commission shall be represented in such suits by the county attorney or by special counsel provided by the board of county commissioners. Any taxpayer of the county may maintain an action in the district court to recover for the treasury any sums paid contrary to the provisions of sections 383C.03 to 383C.059 or the rules of the county civil service commission from the person or persons authorizing such payment or to enjoin the person or persons from making such payment or to enjoin the civil service director from attaching a certificate to a payroll in violation of the provisions of sections 383C.03 to 383C.059.

History: 1941 c 423 s 18; 1986 c 444

383C.048 COMMISSION MAY SUBPOENA WITNESSES.

In an investigation conducted by the county civil service commission or civil director they shall have the power to subpoena and require the attendance of witnesses and the production by them of books and papers pertinent to the investigation and to administer oaths to such witnesses.

History: 1941 c 423 s 19

383C.049 PROHIBITING OBSTRUCTING PERSONS FROM TAKING TESTS.

No person shall deceive or obstruct any person in respect to the right of test under the provisions of sections 383C.03 to 383C.059 or falsely mark, grade, estimate or report upon the test or standing of any person tested hereunder, or aid in so doing, or furnish to any person, except in answer to inquiries of the civil service commission, any special information for the purpose of either improving or injuring the rating of any such person for appointment or employment. No applicant shall deceive the county civil service commission for the purpose of improving the applicant's chances or prospects for appointment. No person shall solicit, orally or by letter, and no public officer or employee shall receive or be in any manner concerned in the receiving or soliciting of any money or valuable thing from any officer or employee holding a position in the classified service for any political party or purpose whatsoever. No person shall use or promise to use personal influence or official authority to secure any appointment or prospect of appointment to any position classified under sections 383C.03 to 383C.059 as a regard or return for personal or partisan political service. No public officer or employee shall by means of threats or coercion induce or attempt to induce any person holding position in the classified service to resign the position or to take a leave of absence from duty or to waive any right under sections 383C.03 to 383C.059. A resignation executed previous to appointment shall be of no effect.

History: 1941 c 423 s 20; 1986 c 444

383C.05 POLITICAL ACTIVITY.

No officer or employee in the classified service is under any obligation to contribute to any political fund or to render any political service to any person or body whatsoever and no person shall be removed, reduced in grade, or salary, or otherwise prejudiced for refusal so to do. No public officer whether elected or appointed shall discharge, promote, demote, or in any manner change the official rank of the employee or the compensation of any person in the classified service or promise or threaten to do so, for the giving or withholding or neglecting to make any contribution of money or services or any other valuable thing for any political purpose.

Except as herein provided, any officer or employee holding office or place in the classified service may become a candidate for nomination or election to any public office or may seek and accept election, nomination or appointment as an officer of a political group, or organization, or take part in a political campaign or serve as a

member of a committee of any such club or organization, or circulate or seek signatures to any petition provided for by any primary or election law or act as a worker at the polls, or distribute badges, colors, or indicia favoring or opposing the candidate for election or nomination to a public office whether federal, state, county or municipal, if the officer or employee does not engage in such activities during working hours or to such an extent off duty that the officer's or employee's efficiency during working hours is impaired or that tardiness or absence from work without notice or permitted leave results.

Any officer or employee in the classified service who becomes a candidate for nomination or election to any St. Louis County office in which then employed, shall by the act of filing as a candidate, be removed from the classified service.

Nothing in this section shall be construed to prohibit or prevent any such officer or employee from becoming or continuing to be a member of a political club or organization or from attendance at political meetings or from enjoying entire freedom from all interference in casting a vote or from seeking or accepting election or appointment to public office.

History: 1941 c 423 s 21; 1957 c 340 s 1; 1973 c 256 s 1; 1986 c 444

383C.051 NO PERSON SHALL BE DISCHARGED OR DEMOTED WITHOUT CAUSE.

No person in the classified service who shall have been permanently appointed or inducted into the classified service under provisions of sections 383C.03 to 383C.059 shall be removed, suspended, demoted or discharged except for cause which will promote the efficiency of the service and not for political or religious reasons and only upon the written accusation of the appointing power or any citizen or taxpayer. A written statement of such accusation shall be served upon the accused, and a duplicate filed with the county civil service commission. Any person so removed, suspended, demoted or discharged, may within ten days from the time of the removal, suspension, demotion or discharge, file with the commission a written demand for an investigation, whereupon the commission shall conduct such investigation. The investigation shall be confined to the determination of the question of whether such removal, suspension, demotion or discharge was or was not made for political or religious reasons or was or was not made for just cause. After such investigation the commission may, if in its estimation the evidence is sufficient, affirm the removal, or if it shall find that the removal, suspension, or demotion was made for political or religious reasons, or was not made for just cause, shall order the immediate reinstatement or re-employment of such person in the office, place, position or employment from which such person was removed, suspended, demoted or discharged, which reinstatement shall, if the commission so provides in its discretion, be retroactive, and entitle such person to pay or compensation from time of such removal, suspension, demotion or discharge. The commission upon such investigation, in lieu of affirming the removal, suspension, demotion or discharge may place such employee on the re-employment list for service in the same or lower classification in a different branch of the service when a vacancy may occur.

All investigations made by the commission pursuant to the provisions of this section shall be by public hearing, after reasonable notice to the accused of the time and place of such hearing, at which hearing the accused shall be afforded an opportunity of appearing in person, and presenting a defense. If such judgment or order be concurred in by the commission or a majority thereof, the accused may appeal therefrom to the district court where the issue shall be heard de novo and determined in the same manner as a court case. The district court shall thereupon proceed to hear and determine such appeal in a summary manner, provided, however, that such hearing shall be confined to the determination of whether the judgment or order of removal, discharge, demotion or suspension made by the commission, was or was not made in good faith for cause, and no appeal to such court shall be taken except upon such grounds or ground.

History: 1941 c 423 s 22; 1979 c 151 s 1; 1986 c 444

383C.052 ANNUAL REPORT.

The county civil service commission shall investigate and report annually to the board of county commissioners concerning the administrative needs of the service, the personnel and positions in the service, and the compensation provided therefor, the examinations held by the commission, the appointments made, service ratings and removal in the civil service, the operation of the rules of the commission, and recommendations for promoting efficiency and economy in the service, with details of expenditures and progress of work. The board of county commissioners may require a report from said commission at any time respecting any matter within the scope of its duties hereunder.

History: 1941 c 423 s 23

383C.053 OFFICE IN COUNTY SEAT.

Office accommodations for the county civil service commission shall be provided at the county seat. All compensation, salaries and other expenses of the county civil service commission and employees thereof shall be paid out of the county revenue fund within the amount appropriated by the board of county commissioners, which amount shall not be less than \$10,000 annually except that during the first two years any county elects to avail itself of the provisions of sections 383C.03 to 383C.059, said amount shall be \$15,000 annually, unless a smaller appropriation is requested by the civil service commission.

History: 1941 c 423 s 24

383C.054 VETERANS; PREFERENTIAL RATING.

Honorable discharged veterans of the United States Army, Navy or Marine Corps, who have served in past wars, shall be entitled to preferential rating or preference in appointment as provided for in Laws 1939, chapter 441, section 31.

History: 1941 c 423 s 25

383C.055 PENALTY.

Any person who willfully or through culpable negligence violates any of provisions of sections 383C.03 to 383C.059, or of the rules of the county civil service commission, shall be guilty of a gross misdemeanor. Conviction of same shall render the public office or position held by such person vacant.

History: 1941 c 423 s 26

383C.056 INCONSISTENT ACTS REPEALED.

All acts and parts of acts inconsistent with sections 383C.03 to 383C.059 are hereby repealed to the extent necessary to give effect to the provisions of sections 383C.03 to 383C.059, any provision of Laws 1931, chapter 347 to the contrary notwithstanding.

History: 1941 c 423 s 27

383C.057 PROVISIONS SEVERABLE.

The event that any section or part of a section of sections 383C.03 to 383C.059 be held invalid, for any reason, such invalidity shall not be held to impair and invalidate the remainder of sections 383C.03 to 383C.059 or any part of it, it being the legislative intent that every section and part thereof shall stand and be in force and effect notwithstanding the invalidity of any particular provision or provisions.

History: 1941 c 423 s 28

383C.058 RIGHT TO AMEND OR REPEAL ACT RESERVED.

The right to amend or repeal sections 383C.03 to 383C.059 is hereby reserved in the legislature, notwithstanding any provision of sections 383C.03 to 383C.059.

History: 1941 c 423 s 29

383C.059 TRANSFER OF EMPLOYEES.

When practicable and with due regard to similarity of standards, rules and regulations, the commission may enter into arrangements with suitable agencies in other local, state or federal jurisdictions, or with any other local nonprofit voluntary nursing agency which has coordinated its services heretofore for any period of time with the St. Louis County board of health, for the purpose of exchanging services or effecting transfers of employees or eligibles for appointment to positions under the civil defense department, county welfare board, and the board of health of St. Louis County, and any other board of said county that may be created by law.

History: 1943 c 608 s 3; 1959 c 302 s 1; 1969 c 200 s 1; 1971 c 248 s 1

BOARDS, COMMISSIONS, AND COMMITTEES**383C.07 MEMBERS OF BOARDS AND COMMISSIONS; TERMS OF OFFICE.**

Notwithstanding the provisions of any law to the contrary, in St. Louis county every lay member hereafter appointed by the county board to any board or commission heretofore or hereafter created by law, shall be appointed for a term of three years.

History: 1965 c 197 s 1

383C.071 BOARD OF ADJUSTMENT; ALTERNATES.

In St. Louis county the board of adjustment created pursuant to Laws 1959, chapter 559, shall have two additional members designated as alternates, either of whom may serve in the place of any regular member who at any time may be unable to serve. The alternates shall be appointed by the county board for terms designated by the board. Alternates shall be compensated in the same amount and manner as regular members of the board of adjustment.

History: 1971 c 169 s 1

383C.072 ST. LOUIS COUNTY LAND INVESTMENT BOARD.

Subdivision 1. Creation; membership. The St. Louis county board of land investment consisting of the members of the St. Louis county board of commissioners is established. The board of land investment shall have responsibility to accelerate the county's forestry land management program and to provide operational support and supervision to a broad range of forest projects.

Subd. 2. Land investment department. The board of land investment may establish a land investment department to carry out the objectives established by the land investment board.

Subd. 3. Administration. The department shall be administered by the land commissioner appointed under Minnesota Statutes, section 282.13 but shall be separate from the land department which is also under the direction of the land commissioner.

Subd. 4. Purposes. The purposes of the land investment board are:

- (a) to intensify land management activities on county administered tax-forfeited peat and forest lands;
- (b) to achieve an intensified land management program by using the talents of the excess skilled labor available in the region;
- (c) to invest in the economic future of the region by using the full potential of the land resource;
- (d) to conduct, but not be limited to, projects including peat development, reforestation, timber stand improvement, timber management, development of recreation and wildlife facilities, forest road construction, and boundary line and corner establishment;
- (e) to ensure that the projects use the latest state of the art technology; and

(f) to conduct, contract for, or use joint powers to accomplish the surveys, studies, or research, as needed to encourage or test the feasibility of new programs or markets to use the land resources to their optimum.

Subd. 5. Powers. The board of land investment may:

(a) enter into contracts with or employ technical experts, agents, and employees, permanent and temporary, as it may require, and determine their qualifications, duties, and compensation;

(b) delegate to one or more of its agents or employees the powers or duties it deems proper;

(c) accept grants, loans, gifts, services, or other assistance from the federal or state government or any private individual or organization to accomplish its purposes; and

(d) enter into contracts with individuals or organizations to perform land management activities, including tract site preparation, road construction, or maintenance.

Subd. 6. Employees. The land commissioner may hire employees with the approval of the land investment board to carry out the duties of the land investment department. Notwithstanding sections 383C.03 to 383C.059, all positions created in the land investment department shall be in the unclassified service and the employees shall serve at the pleasure of the land investment board. The positions will be assigned to the collective bargaining unit to which the position would be assigned if the position were in the classified service. On January 1, 1988, all the positions shall become part of the classified service and all persons holding the positions shall become subject to sections 383C.03 to 383C.059, as though they had been originally appointed to the classified service. Seniority shall be computed from the date of employment whether before or after January 1, 1988. Positions within the land investment department shall continue to be separate from positions in the St. Louis county land department for all purposes, including seniority rights.

Subd. 7. Assistant commissioner. Notwithstanding subdivision 6, the position of assistant commissioner of land investment shall remain in the unclassified service.

Subd. 8. Tracts with low quality timber. If the board of land investment determines that a tract is stocked with nonindustrial, low quality timber that has little or no value, section 282.04, as it relates to timber sales, shall not apply to land management activities including site preparation, conducted under the authority of the board.

Subd. 9. Receipts. Receipts from salvage materials generated by site preparation activities conducted under the authority of this chapter shall be paid into the forfeited tax sale fund.

History: 1984 c 654 art 2 s 25

383C.073 CERTAIN BOARD MEMBERS; COMPENSATION.

Notwithstanding the provisions of any law contrary thereto in St. Louis county, the members, except the members who are also members of the board of county commissioners, of all boards and commissions created by law shall receive for attending meetings of said board or commission \$20 per day but not to exceed \$600 in any one year, and each shall be repaid necessary expenses for such attendance, a certified statement of which shall be filed with and approved by said board or commission.

History: 1959 c 204 s 1; 1986 c 444

383C.074 EXTENSION COMMITTEE.

The extension committee appointed under Minnesota Statutes, section 38.36, for St. Louis county shall consist of 11 members, of which eight shall be appointed at large by the St. Louis county board of commissioners.

History: 1981 c 100 s 1

383C.075 BUILDING COMMISSION.

Notwithstanding any law to the contrary, the St. Louis county courthouse building commission shall be comprised of the chair of the board of county commissioners, who shall be president of the building commission, the county auditor, who shall be both secretary and treasurer of the building commission, and the vice-chair of the board of county commissioners.

History: 1971 c 171 s 1; 1986 c 444

383C.076 PLANNING AND ZONING COMMISSION; PER DIEM.

In St. Louis county the board of county commissioners may appropriate and pay to the members of the planning and zoning advisory commission, and the board of adjustment, other than the members of the commission who are county commissioners or ex officio members, in addition to their necessary expenses, a fee of \$20 for each meeting attended.

History: 1969 c 167 s 1

COUNTY BOARD**383C.09 COUNTY BOARD MEMBERS SERVING ON COMMISSIONS AND OTHER BOARDS.**

Notwithstanding the provisions of any law to the contrary in St. Louis county, the county board may elect for a term of one year two of its members to serve on any commission or any other board, except the civil service commission and board of education for the unorganized territory, now or hereafter created by law within the county and having charge of or jurisdiction over any county activities or institution supported in whole or in part by county tax revenues.

History: 1953 c 389 s 1; 1963 c 151 s 1

383C.091 CHAIR'S CONTINGENT FUND.

In addition to the amount authorized by Minnesota Statutes, section 375.16, the county board of St. Louis county may annually appropriate from the county revenue fund a sum not exceeding \$1,000 as a contingent fund for use by the chair of the county board, or any member of the county board acting in the capacity of the chair, at the chair's discretion to pay for incidental costs and expenses incurred in expediting the business of the county of St. Louis. The fund shall be under the exclusive control of the chair of the county board or any member of the county board acting in the capacity of the chair, subject to postaudit by the county board.

History: 1971 c 249 s 1; 1986 c 444

383C.092 BORROWING FROM FEDERAL AGENCIES.

Notwithstanding any law to the contrary, St. Louis County is authorized by majority vote of its board of commissioners, without the necessity of any further action, to borrow moneys from any agency of the United States government for purposes of capital improvements, highways, and public works.

History: 1973 c 440 s 1

383C.093 COUNTY PRINTING.

Subdivision 1. County board to print and bind minutes of board. In all counties now or hereafter having a population of over 150,000 inhabitants and an area of over 5,000 square miles, the county board is hereby authorized to cause to be printed and bound in permanent form, for the use of the county officials and employees of said county, such number of copies as said board shall deem advisable, of the monthly official proceedings of said board as the same are printed and published in the official paper of said county, and to pay the reasonable expense thereof on duly itemized and verified bills filed with and audited and allowed by said county board.

Subd. 2. **County board to print and bind copies of financial statements.** The county board of any such county is hereby authorized to cause copies of the financial statement of said county, after the same has been printed and published in the paper designated by said county board for such purpose, to be printed and bound in pamphlet form, in such number as the county board may deem advisable for use by the county officials and employees of said county and for exchange with other counties in the state and for other purposes, and to pay the reasonable cost of printing and binding such copies of said financial statement on duly itemized and verified bills filed with and audited and allowed by said county board.

Subd. 3. **County board to print and bind copies of county canvassing board.** The county board of any such county is hereby authorized to publish as part of its official proceedings the substance of the official canvass by the county canvassing board of the results of any primary or general elections in said county and to pay the cost thereof as part of said official proceeding.

Subd. 4. **Payments legalized.** Any and all payments heretofore made in good faith by the county board of any such county for printing and binding any pamphlets, or in permanent book form, of county board proceedings, or of the annual financial statement of said county, or for printing the official canvass of the county canvassing board of any primary or general election of said county as part of the official proceedings of the county board, are hereby legalized and confirmed as legal payments.

History: 1921 c 16 s 1-4; 1939 c 45 s 2-5

383C.094 REPAIR OF DITCHES.

Subdivision 1. **Authority.** The county board of any county in the state of Minnesota, having an area of not less than 5,000 square miles, now or hereafter having a county or judicial drainage system, where the state of Minnesota holds title pursuant to tax forfeiture laws or other laws to at least 30 percent of all the land in any one district of said system, is hereby authorized and empowered to clean or to make repairs on any drain or ditch in any one district in said system when said drain or ditch, due to lack of repairs or cleaning, has caused or is causing great damage to county roads, property, crops or lands; to appropriate and expend from the general revenue fund of said county a sum not to exceed \$10,000 annually for the cost of cleaning and repairing said drains or ditches. Said cleaning and repairing may be done by the county with its own equipment and employees, or by contract, but if done by contract and said estimated cost exceeds \$500, then bids for same shall be called for and the contract shall be let to the lowest responsible bidder pursuant to law.

Subd. 2. **Acceptance of aid.** County boards are hereby authorized and empowered to accept gifts of money from the government of the United States and the state of Minnesota or any of its agencies, to carry out the provisions of this section, and said moneys shall be spent by said county boards only for such purpose.

Subd. 3. **In addition to existing power.** The authority granted in this section is in addition to all existing power and authority granted by law to county boards to repair or clean any drains and ditches in any county or judicial drainage system.

History: 1945 c 352 s 1-3

383C.095 DRAINAGE DITCH EQUIPMENT.

Subdivision 1. **Authority.** That in any county of this state, now or hereafter having an area of more than 5,000 square miles and wherein drainage ditches costing in the aggregate more than \$600,000 have already been constructed, or shall hereafter be constructed, the county board shall have authority to purchase such dredging or ditching equipment for use in ditch construction, repair and clean-out work, and such motor vehicles for the use of the county ditch inspector and any county ditch engineers, as the county board of said county may deem necessary. Such equipment and transportation facilities shall be purchased in the same manner as is now provided by law for the purchase of road machinery by any such county, and the cost and maintenance

thereof shall be paid out of the general revenue fund of said county in the first instance. In any such county the cost of such drainage equipment and vehicles and the maintenance thereof shall be reimbursed to said revenue fund by assessments according to benefits upon the land originally assessed for benefits by reason of the construction of ditches on which such drainage equipment and transportation facilities shall be used. That said assessments according to benefits shall be made and collected in the same manner as is now provided by law for the assessment and collection of benefits for the maintenance and repair of drainage ditches in any such county. That in any such county the salary of the county ditch inspector shall be fixed by the county board and be paid on an annual basis, payable monthly, as the salary of other county officials is paid, to be assessed upon the property in the ditch systems in such county on which said services were or shall be performed, according to benefits thereto, in the manner now provided by law for the assessment of benefits for ditch maintenance and repair work.

Subd. 2. **Purchases and payments legalized.** That any and all payments heretofore made by any such county for any of the purposes hereinbefore specified in subdivision 1 hereof are hereby declared legal and valid in all respects.

History: 1931 c 314 s 1,2

COUNTY AGENCIES AND OFFICERS

383C.13 COUNTY AUDITOR; SALARY.

In each county in this state now or hereafter having a population of more than 150,000 and an area of over 5,000 square miles the county auditor shall receive an annual salary of \$7,000 as full compensation for all services. The auditor shall, on the first day of each month, file a complete statement of all the fees and commissions received of every name and nature whatsoever, including any commission as agent of the commissioner of game and fish pursuant to section 97A.485, and turn the same into the county treasury.

History: 1951 c 381 s 1; 1986 c 386 art 4 s 28; 1986 c 444

383C.131 ASSISTANT COUNTY ATTORNEYS AND CLERKS.

In all counties having an area of more than 5,000 square miles and a population of more than 150,000, the county attorney may appoint, with the consent of the county board, assistant county attorneys and clerical help at such salaries as may be determined by the board. Those heretofore appointed shall be designated assistant county attorneys. They shall take the official oath of office and execute a bond in the same manner as the county attorney, said bonds to be paid by the county. The assistant county attorneys shall be fully authorized to do and perform the duties pertaining to the office as directed by the county attorney. The assistant county attorneys shall be paid semimonthly as is now done, and shall be reimbursed for their actual expenses and mileage according to law when on official business for the county.

History: 1955 c 369 s 1

383C.132 ALCOHOLIC REFERENCE COUNSELOR.

Subdivision 1. **Authority.** The board of county commissioners of St. Louis County is authorized to employ upon the terms and conditions it deems advisable, an alcoholic reference counselor, and the administrative help as may be necessary, for the purpose of serving the county with respect to matters involving alcoholism.

Subd. 2. **Qualifications.** The person engaged as the alcoholic reference counselor shall be a member of alcoholics anonymous.

Subd. 3. **Compensation.** The compensation of the alcoholic reference counselor shall be set by the board of county commissioners. The counselor shall be allowed necessary expenses and mileage incurred in connection with employment. The county welfare board is authorized to pay from welfare funds the compensation, expenses, and mileage.

Subd. 4. **Duties.** The duties of the alcoholic reference counselor shall be to consult with, and inform persons having alcoholic problems, and their families, with respect to the methods and facilities which are available for the care, custody, detention, treatment, employment, and rehabilitation of persons afflicted with alcoholism, and to consult with, and work in conjunction with, the various alcoholics anonymous chapters which are located in the respective counties.

History: 1969 c 616 s 1-4; 1986 c 444

383C.133 ENGINEERING DEPARTMENT.

Subdivision 1. **Certification of employees.** In any county in this state now or hereafter having a population of more than 150,000 inhabitants, and having an area of not less than 5,000 square miles, in which said county board of said county maintains a county highway engineering organization, composed of a chief highway engineer, assistant engineers, office clerks, drafters, surveyor's assistants, and other employees, all under the direction of the county board of said county, the said county board shall by resolution duly adopted at its first meeting after the taking effect of section 383C.133 and at its annual meeting in January in each year, and as additions and changes shall occur in the personnel of said engineers and employees in said county road engineering department, certify to the county auditor of said county the name, position, compensation and the date from which said compensation shall be paid, of each of such engineers, clerks, surveyor's assistants and other employees engaged in said engineering department. On the receipt of any such resolution of said county board certifying the name, position, compensation and date of appointment of said engineers and employees, it shall be the duty of the county auditor of such county to enter the name of every such road engineer and employee in said engineering department on the records of said county auditor, kept for the recording of the names of county officers and their employees and said county road engineers and all their assistants and employees in said road engineering department shall be paid their compensation or salary semimonthly in the same manner as county officials are now paid; and the same shall be in full compensation for all services rendered to such county by said county road engineers, their clerks, assistants and employees.

Subd. 2. **Expenses.** The reasonable and necessary expenses of any such engineers, assistants and employees in said engineering department, while engaged in the performance of their duties, shall be paid by such county on duly itemized and verified bills in the same manner as other claims against said county are paid.

History: 1919 c 66 s 1,2; 1939 c 318 s 2,3; 1986 c 444

383C.134 ELECTED OFFICIALS; COMPENSATION.

An elected officer of St. Louis County shall not be entitled to payment for accumulated vacation or sick leave days upon leaving office. This section supersedes any contrary provision of other law or ordinance.

History: 1983 c 186 s 1

383C.135 SURETY BONDS.

That in any county in this state, now or hereafter having an area of over 5,000 square miles and a population of over 200,000 inhabitants, the county board of any such county shall allow and pay a reasonable amount paid by any county elective or appointive officer of such county as an annual or term premium on the officer's official corporate surety bond in the amount required by law or fixed by such county board, said premiums to be paid out of the revenue of such county for terms of office beginning on or after January 1, 1935, as legal claims against such county, and after the repayment of such reasonable premiums to any such officer for the current year or years in said term of office, said county board shall pay the reasonable premium on any such bond after the termination of existing terms of office.

History: 1935 c 180 s 1; 1986 c 444

383C.136 ORGANIZATION OF OFFICES.

In St. Louis county, the duties and functions of the county treasurer shall be transferred to and be performed by the county auditor, and the office of county treasurer is abolished.

In St. Louis county, no person shall be elected after 1986 to succeed the county recorder. In 1991 the county board shall appoint a county recorder to serve at its discretion.

History: 1969 c 591 s 1; 1986 c 366 s 3

NOTE: This section, as amended by Laws 1986, chapter 366, section 3, is effective January 1, 1990. See Laws 1986, chapter 366, section 5.

COUNTY FAIRS**383C.16 COUNTY FAIR; MAINTAINING.**

Subdivision 1. Appropriation. That in all counties in this state now or hereafter having a population of 150,000 and having not less than 40 percent of their area consisting of vacant and uncultivated lands, the county board may annually appropriate not to exceed \$2,000 to assist in the maintaining of a county fair, which fair shall be under the management and control of a county agricultural society. Such appropriation shall be made either to the treasurer of such society or to some other suitable person, but before such money is paid to such treasurer or other person, the payee shall file with the county auditor a satisfactory bond in double the sum of said appropriation, conditioned upon a faithful disbursing and accounting for all of said funds so appropriated. Said funds so appropriated shall be used solely for the purpose of obtaining, preparing, and arranging exhibits and paying premiums to exhibitors. The treasurer or other person to whom said appropriation is paid shall within four months after the holding of any such aided annual fair, file with the county auditor a verified and detailed report showing the name and address of every person to whom any of said money was paid, together with the date of payment and a full description of the purposes for which the money was so paid and shall attach thereto receipts and subvouchers for each payment so made and shall return to the county treasurer all of the unexpended portion thereof. After said report and receipts and subvouchers have been audited by the county board and found to be correct, they may by resolution release said treasurer or other person and sureties from all further liabilities under such bond.

Subd. 2. Site appropriation. The county board in any such county may also annually appropriate such further sum as it may desire not exceeding \$7,500, for the purpose of procuring a suitable site and the erection of a suitable county building thereon, for the building or repairing of a race track and for grading and improving the grounds, to be used in connection with such county fair, but said site and said building and improvements shall be and remain the property of such county and such annual appropriation shall be used only for the purpose of so acquiring such site and building and grading and for the necessary care, repair, maintenance and upkeep thereof.

History: 1917 c 311 s.1,2; 1986 c 444

383C.161 COMMUNITY FAIR ASSOCIATIONS; APPROPRIATION.

In counties having a population of more than 200,000 and an area of 5,000 square miles or more, the board of county commissioners, in addition to the power it now possesses to appropriate money to county agricultural societies, is hereby authorized to appropriate, to not more than ten duly organized community fair associations of its county, not to exceed \$500 each. In no event shall more than twice the sum paid out in premiums by any community fair association be appropriated to it by the county board. Where there is more than one community fair association in a county, the county board in determining which association shall receive county funds shall consider the geographical location of the fair maintained by each and shall so make its

appropriations to such associations that each different community and part of the county will share therein and be equally benefited thereby.

That before the county auditor of any such county shall deliver a warrant to any community fair association for any funds allowed under this section, the treasurer of such community fair association shall file a bond in the amount of \$500 running to the said county, to be approved by the county board as to form and sufficiency of sureties thereon, conditioned that said treasurer will disburse said funds according to law.

History: 1923 c 171 s 1; 1925 c 267 s 1; 1931 c 164 s 1; 1986 c 444

383C.162 APPROPRIATION FOR COUNTY FAIRGROUNDS IN CERTAIN COUNTIES.

In every county in this state now or hereafter containing not less than 80 full or fractional congressional townships, the board of county commissioners is authorized to expend annually from the county revenue fund, out of any moneys not required to defray other expenses chargeable against such fund, such amount as the commissioners may determine to be necessary for the purpose of improving the county fairgrounds and erecting buildings thereon to be used for county and agricultural fairs.

History: 1947 c 272 s 1

383C.163 REIMBURSEMENT OF COUNTY AGRICULTURAL SOCIETY.

Whenever any county agricultural society or officer thereof has heretofore contributed funds for the purchase or condemnation of lands used for county fair purposes and title to such lands has been conveyed to the county, the county board of any such county is hereby authorized and empowered to appropriate to such society or officer thereof making such contribution an amount equal to the moneys so contributed by it or such officer in acquiring such land, such appropriation not to exceed in any event, the sum of \$3,000.

History: 1915 c 140 s 1

COURTS

383C.17 COURTHOUSE BUILDING COMMISSION.

In St. Louis county, the courthouse building commission shall have the authority to assign and reassign space and rooms to the various offices in the courthouses and county office buildings in said county.

History: 1963 c 131 s 1; 1965 c 111 s 1; 1986 c 399 art 1 s 27; 1986 c 416 s 9

383C.171 COURT ADMINISTRATOR OF PROBATE-JUVENILE COURT.

Notwithstanding any other provisions of law to the contrary, effective January 1, 1971, the county board of commissioners of St. Louis county shall set the annual salary of the court administrator of the probate-juvenile court and in an amount not less than the amount paid as compensation for that office on December 31, 1970. The court administrator shall also be entitled to reimbursement for traveling and other expenses in connection with the duties of the office. The salary as set shall not be reduced during the term for which the appointment was made except that in the event a vacancy occurs in such office, the board may set the annual salary in an amount consistent with the duties and responsibilities of such office.

History: 1971 c 223 s 1; 1Sp1986 c 3 art 1 s 82

383C.172 COURTHOUSE CLOSING.

The board of county commissioners of St. Louis county may by resolution close the county courthouse or houses and the public offices therein, except the criminal department of the sheriff's office, on Saturdays and Sundays of each week. In the event the offices of the county are so closed, any and all business that might otherwise be

transacted with any such offices on any such Saturday, including the payment of taxes, may be performed on the next succeeding legal business day without penalty or any loss of personal or property rights.

History: 1959 c 404 s 1

383C.173 CONCILIATION COURT; PERSONAL RECEIVERSHIPS.

A conciliation court which has been established in St. Louis county may upon the petition of a debtor within its jurisdiction appoint the court administrator to act as personal receiver to receive the personal income of the debtor and distribute it to the debtor and the debtor's creditors in the proportions determined by the court. The debtor must be employed for wages or commissions, have debts without an ability to pay them, have no income except that from the employment, and own only property exempt from execution. There must be a reasonable probability that all indebtedness can be discharged in 24 months. The supreme court shall provide by rule for the conduct of the receiverships.

History: 1975 c 142 s 1; 1986 c 444; 1Sp1986 c 3 art 1 s 82

383C.174 COURT COMMISSIONER.

Subdivision 1. **Office abolished.** Notwithstanding provisions of any law to the contrary thereto, in St. Louis county, from and after the first Monday in January, 1967, the office of court commissioner shall be abolished.

Subd. 2. **Fees.** Notwithstanding the provisions of section 357.28, subdivision 2, the court commissioner shall receive the fees provided for in section 357.28, subdivision 1, until such office is abolished.

History: 1965 c 820 s 1; 1986 c 444

383C.175 PROBATION OFFICERS.

Subdivision 1. **Appointment.** The district court judges of St. Louis county shall appoint a chief probation officer and said officer may appoint additional probation officers and clerical help as are necessary with approval of such judges. The county board of such county shall provide the probation department with suitable office rooms throughout the county, record books, blanks, stationery, postage, and other actual expenses required for the proper execution of the purposes as prescribed by Minnesota Statutes Annotated for the year 1957, chapter 260, as amended by Laws 1959, chapter 685, and the following duties as are set forth hereinafter. The personnel now employed in said department shall remain in their positions except the chief probation officer shall be appointed after May 17, 1961.

Subd. 2. **Duties.** The probation officer shall make such investigations as may be directed by any of the judges of the district court of St. Louis county; undertake the supervision of all persons placed on probation or parole by any of the judges of said court; keep accurate records of such supervision; report to the court as to such probation or parole as directed by any of the judges of the court; and perform such other duties as may from time to time be authorized or directed by the judges of said court.

Subd. 3. **Collections.** The probation officer shall make collections of alimony or support money when ordered by any of the judges of said court; collect money in nonsupport, desertion, and abandonment cases when ordered by any of the judges of said court; make collections of money or property when ordered by the court to be paid as restitution or reimbursement; turn over such money or property to the person or persons entitled thereto; and defray the costs of such collection services in whatever manner is approved by the court except that costs of collection shall not be assessed a recipient of an award for restitution or reimbursement.

Subd. 4. **Contempt proceedings.** The probation officer shall institute contempt proceedings, if necessary, in instances where there is reason to believe that failure to make alimony or support payments is a willful disobedience of the order of the court and said contempt proceedings shall be conducted by the county attorney of said county when directed by one of the judges of said court.

Subd. 5. **Investigations.** The probation officer shall make investigations of children and home conditions and exercise supervision over children in such divorce cases as the court may direct.

Subd. 6. **Power of peace officers.** Probation officers shall have the power of peace officers in the execution of their duties. Each probation officer or employee who collects or has the custody of money shall execute a bond with appropriate sureties in a penal sum to be fixed by the judges of said court, at the expense of the county, conditioned for the true accounting of all money received.

History: 1961 c 302 s 1-6; 1978 c 526 s 1

HEALTH AND HOSPITALS

383C.20 HEALTH SERVICES TO SCHOOL PUPILS.

The board of health of St. Louis county may provide public health services to the pupils of all school districts, including the county schools under the operation of the board of education for the unorganized territory of St. Louis county, within the territory served by said board of health, without charge, provided that the services provided shall be only those normally provided for school pupils.

History: 1961 c 715 s 1

383C.201 AMBULANCE SERVICE.

The board of county commissioners of St. Louis county may contract with the owner, owners, or operators of a licensed ambulance upon such terms and conditions as may be agreed upon between them for the use of ambulance service in the county. The board may appropriate all money necessary to carry out the provisions of this section.

History: 1967 c 531 s 1

383C.202 NOPEMING SANATORIUM.

Subdivision 1. **Transfer of duties.** All duties and responsibilities for the care and treatment of tubercular patients heretofore residing with the Nopeming sanatorium commission created by Laws 1953, chapter 291, are transferred to the St. Louis county board of health.

Subd. 2. **Effective date.** The transfer of duties referred to in subdivision 1 shall come into effect on December 31, 1971.

Subd. 3. **Tax levy.** For purposes of financing the continuation of the tuberculosis program, the tax levy shall be in an amount not to exceed three mills. In the event that a deficiency shall exist for the continuation of the program under the mill levy above set forth, the county board is hereby authorized to levy a tax to finance said deficiency to be spread by the county auditor for the ensuing year.

Subd. 4. **Fund.** Any and all funds collected or to be collected by the commission at the time of the transfer shall be placed in a separate fund to be used for capital improvements and maintenance of the facilities at Nopeming.

History: 1971 c 369 s 1-4

383C.203 HOSPITAL AUTHORIZED; ST. LOUIS COUNTY.

Subdivision 1. **Acquisition.** The county board of any county in this state now or hereafter having an assessed valuation of over \$125,000,000, over 150,000 inhabitants, and an area of over 5,000 square miles, may acquire by gift, purchase, exchange, or condemnation proceedings instituted in the name of the county one or more suitable sites, to erect suitable buildings thereon and to equip and maintain the same as hospitals for chronic and convalescent patients without submitting the same to a vote of the people of said county.

Subd. 2. **Tax levy.** In addition to all taxes now authorized, the county board of

any such county may levy a tax for these purposes in an amount not to exceed \$225,000 for the year 1953, the proceeds of which shall be paid into a county hospital fund and shall be expended only when such fund shall have been sufficiently augmented by federal aid for the building of hospitals, to pay the total cost of building such hospitals and pursuant to the provisions of sections 383C.01 to 383C.019.

Subd. 3. Certain levies validated. All levies of taxes heretofore made by the county board for use by the county welfare board for hospital purposes are hereby legalized; the proceeds of such levies shall be transferred and credited to the county hospital fund; the county board is hereby authorized to appropriate and expend the same for the purposes above set forth pursuant to the provisions of sections 383C.01 to 383C.019.

Subd. 4. County board may operate or lease. The county board of any county having acquired sites and erected and equipped buildings for hospital purposes as herein provided, may operate such hospital or hospitals or it may delegate said authority to operate same to some agency of said county, or if the board of county commissioners determines by resolution that it is to the best interest of the county, it may lease to responsible hospital associations, such hospital sites and buildings upon terms it deems advisable.

History: 1949 c 133 s 1-4; 1951 c 388 s 1; 1953 c 285 s 1; 1953 c 388 s 2

HIGHWAYS AND ROADS

383C.23 HIGHWAY LOAD LIMITS.

On all highways under the jurisdiction of the county of St. Louis, if weight and load limitations are imposed by the county board, or the county engineer if so authorized by the board, in accordance with sections 163.02, subdivision 3, and 169.87, no exception shall be made to the weight or load limitations for any vehicles except (1) school buses and (2) public utility vehicles used under emergency conditions, and (3) other vehicles used in an emergency of any nature.

History: 1969 c 425 s 1

383C.231 ST. LOUIS AND ITASCA COUNTIES; REMOVAL OF SNOW.

Subdivision 1. Authority. In any county in this state now or hereafter having a population of not less than 175,000 nor more than 225,000 and having a land area of more than 5,000 square miles, and in any county having over 33,000 and less than 35,000 inhabitants according to the 1950 federal census and an assessed valuation over \$20,000,000, the board of county commissioners of any such county shall have authority and may by resolution provide for removal of snow from roadways as hereinafter provided, and upon such conditions and terms and under such restrictions as the board may deem proper.

Subd. 2. Application. Any person desiring to have snow removed from the person's roadway during the ensuing winter shall on or before August 31st of each year, file a petition in form approved by the county board with said board, providing among other things for the payment of the expense thereof by such person, requesting it to render such service. The county board shall forthwith submit such petition to the county engineer who shall inspect such roadway for the purpose of determining whether or not it would be advisable to permit snow removal equipment to work on said roadway. The determination of the county engineer as to such advisability shall be final and shall not be subject to review. The engineer shall file a report with the county board approving or rejecting the petition, on or before October 31 each year.

Subd. 3. File of petitioners. The board shall, if the report of the engineer is favorable to the removal of snow from such roadway, place the name and address of the petitioners on file and shall forthwith notify each petitioner of such report.

Subd. 4. Equipment not to be used until public highways are cleared. No snow removal equipment shall be used for the purposes of this section unless and until snow

is removed from all roads and highways which the county is charged by law with keeping clear.

Subd. 5. **Regulation.** The manner and number of times which said machinery shall be used on such roadways shall be determined by the county board, and no person shall have the right to compel the removal of snow from any roadway as described in this section.

Subd. 6. **Expenses.** The amount of such expenses shall constitute and be a lien in favor of the county against the land involved, and, unless paid by July first following, shall be certified by the county engineer to the county auditor, and the auditor shall enter same upon the tax books, as an assessment, upon such land and shall be collected in the same manner that other real estate taxes are collected. The amount of such expenses, when collected, shall be used to reimburse the county for its expenditure in this regard.

History: 1937 c 377 s 1-6; 1953 c 172 s 1; 1986 c 444

383C.232 CERTAIN COUNTIES MAY NUMBER STATE AND OTHER ROADS.

That the county board in any county in this state now or hereafter having an assessed valuation of over three hundred million (\$300,000,000) dollars exclusive of money and credits and an area of over five thousand (5,000) square miles is hereby authorized, by resolution duly adopted, to provide a suitable method of numbering or otherwise describing the state roads, county roads and town roads within its boundaries, erecting and maintaining an adequate system of road signs thereon and preparing and causing to be circulated an accurate road map of said county, showing thereon such of said roads as said county board shall deem in the public interest. That said county board may distribute said road maps free of charge, or may sell the same at cost to civic organizations, automobile clubs or other parties desiring to purchase same for circulation. That the expense of any and all such acts and things herein authorized may be paid for by said county board out of the county road and bridge fund and any collections made by said board for any such maps so sold shall be credited to said fund.

History: 1923 c 287 s 1

383C.233 ROAD EQUIPMENT; RENTALS.

Notwithstanding the provisions of any other law to the contrary, the county of St. Louis may enter into rental purchase agreements or conditional sales agreements for the acquisition of road equipment, provided that under such agreements the seller is confined to the remedy of recovery of property in case of nonpayment of all or part of the purchase price, which shall be payable over a period not to exceed five years.

History: 1971 c 224 s 1

LAKES AND RIVERS

383C.26 IMPROVEMENT OF RECREATIONAL FACILITIES.

In St. Louis county the board of county commissioners may appropriate and expend from the general revenue fund, such amount, not to exceed \$15,000 annually, as it shall determine for the following purposes:

- (1) for the improvement of trails and portages on established canoe and boat routes dedicated to public use lying wholly or partially within the county;
- (2) for the cleaning, deepening, widening and straightening of the bed of any river or creek to prevent flooding of lands; and
- (3) to improve navigable lakes within the county and to mark by buoys and other means, reefs and shallow places in such lakes.

The powers enumerated in this section shall be exercised in accordance with the requirements, if any, of chapter 110.

History: 1969 c 434 s 1,3

383C.261 WATER IMPROVEMENTS.

The board of county commissioners in any county in the state of Minnesota now or hereafter having a population of more than 150,000, and not more than 240,000, inhabitants, and an area of more than 5,000 square miles, is hereby authorized to appropriate and expend out of the revenue fund of said county a sum not exceeding \$10,000 annually in addition to any unexpended appropriation heretofore authorized for the improvement of navigable lakes and streams lying wholly or partly within such county, which improvement may include the marking of dangerous reefs and shallow places in said lakes with proper buoys.

History: 1939 c 42 s 1

LIQUOR**383C.29 ANGORA TOWNSHIP; OFF-SALE LICENSE.**

Notwithstanding any law to the contrary, the county board of St. Louis county may issue an off-sale liquor license to an establishment located within Angora Township, with the approval of the commissioner of public safety. The fee for the license shall be fixed by the county board in an amount not to exceed \$500. A license issued pursuant to this section shall otherwise be governed by chapter 340.

History: 1983 c 337 s 3

383C.291 INTOXICATING LIQUOR; ON-SALE LICENSES.

The county of St. Louis may issue five licenses and the county of Koochiching may issue two licenses for the on-sale of intoxicating liquor. Licenses authorized by this section shall be in addition to the number authorized by section 340.11, subdivision 10, or Laws 1973, chapter 566. The provisions of section 340.11, subdivision 10 shall otherwise govern licenses issued pursuant to this section.

History: 1974 c 333 s 1

383C.292 COMBINATION LIQUOR LICENSES.

Subject to the provisions of Minnesota Statutes, section 340.11, subdivision 10, and other applicable provisions of the intoxicating liquor law, the county boards of each of the counties of St. Louis, Koochiching, and Itasca may issue combination licenses for the on-sale and off-sale of intoxicating liquor in unorganized or unincorporated areas. No combination license shall be issued to an establishment which is located less than three miles by the most direct route from a municipality which contains an establishment possessing an off-sale liquor license. The fee charged for such licenses shall be competitive with similar license fees in comparable areas for combination on-sale and off-sale licenses. Any license issued pursuant to this section shall be included within the maximum number of licenses authorized by section 340.11, subdivision 10. No holder of a combination license issued pursuant to this section shall continue to operate an off-sale business after discontinuance of the on-sale portion of the business.

History: 1973 c 556 s 1; 1974 c 200 s 1; 1986 c 444

383C.293 SEASONAL TERM ON-SALE LIQUOR LICENSES.

In addition to the number of licenses permitted pursuant to Minnesota Statutes, section 340.11, subdivision 10, the county board of St. Louis county may issue not more than ten seasonal on-sale licenses for the sale of intoxicating liquor. The fee for such licenses, which shall be valid for a specified period of not to exceed six months, shall be fixed by the county board. Not more than one license shall be issued for any one premises during any consecutive 12-month period. All other provisions of section 340.11, subdivision 10 governing the issuance of licenses and of chapter 340 governing the sale of intoxicating liquor shall apply to a license issued pursuant to this section.

History: 1973 c 663 s 1; 1974 c 335 s 1

PURCHASING AGENT

383C.33 OFFICE OF PURCHASING AGENT ESTABLISHED.

The county board of St. Louis county shall establish the office of purchasing agent and, in accordance with any civil service regulations which may be in effect in such county, shall appoint a qualified person to fill such office. Prior to appointment the purchasing agent shall have had at least two years' experience in an executive capacity in the purchasing office of a private or public corporation of representative size. The purchasing agent shall give bond in such amount as shall be prescribed by the county board, which shall also fix the salary, pursuant to the rules and regulations of said county's civil service law. The purchasing agent shall hold office until a successor is appointed or until the agent resigns or is removed in the manner provided by civil service regulations which may be in effect in such county. The county purchasing agent shall have power, in accordance with such civil service regulations as may be in effect in such county, to appoint and to remove assistants, to prescribe their duties, and to fix their salaries within the limits of the appropriation and schedule therefor.

History: 1943 c 237 s 1; 1961 c 319 s 1; 1986 c 444

383C.331 DUTIES OF PURCHASING AGENT.

The county purchasing agent of any such county shall:

(a) purchase or contract for all supplies, materials, equipment and contractual services required by any department, board, commission, or agency of the county government, subject to the provisions set forth in sections 383C.33 to 383C.34;

(b) enforce standard specifications established in accordance with section 383C.339 and which shall apply to all supplies, materials and equipment purchased for the use of the county government;

(c) negotiate leases for all grounds, buildings, office or other space required by all county departments, boards, commissions, or agencies;

(d) have charge of all central storerooms now operated by, or hereafter established by the county government or any department, board, commission, or agency thereof;

(e) transfer to or between county departments, boards, commissions, and agencies, or sell supplies, materials, and equipment which are surplus, obsolete, or unused; and

(f) establish and operate a central duplicating and mailing room for the county departments, boards, commissions, and agencies at the county seat.

History: 1943 c 237 s 2; 1961 c 304 s 1; 1986 c 444

383C.332 DEFINITIONS.

The terms "supplies," "materials," and "equipment" as used throughout sections 383C.33 to 383C.34 shall be construed to mean any and all articles or things which shall be furnished to or used by any department, institution, office, board, commission, or other agency of the county government including any and all printing, binding and publication of stationery, forms, laws, journals and reports. The term "contractual services" shall be construed to mean any and all telephone, gas, water, electric light and power service; towel and cleaning service, insurance; and the rental repair or maintenance of equipment, machinery, and other county-owned personal property. Except as otherwise provided in sections 383C.33 to 383C.34, any and all supplies, materials, equipment or contractual services needed by one or more departments or agencies of the county government shall be directly purchased or contracted for by the county purchasing agent, in accordance with rules and regulations adopted pursuant to section 383C.333.

History: 1943 c 237 s 3

383C.333 RULES AND REGULATIONS.

The county purchasing agent of any such county, subject to the approval of the

county board, shall adopt, promulgate, and from time to time amend, rules and regulations for the following purposes:

(a) authorizing in writing, any department, board, commission, or agency of the county government to purchase directly, without the intervention of the county purchasing agent, certain specified supplies, materials, equipment or contractual services, and describing the manner in which such purchases shall be made;

(b) authorizing, in writing, any department, board, commission, or agency of the county government to purchase any supplies, materials, equipment, or contractual services in the open market for immediate delivery in emergencies, defining such emergencies, and describing the manner in which such purchases shall be made and afterwards reported to the county purchasing agent;

(c) prescribing the manner in which supplies, materials and equipment shall be purchased, delivered, stored, and distributed;

(d) prescribing the dates for submitting requisitions and estimates, the future period which they are to cover, the form in which they shall be submitted, the manner of their authentication, and their revision by the county purchasing agent;

(e) prescribing the manner of inspecting all deliveries of supplies, materials, and equipment, and of making chemical and physical tests of samples submitted with bids and samples of deliveries to determine compliance with specifications;

(f) requiring monthly reports by county departments, boards, commissions, and agencies of stocks of surplus, obsolete, or unusable supplies, materials, and equipment on hand and prescribing the form of such reports;

(g) providing for the transfer to or between county departments, boards, commissions, and agencies of supplies, materials, and equipment which are surplus with one department, board, commission, or agency but which may be needed by another or others, and for the disposal by sale, after receipt of competitive bids, of supplies, materials and equipment which are obsolete and unusable;

(h) determining whether a deposit or bond is to be submitted with a bid on a purchase contract or sale, and if required, prescribing the amount and form thereof and providing that such surety shall be forfeited if the successful bidder refuses to enter into contract within ten days after the award;

(i) prescribing the procedure and the form for securing from bidders and prospective bidders the data necessary to determine whether or not they are responsible;

(j) prescribing the manner in which invoices for supplies, materials, equipment and contractual services delivered to any and all departments, boards, commissions, and agencies of the county shall be submitted, examined, and approved; and

(k) providing for such other matters as may be necessary to give effect to the foregoing rules and the provisions of sections 383C.33 to 383C.34.

History: 1943 c 237 s 4

383C.334 PURCHASES; CONTRACTS; LIMITATIONS.

All purchases of, and contracts for, supplies, materials equipment or contractual services, and all sales of personal property which has become obsolete and unusable, shall be based wherever possible on competitive bids. If the amount of the expenditure or sale is estimated to exceed \$1,000, sealed bids shall be solicited by public notice inserted at least once in a newspaper of general circulation and at least five calendar days before the final date of submitting bids. Such notice shall include a general description of the commodities or contractual services to be purchased, or personal property to be sold, and shall state where bid blanks and specifications may be obtained and the time and place for the opening of bids. The county purchasing agent shall also solicit sealed bids by sending requests by mail to prospective suppliers and by posting notice on a public bulletin board in the purchasing agent's office.

All purchases or sales of less than \$1,000 in amount shall be made in the open market without newspaper notice, but shall wherever possible be based on at least three competitive bids.

Sales shall be made to the highest responsible bidder.

Bids on purchases shall in all cases be based on such standard specifications as may be adopted by the board of standardization in accordance with the provisions of section 383C.339. The purchasing agent shall accept the lowest bid and award the contract to such lowest bidder unless the agent on account of the quality or character of the goods, materials, or supplies proposed to be furnished by the lowest bidder or because of the financial responsibility and reputation of said bidder, deems it not to the best advantage of the county to accept such bid, and, in the case of capital expenditures, the agent shall present to the county board, or to the interested board or commission, as the case may be, a written statement of the reasons why such lowest bid should not be accepted and shall advise the appropriate body which bid in the purchasing agent's judgment is to the best advantage of the county, and the county board or such interested board or commission, may thereupon concur with the agent to accept the recommended bid or reject all bids. All bids may be rejected and new bids solicited if the public interest shall be served thereby. If all bids received on a pending contract are for the same unit price or total amount, the county purchasing agent shall have authority to award the contract to one of the tie bidders by drawing lots in public, or to reject all bids and to purchase the required supplies, materials, equipment or contractual services in the open market, provided the price paid in the open market shall not exceed the lowest responsible bid. It shall be the duty of the purchasing agent to discourage uniform bidding and to endeavor to obtain as full and open competition as possible on all purchases and sales. Each bid, with the name of the bidder, shall be entered on a record, and each record with the successful bid indicated thereon, shall, after the award of the order or contract, be open to public inspection.

All contracts shall be approved as to form by the county attorney and a copy of each contract shall be filed with the county auditor of any such county.

History: 1943 c 237 s 5; 1961 c 304 s 2; 1967 c 563 s 1; 1986 c 444

383C.335 NOT TO ISSUE ORDERS WITHOUT FUNDS.

Except in emergency, no valid order for delivery on a contract or open market purchase shall be issued until the county auditor of any such county shall have certified in conformity with law that the unencumbered balance in the appropriation or appropriations concerned in excess of all unpaid obligations, is sufficient to defray the amount of such order.

History: 1943 c 237 s 6

383C.336 OPEN MARKET PURCHASES.

The county purchasing agent may authorize, in writing any department, board, commission, or agency of any such county government to purchase in the open market, without filing requisition or estimate, any supplies, materials, or equipment for immediate delivery to meet actual emergencies arising from unforeseen causes, including delays by contractors, delays in transportation, and unanticipated volume of work. A full written account of the circumstances necessitating any such emergency purchase, together with a requisition and a record of the competitive bids upon which the emergency delivery was secured, shall be submitted at once to the county purchasing agent by the head of the using agency concerned. The records of such transaction shall be open to public inspection.

History: 1943 c 237 s 7

383C.337 PURCHASES AND CONTRACTS VOID.

Whenever any department, board, commission or agency of any such county government shall purchase or contract for any supplies, materials, equipment or contractual services contrary to the provisions of sections 383C.33 to 383C.34 or the rules and regulations made thereunder, such order or contract shall be void and of no effect. The head of such department, board, commission or agency shall be personally

liable for the costs of such order or contract, and, if already paid for out of county funds, the amount thereof may be recovered in the name of the county in an appropriate action instituted therefor.

History: 1943 c 237 s 8

383C.338 CONFLICT OF INTEREST.

Neither the county purchasing agent, nor any member of the agent's office staff, nor any member of the board of standardization created by sections 383C.33 to 383C.34, shall be financially interested, or have any personal beneficial interest, either directly or indirectly, in any contract or purchase order for any supplies, materials, equipment or contractual services furnished to or used by any department, board, commission or agency of the county government. Nor shall such purchasing agent, member of the staff, or member of the board of standardization accept or receive, directly or indirectly, from any person, firm, or corporation to which any contract or purchase order may be awarded, by rebate, gifts, or otherwise, any money or anything of value whatsoever, or any promise, obligation, or contract for future reward or compensation. Any violation of this section shall be deemed a felony and shall be punishable by fine or imprisonment, or both.

History: 1943 c 237 s 9; 1986 c 444

383C.339 BOARD OF STANDARDIZATION.

There shall be in each such county a board of standardization which shall be composed of the chair of the board of county commissioners, the county highway engineer, the chief administrative officer of each county activity which is placed by law under the control of any board or commission other than the county board, and the county purchasing agent who shall be chair of such board. The members of this board shall serve without additional compensation.

It shall be the duty of the board of standardization to classify the requirements of the county government for supplies, materials, and equipment; to adopt as standards the smallest number of qualities, sizes, and varieties of such supplies, materials, and equipment consistent with the efficient operation of the county government; and to prepare, adopt and promulgate written specifications describing such standards.

In the preparation and revision of any such standard specification, the board of standardization shall seek the advice, assistance and cooperation of the county departments, boards, commissions and agencies concerned, to ascertain their requirements. The board of standardization shall have power to make use of the laboratory and engineering facilities of the county government and the technical staffs thereof in connection with its function of preparing and adopting standards and written specifications. Each specification adopted for any commodity shall, insofar as possible, satisfy the requirements of the majority of the county departments, boards, commissions and agencies which use the same. All specifications must be definite and certain and permit of competition. After its adoption, each standard specification shall, until revised or rescinded, apply alike in terms and effect to every future purchase and contract for the commodity described in such specification.

History: 1943 c 237 s 10; 1986 c 444

383C.34 ANNUAL REPORT.

The county purchasing agent shall submit to, and at the time prescribed by the county board, an annual report on the work of the agent's office, and may, from time to time, suggest changes in sections 383C.33 to 383C.34 which the purchasing agent deems necessary.

History: 1943 c 237 s 11; 1986 c 444

ROADS AND BRIDGES

383C.36 COUNTY BOARD MAY EXPEND COUNTY FUNDS WITHIN CITY LIMITS.

Any county of this state, now or hereafter having a population of 150,000 or over, and an area in excess of 5,000 square miles, the board of county commissioners shall have the authority to appropriate and expend within the limits of any city of the first class located in such county such sum or sums of money from the county road and bridge fund, as said board shall deem proper, not exceeding one-half the amount that may have been assessed and collected for such road and bridge fund on the taxable property within said city, for the building, repairing, maintaining, or otherwise improving of any road, highway, street or avenue, including the construction and repairing of any bridge thereon, within the limits of any such city, but said county shall in no event and under no circumstances become liable to keep up or maintain the roads, highways, streets, avenues or bridges, or any of them within the limits of such city, constructed, repaired or otherwise improved by said county board, or be liable in any manner for their want of repairs.

History: 1943 c 376 s 1; 1949 c 572 s 1

383C.361 COUNTY BOARD; APPOINTMENT OF CLERKS.

Subdivision 1. Authority. That in any county in this state, now or hereafter having an area of more than 5,000 square miles and an assessed valuation, exclusive of money and credits, of more than \$300,000,000, the county board of such county shall have authority to appoint and employ one or more persons, electors of such county, to act as clerk or accountant for the county commissioner to whom assigned by the county board, the duties of which clerk or accountant shall be keeping of a complete and accurate record of all road and bridge funds apportioned to that commissioner's district; of all tools, machinery, equipment, supplies and other property of the county used in road and bridge building in such district; of all appropriations made to the various roads and bridges in such district; the keeping of the time of the various employees working under road supervisors and the preparation of time checks for issuance to the worker's and for teams employed under said supervisors; and the performance of such other services in connection with county road and bridge work as said county board shall from time to time by resolution direct.

Subd. 2. Appointment; compensation. That the appointment and employment of any such clerk or accountant herein authorized, shall be made only by resolution of the county board duly adopted and entered in its proceedings and such resolution shall fix the compensation of such clerk or accountant, specify the commissioner's district for which the clerk shall act, and provide for the payment of compensation out of the county road and bridge fund of said county allotted to such county commissioner's district, at the same time and in the same manner as other county officers and employees are paid in any such county.

Subd. 3. May act for two districts. Such clerk or accountant may be appointed to act for any two or more county commissioner's districts and the salary and other expenses of such clerk or accountant shall be apportioned by the county board on an equitable basis to the road and bridge fund of each of such districts and that in no event, however, shall the county board appoint and employ more than one such clerk or accountant for any county commissioner's district.

History: 1923 c 99 s 1-3; 1986 c 444

383C.362 ARTERIAL ROADS AND BRIDGES; COUNTY ROAD AND BRIDGE FUND.

In any county in this state now or hereafter having a population in excess of 150,000 and an area in excess of 5,000 square miles, a portion of the cost of constructing and reconstructing arterial and semiarterial roads, streets, avenues, and highways, including bridges thereon, in any city or village situated in such county, shall be paid out of the county road and bridge fund.

On or before October 1 in each year the governing body of any such city or village may cause to be filed with the county auditor, for presentation to the county board, its program for the construction and reconstruction of arterial or semiarterial roads, highways, streets, and avenues for the ensuing year. Such program shall certify the amount which the city or village will spend in support of such program, which shall not be less than the cost of all intersections and storm sewers involved in the work. Such program with respect to each project shall certify the portion of the cost which is to be assessed against the abutting or benefiting (benefited) property, which shall not be less than the cost of constructing 26 feet of the total width of the proposed street or highway with respect to original construction, and shall not be less than the cost of reconstructing or resurfacing 13 feet of the total width when the project calls for reconstruction or resurfacing, except when such an assessment against any lot, tract, or parcel exceeds the benefit to the property.

Upon receiving such a program and certification approved by the county highway engineer and finding it in order the county board shall include within its budget for road and bridge fund purposes for the next ensuing year the balance of the estimated cost of the program. The maximum amount which shall be budgeted or allocated out of the county road and bridge fund for all such projects in any year shall not exceed \$200,000, nor shall anything herein contained authorize a tax levy for the county road and bridge fund in excess of the maximum provided by law. Whenever the total projects submitted exceed the maximum amount authorized, the county board shall select those which shall be included for that year. Such funds shall remain allocated and appropriated for the aforementioned projects and carried over from year to year until their purpose is completed, abandoned, or until reallocated and reappropriated to another project submitted by the city and approved by the county board.

Such city or village is thereupon authorized to proceed with the work planned either by day labor or contract, and to bill the county for its portion of the cost of such jobs upon their completion, provided, however, that the county board may make advances to the city or village as the work progresses.

History: 1949 c 514 s 1,2

383C.363 ROAD AND BRIDGE FUNDS.

Subdivision 1. **Authority.** The board of county commissioners of St. Louis county may allocate and encumber into a special fund known as the "Special Construction Fund" all sums remaining unexpended and unallocated in the road and bridge fund at the end of each year and carry said moneys in said "Special Construction Fund" from year to year, said funds to be expended by the said board for major emergency or special need road projects.

Subd. 2. **Budget procedure inapplicable.** The provisions of sections 383C.01 to 383C.019, as amended, shall not apply to any fund created under this section.

History: 1963 c 501 s 1,2

SCHOOLS

383C.39 EDUCATION; SCHOOL DISTRICTS; UNORGANIZED TERRITORIES.

Sections 122.41 to 122.46 shall not apply to that unorganized territory of St. Louis county which was organized into independent school district No. 710 pursuant to resolution of the St. Louis county board of commissioners June 23, 1970, as amended.

History: 1973 c 731 s 1

383C.391 [Repealed, 1986 c 466 s 3]

383C.392 GRANTS FOR HOT LUNCHES IN CERTAIN RURAL SCHOOLS.

Subdivision 1. **St. Louis county grants.** In St. Louis county, the social services

board shall award grants each year for St. Louis county school district No. 710 to carry on a nutrition program in the schools and to provide hot lunches for needy school children. The total amount of the grants shall be not more than \$20,000. The county shall appropriate the amount needed each year from the general fund to the social services department.

Subd. 2. **Administration.** A committee of the chair of the county board, chair of the social services board, county health officer, and the superintendent of St. Louis county school district No. 710 shall award the grants. The committee shall establish the time and manner of grant applications and the criteria for awarding grants. The committee shall recommend to the social services board recipients for the grants and the recommended amount for each grant.

History: 1986 c 466 s 2

SHERIFF AND LAW ENFORCEMENT

383C.42 JUVENILE DETENTION CENTERS; TAX LEVY.

Subdivision 1. **Authority.** To provide necessary funds to construct and maintain county or regional juvenile detention and/or treatment centers and to provide matching funds for any federal, state or regional grant, the county boards of St. Louis, Carlton, Cook, Lake, Itasca, Koochiching and Aitkin counties may levy annually upon all taxable property in their respective counties, a special tax in excess of any millage, per capita, or other statutory limitation, but such levy shall not exceed 1-1/2 mills.

Subd. 2. **No preclusion.** This section shall in no way preclude the use of any other funds available for this purpose under any existing state statute or any county ordinance or resolution.

Subd. 3. **Tax anticipation certificates.** To expedite construction and to avoid loss of federal or state funds, the counties may sell tax anticipation certificates or certificates of indebtedness against a levy to be made under this section or against a levy that has been made but which has not been collected.

History: 1971 c 592 s 1-3

383C.421 SPECIAL INVESTIGATOR.

Subdivision 1. **Authority.** The county attorney of St. Louis County shall have authority to appoint, with the approval of the county board, a special investigator whose compensation shall be set by the county board and who shall be allowed necessary expenses and mileage incurred in connection with the employment as investigator.

Subd. 2. **Salary.** The county welfare board is authorized to pay from welfare funds, the proportionate share of the salary and expenses incurred on county welfare board matters as determined by the county attorney.

Subd. 3. **Validation.** The appointment heretofore made of an investigator on the staff of the St. Louis county attorney, and the payment of compensation and expenses as approved by the county board is hereby validated and declared to be legal.

History: 1967 c 134 s 1-3; 1986 c 444

383C.422 BONDS.

In every county in this state having an area of more than 5,000 square miles, a population of more than 150,000 and having deputy sheriffs appointed by the sheriff of said county, under the rules and regulations of the civil service commission of said county, the county board of said county is hereby authorized to bond such deputy sheriffs as the sheriff requests at the expense of the county; when such deputies are so bonded, the sheriff shall be relieved of all financial responsibility for the acts of said deputies.

History: 1955 c 368 s 1

383C.423 TRANSPORTATION FOR SHERIFF AND DEPUTIES.

Subdivision 1. **Authority.** That in any county of this state now or hereafter having a population of over 150,000 inhabitants and an area of over 5,000 square miles, the county board is hereby authorized to provide and maintain at the expense of the county by purchase or hire of automobiles or other means of transportation, transportation facilities for the use of the members of the county board and of the sheriff and sheriff's deputies while engaged in the performance of the duties of their respective offices, and are hereby authorized to maintain such transportation facilities as such board shall deem to be for the best interest of said county. The providing of such transportation and the means thereof by the county board of such county shall be in addition to the allowance now provided by law for any such county officer for annual expenses.

Subd. 2. **Payments legalized.** Any payments heretofore made by any such county board for the purchase or maintenance of automobiles for the use of the county board, sheriff or county road engineers are hereby legalized.

History: 1921 c 371 s 1,2; 1986 c 444

383C.424 UNIFORM CLOTHING ALLOWANCE.

In any county of this state now or hereafter having an area in excess of 5,000 square miles and a population of more than 150,000, the board of county commissioners shall appropriate money and pay each deputy sheriff in uniform a clothing allowance of \$15 per month.

History: 1951 c 208 s 1; 1957 c 157 s 1

383C.425 VOLUNTEER RESCUE SQUAD.

The board of county commissioners of St. Louis County may authorize the sheriff and any volunteer rescue squad of said county to enter into an agreement to aid and assist the sheriff in auto accidents, rescue work, and other duties of a similar nature; to appropriate money and expend same to carry out the purposes of the agreement including maintenance and replacement of equipment used in said service, but the final agreement must be approved by the said county board.

History: 1959 c 53 s 1

SURVEYOR AND SURVEYS**383C.45 SURVEYOR'S SALARY.**

The salary of the county surveyor in St. Louis county shall be in such amount as the board of county commissioners may fix.

History: 1965 c 595 s 1

383C.451 RESURVEYS.

Whenever it shall be made to appear to the satisfaction of the county board that any section post or quarter-section post or other monuments originally fixed and established by the United States in its surveys of the public lands to mark section, quarter-sections and meandered corners have been destroyed or are becoming obscure, the county board may employ a competent surveyor or may direct the county surveyor to relocate and re-establish the same. Such surveyor shall mark each corner re-established by a sufficient iron or stone landmark and make full and accurate notes and data from which the entire survey can be located, and shall file a certified copy of the same and a map of the same in the office of the county recorder. Such landmarks shall be prima facie evidence that the points where they are located are the section, quarter-section or meandered corners, as the case may be, established by the original United States survey. Before said county board shall employ a surveyor, or direct the county surveyor to relocate and re-establish any such section, quarter-section or meandered corner, the party applying to said board to have the said work done under the direction

of said board shall execute and file with the county auditor of said county a good and sufficient bond or undertaking, with sufficient sureties to be approved by the county board, conditioned to pay to said county forthwith on the completion of said survey and the making of full and accurate notes and data from which the entire survey can be relocated, and the filing of a certified copy thereof and the map of said survey in the office of the county recorder, the cost of making the said survey and plat thereof as fixed by said board, and no county board shall order any such survey to be made until such bond or undertaking shall be so filed.

History: 1923 c 441 s 5; 1976 c 181 s 2; 1986 c 444

383C.452 PETITION FOR RESURVEY.

That on the petition of any town board in the case of a township, or at least two taxpayers owning land in any section in the case of a section, filed with the county auditor praying therefor, the county board may cause any such township or section be surveyed or subdivided.

History: 1923 c 441 s 6

383C.453 HEARING ON PETITION.

At its next regular meeting after such petition is filed, the county board shall fix a time and place of meeting to consider the same, of which three weeks published notice, containing the substance of the petition, a description of the lands to be affected and the names of the owners thereof as they appeared in the last tax duplicate shall be given. Such notice shall also be personally served on each occupant of land to be affected by such survey.

History: 1923 c 441 s 7

383C.454 SURVEY MAY BE ORDERED.

Upon the hearing of such petition all parties interested may appear and be heard and the board may grant or reject the application. If granted, it shall appoint a competent surveyor to make a survey, with whom a written contract for the performance of the work shall be made, secured by a sufficient bond executed by such surveyor and approved by such board. Two weeks published notice of the appointment of such surveyor specifying the date when the survey will be begun shall be given. At the time so appointed the work shall be begun and shall continue without unnecessary delay until completed.

History: 1923 c 441 s 8

383C.455 SURVEYOR TO KEEP FIELD NOTES.

Such surveyor shall keep complete and accurate field notes of all the work, giving dates, names of assistants, lengths and relative directions of all lines, a full description of the evidence by which corners are located, and full data by which the entire survey can be relocated. Distances shall be given in feet and decimals thereof. Substantial iron or stone monuments shall be planted at or near all government corners re-established, and the names of at least three resident witnesses must be given in such notes for each monument. The surveyor shall make a plat upon a strong linen paper, showing all the above-mentioned facts, so far as practicable, and also all tracts of land affected, with the name of the owner and acreage of each tract. Such plat shall have endorsed thereon the affidavit of the surveyor to the effect that such survey and plat are correct and accurate.

History: 1923 c 441 s 9; 1986 c 444

383C.456 PLAT AND FIELD NOTES TO BE FILED.

If the board approves the plat, its certificate of approval, signed by the chair, shall be endorsed thereon, and thereupon the plat and field notes shall be filed in the office

of the county recorder, and shall be prima facie evidence that the survey is correct. The surveyor shall pay to the recorder \$1 for filing and recording said plat and field notes.

History: 1923 c 441 s 10; 1981 c 181 s 2; 1986 c 444

383C.457 EXPENSE OF SURVEY.

The surveyor shall thereupon make a certified report to the board, showing in detail the entire expense of such survey, which shall be equitably apportioned and assessed by the board to the several tracts affected, which expense may include a reasonable attorney's fee for attending to such proceeding.

History: 1923 c 441 s 11

383C.458 NOTICE OF ASSESSMENT FOR EXPENSE.

Upon making such assessment, the board shall forthwith cause one week's published notice thereof to be given. Such notice shall contain a description of each tract of land affected, and specify the amount assessed against the same, the name of the supposed owner, and the time and place of meeting of the board to correct and confirm such assessment. At the time and place so fixed, the board, after making all proper corrections and adjustments, shall make an order confirming such assessment.

History: 1923 c 441 s 12

383C.459 EXPENSE TO BE ASSESSED AGAINST LAND.

Upon the filing of such order of confirmation, the county auditor shall enter upon the tax duplicate for the current year, against each such tract of land, the amount so assessed against the same, which shall be collected as other taxes, and go into the county revenue fund.

History: 1923 c 441 s 13

383C.46 EXPENSE TO BE PAID FROM COUNTY REVENUE FUND.

After the filing of the order of confirmation, the expense of such survey, not exceeding the amount of the assessment, shall be paid out of the general revenue fund of the county in the same manner as other claims.

History: 1923 c 441 s 14

383C.461 APPEAL TO DISTRICT COURT.

Appeals from the order of confirmation may be taken to the district court by any person aggrieved, in like manner as from the determination of the board in laying out roads. On such appeal the court may inquire into and review all matters relating to the survey or assessment or expenses affecting the party appealing, which are specified in the notice of appeal.

History: 1923 c 441 s 15

383C.462 NOT TO AFFECT AGREED LINES OR ROADS.

Nothing herein shall be construed to authorize the change of any line fixed by agreement of landowners or of any traveled road.

History: 1923 c 441 s 16

383C.463 COUNTY BOARD MAY CONTRACT.

That the county board, if it shall grant the petition for any survey or subdivision of any township or section as herein provided, may appoint the county surveyor of said county in lieu of any other competent surveyor to make the survey petitioned for, and if such county surveyor shall be appointed as the surveyor, it shall not be necessary to make a written contract for the performance of said work. That all the expenses of such survey as made under the direction of said county surveyor, including the value of

services as fixed by the county board and a reasonable attorney's fee if one be employed to attend to the legal work in connection with such survey, by either the county surveyor or other surveyor, also to be fixed by said county board, shall be equitably apportioned and assessed by the county board to the several tracts of land affected, in the same manner as though incurred by a surveyor other than the county surveyor.

History: 1923 c 441 s 17; 1986 c 444

TAXATION

383C.48 EXEMPTION FROM PROPERTY TAX FOR LEASED PROPERTY.

Property leased from independent school district No. 692 by a nonprofit organization established for the purpose of providing services and rental space to community organizations and businesses and which donates its revenues that exceed its operating and maintenance costs and necessary reserves to the school district or to a community service fund to be used for educational and recreational purposes within the district, shall not be subject to taxation pursuant to section 272.01, subdivision 2 prior to the leasing or renting of the property from the nonprofit organization to a tenant.

History: 1983 c 342 art 12 s 1

383C.481 ABATEMENT OF PROPERTY TAXES.

The county board of St. Louis county may abate any property taxes or order the refund of any property taxes if, due to an error or delay in processing or certifying the tax, an incorrect tax is calculated or certified by the county auditor and the county board finds that the owner of the property has justifiably relied on the calculation or certification of the tax by the county auditor and that payment of the tax as recalculated or recertified would be unjust. The board shall abate the taxes only upon the written application of the owner. The application must be approved by the county auditor.

Notwithstanding section 270.07, the order of the commissioner of revenue shall not be required for abatement of taxes under this section. Abatement of taxes under this section shall be in addition to the method provided in section 270.07.

History: 1983 c 342 art 17 s 1,2

383C.482 TAX SEARCH CERTIFICATES.

Subdivision 1. Auditor to search records; certificates. In any county having an area in excess of 5,000 square miles and a population in excess of 150,000, the county auditor, upon written application of any person, shall make search of the records of the auditor's office and the county treasurer's office, and ascertain the amount of current tax against any lot or parcel of land described in the application and the existence of all tax liens and tax sales as to such lot or parcel of land, and certify the result of such search under the seal of office, giving the description of the lot or parcel of land, the amount of the current tax, if any, and all tax liens and tax sales shown by such records, and the amount thereof, the year of tax covered by such lien, the date of tax sale, and the name of the purchaser at such tax sale. For the purpose of ascertaining the current tax against such lot or parcel of land, the county auditor has the right of access to the records of current taxes in the office of the county treasurer.

Subd. 2. Fees. For such certificate the county shall receive a compensation of \$2 for each lot or parcel of land described in the certificate, which shall be collected by the county auditor. Any number of contiguous tracts of land not exceeding one section, assessed as broad acres, or adjoining lots in the same block, in the city or village, shall be considered as one parcel of land or lot within the meaning of this section. All moneys received by the county auditor under this section shall immediately be paid to the county treasurer as hereinafter provided.

Subd. 3. Tax certificate assurance fund. In each county described in subdivision 1 hereof, there is hereby created in the county treasury a tax certificate assurance fund.

Subd. 4. Apportionment of proceeds of fees. Seventy-five cents of each dollar

received under this section shall be paid by the county auditor to the credit of the general revenue fund and 25 cents of each dollar so received shall be paid to the credit of the tax certificate assurance fund. Upon request by the county auditor, the county treasurer, with approval of the board, shall invest the moneys in the tax certificate assurance fund in bonds of the United States of America, or bonds or tax anticipation certificates of the state of Minnesota or of any county or municipality thereof. The county treasurer upon request by the county board shall render a full and detailed report showing all receipts and disbursements not theretofore reported, all investments on account of the fund and all assets on hand. When additional moneys may be needed in said fund, the county treasurer, upon request by the county auditor, approved by the county board, is authorized and directed to sell such bonds or tax anticipation certificates belonging to the fund as may be necessary to provide the moneys needed for disbursement.

Subd. 5. Claims for damages. Any person who without negligence sustains any loss or damage by reason of any omission or mistake of the county auditor or a deputy thereof in a certificate made under authority of this section, may make a claim in writing to the county board setting forth in detail all the facts from which the claim arises, and the amount of loss or damage claimed. The county board shall investigate the claim and may order payment to the claimant, by reason of the claim, of such sum of money from the tax certificate assurance fund as it may deem proper. Acceptance of such payment by the claimant is payment in full of all claims for loss or damage against the county, the county auditor and the auditor's deputies arising out of the tax certificate upon which the claim is predicated.

History: 1955 c 633 s 1; 1978 c 468 s 1; 1986 c 444

TAX-FORFEITED LANDS

383C.52 TAX-FORFEITED LANDS; APPORTIONMENT OF PROCEEDS.

In St. Louis County, the net proceeds from the sale or rental of any parcel of forfeited land, or from sale of any products therefrom, shall be apportioned by the county auditor to the taxing districts interested therein, as follows:

(1) Such portion as may be required to pay any amounts included in the appraised value under Minnesota Statutes, section 282.01, subdivision 3, as representing increased value due to any public improvement made after forfeiture of such parcel to the state, but not exceeding the amount certified by the clerk of the municipality, shall be apportioned to the municipal subdivision entitled thereto;

(2) Such portion of the remainder as may be required to discharge any special assessment chargeable against such parcel for drainage or other purpose whether due or deferred at the time of forfeiture, shall be apportioned to the municipal subdivision entitled thereto;

(3) Any balance shall be apportioned as follows:

(a) Any county board may annually by resolution set aside not exceeding 20 percent of the receipts remaining to be used for timber development on tax-forfeited land and dedicated memorial forests, to be expended under the supervision of the county board. It shall be expended only on projects approved by the commissioner of conservation.

(b) If the board does not avail itself of the authority under paragraph (a), any balance remaining shall be apportioned as follows: county, 40 percent; town, village or city, 20 percent; and school district, 40 percent, and if the board avails itself of the authority under paragraph (a) the balance remaining after such 20 percent has been deducted shall be apportioned among the county, town, village or city, in the proportions in this paragraph above stated, provided, however, that in unorganized territory that portion which should have accrued to the township shall be administered by the county board of commissioners.

History: 1955 c 826 s 1; 1969 c 797 s 1

383C.521 TAX-FORFEITED LANDS; LEASE.

Subdivision 1. For the purpose of promoting development and use of the timber resources in the county of St. Louis, the county auditor thereof as directed by the county board thereof, may lease for a period not exceeding 50 years subject to renewal ten years before expiration any tax-forfeited land which has been classified as conservation or nonconservation, to individuals or corporations at public or private vendue, and at such prices and upon such terms as the county board may specify, provided that any lease made under authority of this section shall be subject also to the following terms and conditions, to wit:

1. The individual or corporation seeking to lease tax-forfeited land under authority of this section shall file with the county board a written proposal which shall set forth the following:

(a) A complete description of the lands proposed to be leased;

(b) A complete description of the purposes for which the land proposed to be leased will be used, and the methods to be employed to sustain and promote such use which will meet the following minimum requirements:

(1) The establishment of new or expanded timber processing facilities capable of converting over fifty percent of the forest products produced on the leased land to a commodity worth at least fifty percent more than the value of the primary forest product at the new or expanded processing plant and capable of converting twice the quantity of primary forest products that are to be utilized from the land under this lease.

(2) A forest management plan which shall include area, volume, and growth information in addition to cutting budgets and reforestation plans.

(c) A complete description of the new or expanded wood processing facilities which will be constructed by the lessee, together with three copies of the plans and general specifications of such facilities;

(d) The minimum amount which will be expended by the lessee for the construction of such new or expanded wood processing facilities;

(e) The date when the construction of such facilities will be completed and will be in full operation.

2. If the lessee fails to carry out any part of the forest management plan referred to in paragraph 1 (b)(2), the lessor may carry out the same and the lessee shall pay to the lessor as liquidated damages for such failure 1-1/2 times the cost to the lessor so to do.

3. The forest management plan referred to in paragraph 1 (b)(2) may be amended by mutual agreement of the lessor and lessee and approval of the amendment by the commissioner of conservation.

4. The failure to have such facilities in full operation on the date specified in the proposal or upon any other later date specified by the county board by resolution duly adopted prior to the date theretofore specified for completion and full operation of the plant or to comply with any other provision of the lease shall terminate the lease and all rights of the lessee under the lease. Such termination of the lease and the rights of the lessee thereunder shall be effective on the 180th day after the day of the mailing of notice of termination by the county auditor pursuant to instructions of the county board so to do. Such notice shall be mailed to lessee at the address set forth in the lease or at such other address as the lessee may theretofore designate in writing sent to the county auditor at the courthouse, Duluth, Minnesota, by registered mail.

5. The state of Minnesota and the county of St. Louis shall not be liable for any loss resulting from any injury to or claim of injury by any person upon the lands herein leased or upon any facilities constructed thereon by the lessee.

6. The lease shall not be effective unless it bears upon it the approval of the commissioner of conservation who shall certify that the lease of said lands will not adversely affect any possible future taconite or semitaconite development.

7. The lease shall not be assigned by the lessee without the consent of the county board by resolution duly adopted and without the written consent of the commissioner of conservation.

8. The lessee shall pay any and all taxes levied upon any of the lands herein leased and upon any facilities constructed thereon under authority of the lease before they become delinquent.

9. The lessee shall file in the office of the county auditor a surety bond in an amount prescribed by the county board written by a surety company approved by the county board indemnifying the state of Minnesota and the county of St. Louis against any loss resulting from claims or liens for wages, materials, supplies, or services arising from the construction or operation of facilities upon the lands leased hereby.

Subd. 2. No lease of any tax-forfeited land under authority of this section shall be made until the county board has first held the public hearing hereinafter provided for and has by resolution duly adopted made a finding that the proposed lease is in the public interest in the development and use of the timber resources of the county of St. Louis. When directed by the county board, the county auditor shall cause notice of such hearing to be published once in a legal newspaper in the county at least ten days before the day set for the hearing and shall post a copy of such notice in the auditor's office in the courthouse in Duluth at least 20 days before the day set for the hearing. Proof of the publication and posting of the notice shall be filed in the office of the county auditor on or before the day of the hearing.

Subd. 3. Upon written application by the lessee to purchase all or any portion of the tax-forfeited lands described in this lease, the county board may appraise the lands and offer them for sale at a public sale as otherwise provided by law for the sale of tax-forfeited land. The lessee may purchase within 60 days of the day of the public sale the lands offered at public sale for the highest amount bid thereat for each parcel thereof but in no event for less than the appraised value thereof. If not so purchased by the lessee the county board shall withdraw any or all of such lands from sale while the lease is in effect.

Subd. 4. Notwithstanding any other provision of law to the contrary, lands leased under authority of this section shall not be subject to exchange under the provisions of Minnesota Statutes 1957, sections 94.341 to 94.348.

History: 1961 c 479 s 1; 1986 c 444

383C.522 TAX-FORFEITED LANDS; EASEMENT.

Notwithstanding the provisions of any law to the contrary, in St. Louis county when any legal highway or road lies over or adjacent to any parcel of tax-forfeited land which is to be offered for sale, the board of county commissioners may direct that the parcel of tax-forfeited land to be offered for sale shall be offered and sold subject to an easement for highway or road purposes of such government subdivision of the state as has jurisdiction over the road or highway, which easement shall be not less than 50 feet on one or both sides of the center line of the road or highway, as such board may determine.

History: 1965 c 375 s 1

383C.523 DISPOSITION OF PROCEEDS FROM TAX-FORFEITED LANDS.

Subdivision 1. **Apportionment.** Notwithstanding the provisions of section 282.08, in St. Louis county the net proceeds from tax-forfeited lands in St. Louis county which would otherwise be subject to apportionment under section 282.08 shall be apportioned by the county auditor to the taxing districts interested therein, as follows:

(1) Such portion as may be required to pay any amounts included in the appraised value under section 282.01, subdivision 3, as representing increased value due to any public improvement made after forfeiture of such parcel to the state, but not exceeding the amount certified by the clerk of the municipality, shall be apportioned to the municipal subdivision entitled thereto;

(2) Such portion of the remainder as may be required to discharge any special assessment chargeable against such parcel for drainage or other purpose whether due or deferred at the time of forfeiture, shall be apportioned to the municipal subdivision entitled thereto; and

(3) Such portion of the remainder as may have been theretofore levied on the parcel of land for any bond issue of the school district, town, city, or county, wherein the parcel of land is situated shall be apportioned to the municipal subdivisions in the proportions of their respective interest.

Subd. 2. Balance. Any balance remaining after the apportionments have been made as provided in subdivision 1 shall be retained by the county of St. Louis and expended under the direction of the board of county commissioners solely for the acquisition, development and maintenance of parks and recreational areas located within the county but outside the limits of any city. Prior to the distribution of any of the above receipts or funds from the sale of tax-forfeited lands a ten percent reservation shall be withheld; the reserve not to exceed \$200,000. This reserve shall be used only when expenses exceed receipts. When receipts again exceed expenses the reserve fund shall be replenished as the ten percent contribution will provide. Funds from the balance remaining may provide assistance to handicapped citizens including the provision of group homes and transportation and recreation services and facilities. The board may elect to expend the sums for services to the handicapped by entering into a contract with private nonprofit organizations which will provide the services or facilities.

History: 1976 c 28 s 1

TAX LEVIES

383C.55 CAPITAL IMPROVEMENTS LEVY.

The St. Louis county board is hereby authorized to levy over and above and in excess of any limitations provided by law, except those contained in sections 275.50 to 275.57, a special mill levy not to exceed two-thirds of a mill to be placed in a fund for capital improvements on any and all buildings now in existence or to be built for St. Louis county. For purposes of this section "mill" shall be construed to mean a "mill," after giving effect to Laws 1971, chapter 427.

History: 1974 c 490 s 1

383C.551 ROAD AND BRIDGE LEVY.

Subdivision 1. Levy. The county board of St. Louis county may levy for St. Louis county road and bridge purposes in 1974 not to exceed 5-1/2 mills on the dollar of taxable valuation in the county; in 1975, not to exceed seven mills; and in 1976 not to exceed 8.34 mills less the taconite tax payments received for St. Louis county road and bridge purposes for 1976 under sections 298.28 and 298.281.

Subd. 2. Bonds. As an alternate plan, the county board of St. Louis county may issue general obligation bonds in amounts not to exceed \$650,000 for the year 1975, \$650,000 for the year 1976, and \$550,000 for the year 1977 less the taconite tax payments received for St. Louis county road and bridge purposes for 1977 under sections 298.28 and 298.281.

History: 1974 c 490 s 2

383C.552 EFFECT ON LEVY LIMITATIONS.

The increase in the taxes authorized by section 383C.551 to be levied for road and bridge purposes by St. Louis county in levy years 1974 through 1976 shall be disregarded when computing levies permitted under levy limitations provided by sections 275.50 to 275.56. Effective as to taxes levied in 1977 and subsequent years, the tax levy for road and bridge purposes shall be included when computing levies permitted under the levy limitations provided by sections 275.50 to 275.56.

History: 1974 c 490 s 3

383C.553 LEVY FOR MAINTENANCE OF COURT HOUSES.

In St. Louis county there may be levied for general purposes an amount not in excess of eight mills when the valuation exceeds \$200,000,000 and 8-1/2 mills when the valuation is less than \$200,000,000 and nine mills when the assessed valuation is less than \$170,000,000, and 9-1/2 mills when the assessed valuation is less than \$160,000,000, and the levy for maintenance purposes of the several court houses shall be levied within this limitation.

History: 1947 c 322 s 1; 1953 c 501 s 1; 1957 c 702 s 1; 1961 c 305 s 1

383C.554 TAX LEVY FOR CONTAGIOUS DISEASE CONTROL.

In any county now or hereafter having an area of more than 5,000 square miles, and a population of more than 150,000, where the expense of the control or suppression of contagious diseases is shared by the county, the board of county commissioners shall have authority to levy a tax, over and above any tax limitation now imposed by law, to defray the cost incurred by the county in the control or suppression of such disease, in an amount not to exceed \$40,000 annually.

History: 1951 c 430 s 1

383C.555 AGRICULTURAL SOCIETIES; MAINTENANCE OF COUNTY EXTENSION WORK.

Subdivision 1. Levy. Notwithstanding the limitation in section 38.36, the county board of St. Louis county may annually levy any amount necessary for maintenance and support of county extension work.

Subd. 2. Hearing. Before any increase in the levy authorized by subdivision 1 is made, the governing body of the governmental subdivision named in subdivision 1 shall hold a public hearing on the question. Notice of the time and place of said hearing shall be published in one or more legal newspapers of general circulation in the area once in each week for two successive weeks prior to said hearing. The published notice shall be in a form determined by the governing body, which form shall be sufficient in size and prominent in format in order to attract the attention of the reader. In any event the notice shall be of a size at least two columns in width by six inches in length. The notice shall set forth the percentage of increase over the existing levy and the number of mills or dollars increase proposed.

History: 1971 c 370 s 1; 1973 c 527 s 1

383C.556 WELFARE TAX LEVY.

On or before October 1, in each year, the welfare board in St. Louis county shall prepare and present to the board of county commissioners a detailed budget request for the expenditures for nursing home and welfare purposes, deemed necessary for the ensuing year, together with the estimated income for the welfare fund from sources other than the current tax levy and the amount which it shall be necessary to levy to provide a total fund equal to the proposed expenditures, as provided in sections 383C.01 to 383C.019. The board of county commissioners may levy a tax annually sufficient to defray the estimated expenditures. If at any time during any year such welfare board shall determine that the amount previously levied will be inadequate to meet the minimum requirements of any activity for the balance of the year, it shall present such information to the board of county commissioners. Thereupon the board of county commissioners may authorize the expenditure of additional sums in specific itemized amounts and when so authorized such welfare board may appropriate and expend such additional amounts, and all acts or parts of acts prohibiting or placing a penalty on such expenditures shall be of no effect in such cases. Immediately upon authorizing such additional expenditures, the board of county commissioners shall provide for the financing of such expenditures and for such purpose it shall first transfer any amounts remaining unencumbered in any county fund levied for specific items, which in the judgment of the board of county commissioners can be diverted therefrom

without serious detriment to the efficiency of county government or to the public health and safety; second, if the amounts so available for transfer shall be less than the contemplated deficit, the board of county commissioners shall levy a tax to finance the remaining deficiency, of not to exceed five mills on each dollar of assessed valuation, to be spread by the county auditor for the ensuing year, which levy may be in addition to any authorized tax levy for the county welfare fund for such ensuing year; third, if the amount transferred and the amount calculated to be received from the maximum deficiency tax levy hereby authorized shall not be sufficient to finance such contemplated deficit, then any remaining deficiency may, upon resolution adopted by a five-sevenths vote of the board of county commissioners, be financed by the issuance and sale of county welfare deficiency bonds, said bonds to be issued and sold subject to the provisions of Laws 1927, chapter 131, as amended, except that a vote of the people shall not be required and the last maturity of said bonds shall not be later than three years from the date of issue; provided further, that the board of county commissioners by a five-sevenths vote may, in lieu of the five mill deficiency levy provided above, and in lieu of issuing welfare deficiency bonds, provide for the retirement of the deficiency existing in any one year or for a period of years, by a deficiency levy in such amount as the board may decide so as to pay off said deficiency over a period of years.

History: 1907 c 222 s 4; 1931 c 355 s 1; 1933 c 334 s 1; Ex1935 c 50 s 1; 1937 c 229 s 1; 1939 c 161 s 1; 1941 c 227 s 1; 1943 c 473 s 5; 1947 c 264 s 1; 1957 c 692 s 1; 1959 c 218 s 1; 1961 c 345 s 1; 1963 c 314 s 1; 1967 c 621 s 2

383C.557 WORK FARM; TAX LEVY.

Notwithstanding the provisions of any other law to the contrary, in St. Louis county the county board may levy not to exceed one mill on the dollar of the taxable valuation of the county for maintenance of the county work farm.

History: 1969 c 557 s 1

TRAVEL EXPENSES

383C.58 TRAVEL EXPENSE OF COMMISSIONERS.

Each of the county commissioners shall be allowed and paid in addition to said salary, actual and necessary traveling expenses incurred and personally paid in the discharge of official duties. Such traveling expenses shall be allowed by the county board upon duly verified and itemized bills in the same manner as other claims against the county.

History: 1951 c 391 s 2; 1983 c 186 s 3; 1986 c 444

383C.581 AUTOMOBILE EXPENSE OF COMMISSIONERS.

County commissioners of St. Louis county are hereby authorized to pay themselves when they submit a certified claim to the board, for the use of their privately owned cars used in county business at the rate permitted by law, from the road and bridge fund of their respective districts, and said payments shall be over and above their general expenses for county business authorized by section 383C.58.

History: 1959 c 301 s 1; 1977 c 60 s 1; 1983 c 186 s 4

383C.582 COMMISSIONERS; TRAVEL EXPENSE; ALLOCATION.

In St. Louis county the total of traveling expenses allowable to all the county commissioners in the discharge of their official duties by section 383C.58, may be apportioned and allocated to the individual commissioners according to their needs as determined by the county board.

History: 1969 c 166 s 1

WELFARE

383C.61 NURSING HOME BOARD; POWERS AND DUTIES.

The county welfare board of St. Louis county as created by Laws 1907, chapter 222, and acts amendatory thereof, shall have all the powers and duties enumerated for county welfare boards in section 393.07, and county nursing home boards in sections 376.55 to 376.66, and the powers and duties relative to the care of the poor previously appertaining to the board of poor commissioners or county welfare board of any such county, or which in counties having the county system, appertain to the county board. All moneys arising from the labor of poor persons in its care, or from the produce of the poor farm, shall be paid into the county treasury to the credit of the welfare fund. No money shall be paid from such fund, except on vouchers of the board, signed by its executive secretary, and audited and certified by the county auditor as provided by sections 383C.01 to 383C.019.

History: 1907 c 222 s 2; 1943 c 473 s 3; 1967 c 621 s 1

383C.611 WELFARE MEDICAL CARE.

The St. Louis county welfare board is hereby authorized to provide all medical care, supplies, or services enumerated and authorized by other Minnesota statutes defining all aid and assistance programs, including, but not limited to, old age assistance, aid to the blind, general relief, medical assistance for the aged, aid to the disabled, and aid to families with dependent children, by contracting with nonprofit corporations for nonprofit hospital and medical service plans, and, with the approval of the commissioner of human services, establish rules and regulation methods therefor.

History: 1965 c 562 s 1; 1984 c 654 art 5 s 58

383C.612 POOR RELIEF; WORK BY RECIPIENTS.

Subdivision 1. Conditions. The county welfare board of St. Louis county may require an applicant or recipient, as a condition of receiving relief as granted under Minnesota Statutes 1957, chapter 261, to work on county projects, and said work relief means support or relief in wages or other compensation in cash or kind, paid for work under the following conditions:

(a) that the recipients of work relief and the amounts given are determined on the basis of actual need and certified for such work relief by the officials in charge of administering relief for the poor;

(b) that the funds for such relief are made available only from those specifically appropriated for support or relief of the poor;

(c) that the funds are used to finance work relief on projects for which the county of St. Louis can legally incur expenses;

(d) nothing herein shall be construed as enlarging the responsibility for relief as now imposed by the laws of Minnesota. The welfare board is here empowered to make rules and regulations to carry out the intent of this section.

Subd. 2. Civil service. No recipient of work relief shall gain any civil service status under the St. Louis County civil service law.

Subd. 3. Work relief program. The county may contract with the federal government, or with any department, agency, subdivision, or instrumentality of the state, or with any political subdivision within the county, for the services of such work relief recipients on such terms and conditions as may be agreed upon, with or without consideration paid to the county.

History: 1961 c 316 s 1,2; 1963 c 626 s 3

383C.613 ILLEGITIMATE CHILDREN.

Notwithstanding the provisions of section 257.23, to the contrary, in St. Louis county the district court entering an order pursuant to said section 257.23, shall make

and enter such order, directing or requiring the payments referred to therein to be made to the county welfare board, the commissioner of human services, or the county probation officer.

History: 1967 c 208 s 1; 1984 c 654 art 5 s 58

WORK FARMS

383C.64 WORKFARM; PRISONER MAINTENANCE.

Notwithstanding any law to the contrary, when another county, or a city, village or town in St. Louis county sends prisoners to the St. Louis county workfarm for imprisonment, the city, village or town, or other county, shall pay to St. Louis county, to be credited to the workfarm fund, a sum per prisoner per diem equal to the average cost per prisoner of daily maintenance for all prisoners, to be determined by the commissioners at their annual meeting, based on actual cost records of receipts, disbursements and other data including depreciation and maintenance for the preceding year.

History: 1971 c 170 s 1

383C.641 CORRECTION FARM.

That the board of county commissioners of any county in this state which now has or may hereafter have a population of over 150,000 and less than 225,000 inhabitants, shall have the power to acquire land for and establish and maintain thereon, a work or correction farm for the confinement and care thereon of any and all persons convicted of any violation of the laws of this state or of any city or village ordinance, who could be sentenced as punishment therefor to any jail or lockup in such county.

That any such county may acquire the land for and establish and maintain such farm thereon either by itself alone or acting in cooperation with any city of the first or second class located in such county when such city shall have the power under its charter to acquire land for and establish and maintain such work or correction farm.

History: 1913 c 188 s 1

383C.642 COMMISSION TO BE APPOINTED.

That upon the decision of any such city and county by resolution duly adopted by the council and the county board of such city and county to acquire the land for and establish and maintain such work or correction farm the chair of the county board of said county and the council of any such city shall appoint a commission consisting of five members, three of whom shall be appointed by the chair of said county board and two by the council of any such city.

That upon the decision of any such county by resolution duly adopted by its county board to acquire the land for and establish and maintain such work farm, without the cooperation of any such city, the chair of the county board of said county shall appoint a commission consisting of three members.

The members of any commission appointed under the terms of sections 383C.641 to 383C.651 shall be chosen with reference to their special fitness for such office, and their appointment before becoming effective shall be approved by the majority of the judges of the district court of the judicial district in which said county is located, if there be three or more judges of said court, otherwise by one of said judges.

This commission shall be known as the board of work farm commissioners, when said farm shall be established and maintained by such county alone; and shall be known as the joint board of county and city work farm commissioners, when said farm shall be established and maintained by such county and city jointly.

The members of said commission shall serve without compensation or financial benefit, but they shall be entitled to reimbursement for all actual expenses in connection with their official duties, an itemized and verified statement of which expenses shall be filed with and approved by said board.

Said board shall be provided with a suitable office in the courthouse at the county seat.

The terms of each of the members of the first board of work farm commissioners shall expire on the first Monday in January in the first, second and third years, respectively, after their appointment. Upon the expiration of such terms, their successors shall be appointed in like manner for terms of three years each.

The terms of the members of the first joint board of county and city work farm commissioners shall expire as follows: two on the first Monday in January of the first year, one of whom shall be appointed by the council of said city; two on the first Monday in January of the second year, one of whom shall be appointed by the council of said city; and one on the first Monday in January of the third year after their appointment. Upon expiration of such terms, their successors shall be appointed in like manner for terms of three years each.

All vacancies on said commission shall be filled by like appointment for the unexpired terms.

Upon the appointment of the first board, and annually thereafter, on the first Monday in January, the board shall elect from its number a president and a vice president, to serve for one year, and until their successors qualify. The members of said commission shall qualify by subscribing to and taking the usual oath of office and shall hold office as indicated above, or until their successors are appointed and have qualified.

History: 1913 c 188 s 2; 1986 c 444

383C.643 COMMISSION; SUPERVISION OF FARM.

Said board of work farm commissioners or joint board of county and city work farm commissioners shall have full charge and control of said work farm, and the erection of all buildings and the making of all improvements thereon. It shall appoint and employ a superintendent and other necessary help, and shall prescribe their duties and fix their compensation. The superintendent of said work farm shall be the secretary of said commission, and before the appointment shall become effective, it shall be approved by a majority of the judges of said district court.

History: 1913 c 188 s 3; 1986 c 444

383C.644 EMINENT DOMAIN.

The board of county commissioners of any such county as shall decide to acquire the land for and establish such work farm under the provisions of this law, shall have the power to acquire by purchase or condemnation a tract of land of not more than 1,000 acres, which land said county may acquire and hold in its own name, or jointly with any such city as shall decide to cooperate with any such county in the purchase of said land and the establishment of such farm, and as such shall furnish and pay one-half of the cost thereof. That said county may singly, or in cooperation with such city, through the commission herein provided for, improve such farm by the erection of fences and suitable buildings thereon, and in such other ways as may be found necessary by it in order to accomplish the purpose for which said farm shall be established, and all such improvements when made by such county and city acting jointly through such commission shall be the joint property of such county and city.

The superintendent of said work farm shall cause all prisoners confined thereon to be employed at hard labor, as far as practicable, either upon the said farm or elsewhere in said county, in order to enable said prisoners to be engaged in productive employment and to be self-supporting.

History: 1913 c 188 s 4

383C.645 RULES AND REGULATIONS.

Said commissioners shall adopt such rules and regulations and enforce such discipline for the management and operation of said work farm as may be deemed necessary. Said commissioners shall have power to establish and adopt rules and

regulations under which, and specify the conditions on which, any prisoner committed to such work farm may be allowed to go upon parole outside the limits of said work farm, but to remain while on parole in the legal custody and under the control of such commissioners, and subject, at all times to have said parole terminated, and to be taken back under the same conditions as when originally committed. The written order of said commission, signed by its president or vice president and attested by its secretary, shall be sufficient authority and warrant for any sheriff, police officer or constable of this state to execute such order, and arrest and return to the custody of said commission or the superintendent of said work farm, any prisoner that may have been released under parole by said commission, and it is hereby made the duty of any such sheriff, constable or police officer to execute any such order of said commission in the same manner as any other criminal process of this state is executed. Said commissioners may place any such prisoner who may be released on parole, under the care and supervision of any state, county or city officer having probation or parole duties and powers under the law, and such parole officer shall execute the orders of said commissioners with reference to carrying into effect such parole regulations the same as any sheriff or other peace officer might do.

The rules and regulations and the general plan for paroling prisoners adopted by said commissioners shall not become effective until the same shall have been approved by a majority of the judges of the district court of the judicial district in which said county may be situated.

History: 1913 c 188 s 5; 1986 c 444

383C.646 AID TO FAMILY OF INMATE.

That the said commissioners in charge of any such work farm, may establish and adopt proper rules and regulations for furnishing and may furnish aid weekly, or less often if they so decide, to the spouse or to the family of any prisoner confined in such work farm or to the guardian or other person or association in control of and responsible for the care and support of any dependent child or children of said prisoner, which aid shall be furnished by written order for house rent, fuel, groceries and other necessities, but such aid to any such spouse or family shall not exceed the sum of fifty cents for each day's labor performed by said prisoner on said farm or elsewhere in said county for which no order has been previously issued. Provided, however, that any person receiving such aid shall be a resident of the county in which such work is situated, at the time of commitment and the receipt of such aid.

That upon the certificate of the person designated in said order to whom said necessities shall be delivered, that said necessities were received by said person, and on the filing of a duly itemized and verified claim against said commission for the reasonable price and value of said necessities, said claim shall be a charge against any fund available for the maintenance of said work farm and shall be paid by said commissioners.

History: 1913 c 188 s 6; 1986 c 444

383C.647 COST.

That when any such county shall by itself alone establish and maintain any such work farm, such county shall bear the total cost of acquiring the land for and establishing and maintaining such farm. That when any such county and city shall jointly acquire the land for and establish and maintain such work farm, said county and city shall in the first instance, bear and pay equally the cost of acquiring the land for and establishing and maintaining such farm. That when any other city, or any village or town within said county, shall send any prisoners to said farm for imprisonment, said city, village or town, shall pay to said county, to be credited to the work farm fund hereinafter provided for, such sum per prisoner per diem as it may cost said commissioners for the average maintenance per prisoner of all the prisoners therein. Such cost per diem shall be determined by the said commissioners from the records of said work farm at the annual meeting of the said commissioners in January of each year and shall

be based on the actual cost records of receipts, disbursements and other data for the preceding year. Such expense shall not include the cost of the premises or structures of any permanent improvements or repairs thereon. Until the end of the first year after the occupancy and operation of said work farm the per diem charge for such prisoners, other than those who have violated a state law, shall be forty cents, and the cities, villages and towns furnishing such prisoners shall settle monthly with said commissioners upon such basis. It shall be the duty of said commissioners to cause monthly bills to be rendered therefor to said municipalities.

History: 1913 c 188 s 7

383C.648 COST AND MAINTENANCE; TAX LEVY.

Any such county wishing and deciding to provide a work farm by itself alone as indicated in section 383C.642, may through its county commissioners appropriate the first year not to exceed the sum of \$35,000 for the purchase of the land and establishment and equipment of the same, or not to exceed the sum of \$20,000 if it shall decide to provide such work farm in cooperation with any such city, as herein provided.

Such work farm commissioners shall determine by resolution each year, prior to July first, the amount of money necessary for the equipment and maintenance of the work farm the following year, over and above the probable receipts for the account of said work farm fund from all sources other than taxes, and a certified copy of such resolution shall be forthwith forwarded to the county board, if such work farm be established and maintained by such county alone, and such board shall at its regular meeting in July include such amount in its annual levy of county taxes for the ensuing year, unless after due hearing such amount be determined to be excessive and unnecessary, in which event such amount may be reduced accordingly by the board.

That in case such work farm be established and maintained by any such county and city jointly, certified copies of such resolution determining the said amount necessary for the equipment and maintenance of said work farm for the following year, shall be forthwith forwarded to the county board of such county and to the city council of such city, and such board shall at its regular meeting in July, and said city council shall at some meeting prior to October tenth, include the proper share of said county and city in their annual levies of county and city taxes, respectively, unless such amounts shall be reduced by said county board and city council in the manner hereinbefore provided, to amounts that shall be deemed reasonable and necessary by said county board and said city council.

But in no case shall the amount of such levy in any one year after the first year exceed the sum of one-tenth of one mill on the dollar of the assessed valuation of property in said county, when said work farm is maintained by such county alone; nor exceed the sum of 1/20 of one mill on the dollar of the assessed valuation of property in said county, for said county's share, of such tax levy for said work farm fund, when said work farm shall be maintained by said county and city jointly. Such amounts when collected shall be apportioned by the county auditor and be credited to the county work farm fund or to the joint county and city work farm fund, as the case may be. At the end of each year any balance remaining in said joint county and city work farm fund to the credit of said city's share, shall be apportioned and paid to said city, if the council of said city shall so demand.

All moneys received for such work farm shall be deposited in the treasury of said county to the credit of such fund and shall not be used for any other purpose, and shall be drawn upon by the proper officials of said county upon the properly authenticated vouchers of said board of work farm commissioners, or board of joint county and city work farm commissioners, as the case may be.

History: 1913 c 188 s 8

383C.649 HOW MONEY IS TO BE DRAWN ON FUND.

No money shall be paid from such fund except on orders signed by the president

or vice president, and secretary of such board of commissioners, which orders shall be drawn upon the county treasurer of such county and before payment thereof shall be countersigned and registered by the auditor of said county.

The said board of work farm commissioners or joint board of county and city work farm commissioners shall file annually on the first Monday in January with the auditor of such county, or with the auditors of such county and such city, when said farm shall be operated by said county and city jointly, a full itemized statement of all receipts and disbursements during the preceding year, showing in detail the source of all receipts and to whom and for what all such disbursements were made.

History: 1913 c 188 s 9

383C.65 ISSUANCE OF INTEREST BEARING CERTIFICATES.

Such county shall have the same right and authority to borrow money and issue bonds or interest bearing certificates of indebtedness therefor, to purchase the land for and erect and equip buildings thereon, for a work or correction farm as is now given to counties for the purpose of purchasing the land for and erecting county jails.

History: 1913 c 188 s 10

383C.651 JUDGES; SENTENCING.

The judges of all district and municipal courts and justices of the peace in any such county shall have the same power to sentence any person to confinement at hard labor on said work or correction farm, as said judges and justices of the peace now have to sentence any person convicted of crime, to a county jail, workhouse or lockup in such county.

History: 1913 c 188 s 11

383C.66 HOME SCHOOL FOR BOYS.

Subdivision 1. Establishment. The board of work farm commissioners of any county of this state in which a work farm is operated under the provisions of sections 383C.641 to 383C.651 and acts amendatory thereof and supplemental thereto, may by resolution duly adopted, subject to the approval thereof by a majority of the judges of the judicial district in which such county is located, establish and operate in connection with such work farm a home school for boys.

Subd. 2. Superintendent; expense. Such home school shall be operated and conducted by such board of work farm commissioners, who shall have sole control thereof and of the teaching and training therein, and the superintendent of such work farm shall be the superintendent thereof. Such additional employees, including teachers, shall be employed and such additional buildings shall be erected as in the judgment of such board shall be necessary. Such additional expenses as may be necessitated by such home shall be included in and paid out of the levy for such work farm the same as other expenses of such work farm.

Subd. 3. County board may provide funds. The first year such home is operated the board of county commissioners of such county may place to the credit of the work farm fund out of the general fund of such county, such amount as may be estimated to be sufficient to meet the additional expenses caused by such home such first year.

Subd. 4. Courts. The district court, the juvenile court and any municipal court of or in such county may place in such home school, for a period of not more than one year under any order, and not to extend beyond majority, any boy coming before any such court, and any boy who is placed in such home school may be released therefrom by order of such court at any time.

Subd. 5. Course of study. The boys in such home school shall be taught the branches of study usually pursued in the public schools and also agriculture, horticulture and gardening, so far as the same may be practicable, and generally shall be employed in some useful occupation.

Subd. 6. **Name of school.** Such home schools shall be known by such name as may be designated by the board of work farm commissioners by resolution duly adopted, and all commitments shall be made to it under such name. A certified copy of such resolution shall be filed in the office of the county auditor and court administrator of district court of the county in which such school is situated.

History: 1921 c 10 s 1-6; 1Sp1986 c 3 art 1 s 82

383C.67 HOME SCHOOL FOR GIRLS ESTABLISHED.

That the board of county commissioners of any county in this state which now has or may hereafter have a population of over 150,000 and less than 220,000 inhabitants, and an area of over five thousand (5,000) square miles, shall have the power to establish and maintain thereon an industrial home school for the confinement and care therein of any and all girls and women convicted of any violation of the laws of this state or of any city or village ordinance, who could be sentenced as punishment therefor to any prison, jail or lockup.

The board of industrial home directors at any time before July 1st of each year after the taking effect of this act, are authorized to determine the amount necessary to carry on said institution during the ensuing year and to file a duly certified copy of its resolution, fixing said amount, with the board of county commissioners of said county, and said board of county commissioners shall include such amount, or the amount to which the same shall be reduced by said county board, in the annual tax levy made by said county board not to exceed an amount that would be raised by a levy of not more than one-tenth of one mill upon each dollar of the taxable property of said county, exclusive of money and credits, for the years 1921 and 1922, and annually thereafter an amount that would be raised by a tax levy of not to exceed 1/20 of a mill upon each dollar of such taxable property within such county, which sums so raised may be used by the board of industrial home directors for the maintenance of such industrial home school. The board of industrial home directors shall have the power in the name of St. Louis county, to lease, or to acquire by gift, purchase or condemnation land and a suitable building or buildings for and maintain thereon an industrial home school for the confinement and training or education therein in all branches of domestic science, the girls or women who become inmates thereof under the provisions of sections 383C.67 to 383C.677. That for the maintenance of said industrial home school during the remainder of the year after the taking effect of this act, the county board may appropriate such funds from the revenue fund of the county as it shall deem advisable.

All expenses incurred in establishing and maintaining said home school shall be paid on duly itemized and verified bills filed with and audited and allowed by the county board of commissioners of such county when properly approved by the matron of said home school, except the salary of the matron and assistant matrons, who shall be paid in the same manner that other officers and employees of said county are paid.

History: 1919 c 153 s 1; 1921 c 70 s 2

383C.671 DIRECTORS OF HOME.

That the board of county commissioners of any such county, whenever they shall determine to establish and maintain such home school, or shall have heretofore established such home school under the provisions of said law, shall appoint a board consisting of five members, electors of said county, which board shall include the members of any existing board under said law. The members of any board appointed under the terms of sections 383C.67 to 383C.677 shall be chosen with reference to their special fitness for such office. All appointments to this board shall be ratified by the order of a majority of the judges of the district court of the judicial district in which the home school is located, before the same shall be in force and effect as an appointment. The board shall be known as the board of industrial home directors.

The members of said board shall serve without compensation or financial benefit, but they shall be entitled to reimbursements for all actual and reasonable expenses in

connection with their official duties, an itemized and verified statement of which expenses shall be filed with and audited and allowed by said county board.

The terms of the members of the first board of industrial home directors hereunder shall expire as follows: one on the first Monday of January of the first year hereafter; two on the first Monday in January of the second year hereafter; and two on the first Monday in January of the third year after their appointment hereafter. Upon expiration of such terms their successors shall be appointed in like manner for three years each.

All vacancies on said board shall be filled by like appointment for the unexpired terms.

Upon the appointment of the first board of industrial home directors hereunder, and annually thereafter on the first Monday in January, the board shall elect from its number a chair, a vice-chair and a secretary, to serve for one year and until their successors qualify. The members of said board shall qualify by subscribing to and taking the usual oath of office.

History: 1919 c 153 s 2; 1921 c 70 s 3; 1986 c 444

383C.672 BOARD OF DIRECTORS.

Said home school for girls shall not be correlated with any other county institution, nor be located on land which is part of the county work farm or county poor farm of any such county. Said board of industrial home directors shall have full charge and control of said industrial home school, the selection of a building site and the acquiring thereof by purchase, gift, or condemnation; and the erection of all buildings and the making of all improvements thereon; and shall have charge of furnishing the same with proper furniture and equipment. The board of industrial home directors shall appoint and employ a matron and as many assistant matrons as may be required, and other necessary help, and shall prescribe their duties and fix their compensation subject to approval thereof by the county board as to the number and compensation of such persons, and shall require to be taught in said school, domestic science in all its branches, and shall direct the establishment and maintenance of a careful curriculum for regular classes and study in relation thereto, and shall direct the matron to cause all girls and women confined therein to be employed at domestic labor and study as far as practicable.

History: 1919 c 153 s 3; 1921 c 70 s 4

383C.673 RULES AND REGULATIONS.

Said board of industrial home directors shall adopt such rules and regulations and enforce such discipline for the management and operation of said industrial home school as may be deemed necessary, and shall have power to adopt rules and regulations under which the inmates may be allowed to work out by the day, when such inmates shall be sufficiently educated in domestic science to be qualified for such work.

The written order of the matron or assistant matron shall be sufficient authority and warrant for any officer or constable or parole officer of this state to execute such order, and arrest and return to the custody of said industrial home any inmate that may have escaped or broken her parole, and it is hereby made the duty of any such sheriff, constable or police officer to execute any such order in the same manner as any other criminal process of this state is executed.

The matron and assistant matrons of such industrial home school shall be vested with the duties of probation officers of the district court and said court shall have authority to appoint or designate one or more other persons of good character to serve as probation officers during the pleasure of the court without compensation.

History: 1919 c 153 s 4

383C.674 ADMISSION TO HOME.

Any girl or woman who may be a resident of any county to which sections 383C.67

to 383C.677 apply and who evinces a desire to be free from undesirable associations and to lead a better life shall, upon her personal request or the request of her parent or guardian and upon the recommendation of the matron, be admitted upon the order of the juvenile court of such county to such industrial home school and be subject to the rules and regulations thereof and be entitled to its protection and privileges for a period not exceeding ten days, provided such applicant may remain in said school for such further time as may be determined by the matron, subject, however, to the control of the board of directors, and when circumstances render it possible shall pay such reasonable charges as may be required by said board of industrial home directors.

History: 1919 c 153 s 5

383C.675 COMMITMENTS.

The juvenile court of any such county may commit to such industrial home school for a period of not more than one year any girl duly adjudged by such court to be dependent, neglected or delinquent, and any such girl may be released therefrom at any time upon order of said court, and if it appear to the satisfaction of said court that any girl so committed is of a vicious or incorrigible character and not proper to be an inmate therein, then such court may recommit such person to any state or other institution authorized by law to receive her.

History: 1919 c 153 s 6

383C.676 COMMITMENT UNDER SENTENCE.

The district court and any municipal court or justice of the peace in such county may commit or parole into such industrial home school any girl or woman duly convicted by such court of any violation of the laws of this state or of any city or village ordinance and who could by such court be sentenced as punishment therefor to be confined in any prison, jail or village lockup.

Any girl or woman who at any time shall have been committed to the county jail of such county may, during the time of her confinement therein, by order of the court making such commitment, be transferred from such jail and committed to such industrial home school for such time as to such court shall seem proper, not exceeding, however, the unexpired term of her sentence.

If any girl or woman committed or paroled into such industrial home school is found to be vicious or incorrigible, and not amenable to the regulations of said industrial home school, she may be recommitted to the county jail of such county by the court from which said girl or woman was committed.

History: 1919 c 153 s 7

383C.677 PLACE OF DETENTION.

Said school shall be a place of detention; and the district, juvenile and municipal courts and any justice of the peace of said county may commit to, parole to, or place in said school for temporary detention, any female coming within the respective jurisdictions of said courts, and any female who is committed to or placed therein may be released therefrom by order of said courts respectively.

History: 1919 c 153 s 8

MISCELLANEOUS

383C.70 ST. LOUIS COUNTY PROMOTIONAL BUREAU.

The St. Louis county promotional bureau discharges wholly public functions equivalent to those of a county agricultural society and its tort liability is that provided by section 38.013 and chapter 466.

History: 1984 c 395 s 1

383C.71 WARRANTS AND ACCOUNTS.

Notwithstanding any provision in Minnesota Statutes 1967, section 383.06, which may indicate the contrary, all of the provisions of such section shall apply to the county of St. Louis.

History: 1969 c 233 s 1

383C.72 DONATION OF STATE LANDS; GOVERNOR'S DUTIES.

Notwithstanding the provisions of any law to the contrary, the governor after consulting with the commissioner of natural resources and, in regard to lands forfeited to the state for nonpayment of taxes and held in trust by the state for taxing districts, the commissioner of revenue, may donate and convey to the United States of America the state's interest in the following lands lying within township 57 north, range 13 west, township 57 north, range 14 west, township 58 north, range 13 west, and township 58 north, range 14 west, all within St. Louis County: (a) lands forfeited to the state for nonpayment of taxes and held in trust by the state for taxing districts; and (b) other lands acquired or otherwise owned by the state. Each conveyance of these lands shall contain the following:

(1) A provision that the lands shall revert to the state of Minnesota if the lands so conveyed are not used for national forest or national park purposes;

(2) A reservation to the state of all minerals and water power rights;

(3) A provision that the conveyance is subject to the rights of any person having an interest in the land on the date of conveyance pursuant to state lease, license, or permit; and

(4) Any other provisions required by the laws of the state of Minnesota or the United States of America. Lands shall be conveyed and donated under this section only to the extent necessary to maximize the amount of funds available to St. Louis County from the United States of America for the construction and maintenance of proposed forest highway number 11 between Hoyt Lakes, Minnesota, and county state aid highway number 16 near Lake Codette.

History: 1973 c 276 s 1; 1973 c 582 s 3

383C.721 TRUST FUND LAND; CONDEMNATION.

For the purpose of satisfying the public sale requirements of Minnesota Constitution, article VIII, section 4, and other applicable provisions of Minnesota's Constitution, including but not limited to article IV, section 32, and in keeping with the decision of the Minnesota supreme court in the case of Independent School District of Virginia v. State, 124 Minn. 271, where the court held that condemnation satisfied the public sale requirement of the Minnesota Constitution, the commissioner of administration shall acquire, by condemnation, fee title to all trust lands to be conveyed to the United States of America pursuant to section 383C.72. The commissioner of administration shall not condemn the interests of any person holding a lease, license, or permit from the state in the lands condemned. Before any parcel of trust fund land is donated to the United States, the commissioner of administration shall certify to the governor that the parcel has been condemned, the condemnation award has been paid, and the time to appeal from the award has expired. The commissioner of administration shall certify the payment of a condemnation award to the St. Louis county auditor, whereupon the St. Louis county auditor shall reimburse the state of Minnesota from county funds for the amount of that award.

History: 1973 c 276 s 2

383C.722 TAX-FORFEITED LAND; REIMBURSEMENT OF LOCAL TAXING DISTRICTS.

The commissioner of administration shall also acquire fee title, free from any trust or other encumbrance, to all land to be conveyed and donated to the United States of America under section 383C.72, the title to which has vested or may vest in the state

due to nonpayment of taxes and expiration of the period for redemption, after the giving of notice thereof as provided by law, and is held by the state pursuant to Minnesota Statutes, section 281.25, in trust for the respective taxing districts interested in the taxes, assessments, penalties, interest, and costs accrued against the land at the time of expiration of the period of redemption. The commissioner of administration, in cooperation with the commissioner of natural resources, shall appraise the land at its fair market value. Upon determining the value of the land, the commissioner of administration shall certify that value to the St. Louis county auditor. The St. Louis county auditor shall then apportion an amount of money equal to that certified valuation in the manner provided in section 282.08, for the apportionment of proceeds from the sale of tax-forfeited lands, whereupon fee title to the land, free from any trust or other encumbrance, shall vest in the state of Minnesota.

History: 1973 c 276 s 3

383C.73 ST. LOUIS COUNTY HISTORICAL SOCIETIES.

St. Louis county may provide funds and facilities for more than one historical society of which shall be subject to the provisions of sections 138.051, 138.052, and 138.053 and other laws governing the conduct of county historical societies.

History: 1982 c 507 s 29

383C.74 HISTORICAL WORK.

Subdivision 1. Appropriation. Any county in this state, having a population in excess of 200,000 and less than 225,000 according to the United States Census of 1920, and having an area of over 5,000 square miles may, by action of its county commissioners, appropriate from the treasury of the county a sum not to exceed \$2,500 each year for the promotion of historical work within its borders.

Subd. 2. Minnesota state historical society. Said sum shall be so appropriated for the use of a historical society organized in said county and devoted to the collection, preservation and publication of historical material, the dissemination of historical information and in general carrying on historical work, said society to be designated by the Minnesota state historical society.

Subd. 3. Purpose of appropriation. The work of said historical society shall be done in the county making such appropriation and in reference to the history of said county and all facts relevant thereto.

Subd. 4. Money to remain in county treasury. The money appropriated as aforesaid shall remain in the treasury of the county and be paid out in payment of expense incurred by said county historical society for the purposes above indicated on verified bills approved by said local society according to its rules, in the same way that county bills are paid. Said appropriation shall be available for expense occurring in any year although not paid until the succeeding year. Any unused portion of any appropriation for any year shall revert to the funds of the county. Said appropriation shall be effective only for the year in which it is made.

Subd. 5. Minnesota war record commission. It shall be lawful for the county historical society, designated as aforesaid, by the Minnesota historical society to carry on the work of the Minnesota war records commission in its county and to receive, on and after the year 1923, possession of all local war records of any local war records commission of its county subject to the approval of the state war records commission and the Minnesota historical society.

History: 1923 c 202 s 1-5

383C.75 AUTOMOBILE GARAGE AND REPAIR SHOP.

The county board of any county having an assessed valuation of over \$150,000,000 and having at any time an area of over 5,000 square miles, whenever it determines it to be necessary and for the best interests of the county, may erect and maintain on the courthouse grounds at the county seat, an automobile storage garage and repair shop

with such equipment therein as may be found necessary by the county board, and without submitting the proposition to a vote of the people of said county, for the purpose of storing therein automobiles, trucks, and other equipment owned and used by the county in road work and for other purposes; and to pay the cost of erecting and equipping the building out of the general fund and the road and bridge fund of the county in the same manner as other general expenses of the county are paid.

History: 1919 c 217 s 1; 1953 c 231 s 1

383C.76 SURPLUS COMMODITIES; PURCHASE BY COUNTY EMPLOYEES.

Notwithstanding the provisions of Minnesota Statutes 1965, section 15.055 or any other law to the contrary, in St. Louis county, county employees may purchase surplus commodities which are produced, grown or manufactured on or in St. Louis county institutions.

History: 1967 c 136 s 1

383C.77 COUNTY PARKING FACILITIES.

Notwithstanding the provisions of Laws 1963, chapter 163, section 1, subdivision 6, the provisions of subdivisions 1 to 5 inclusive, of section 1, of said chapter 163, apply to St. Louis county.

History: 1965 c 112 s 1

383C.78 REAL PROPERTY; DELAYED ASSESSMENT.

Subdivision 1. **Assessment.** Notwithstanding the provision of any statutes to the contrary, in determining the value of lands for the purpose of taxation, the first \$12,000 in market value of improvements per dwelling unit to any single or multiple dwelling structures or buildings accessory thereto more than 15 years old located within St. Louis county shall not be regarded as increasing the value of such property for a period of six years from the date of commencement of such improvements except as follows: Only 33-1/3 percent of the value of such improvement shall be considered at the end of two years from the date of such improvement, and at the expiration of each two year period thereafter an additional 33-1/3 percent of the value of such improvement shall be considered, and at the end of six years the total value of such improvement shall be considered.

Subd. 2. **Application.** Application for delayed assessment shall be on forms prescribed by the county assessor of St. Louis county. Where delayed assessment is granted, the assessor shall record a notice thereof with the county recorder of St. Louis county which shall set forth the amount of market value to be added at the expiration of each two-year period by reason of the delayed assessment. Filing fees shall be collected by the assessor from the person making application, and forwarded to the county recorder together with the notice described above within 30 days of the granting of such delayed assessment. Only one application per structure may be granted with respect to any dwelling unit.

Subd. 3. **Purpose.** The purpose of this section is to provide an incentive to the improvement of older residential properties and thereby retard the growth of slums.

Subd. 4. **Increase in value.** Nothing contained herein shall prohibit the recognition, in determining the value of lands for taxation, of factors increasing the value of residential property which are independent of improvements made thereto.

History: 1969 c 1062 s 1-4; Ex1971 c 5 s 1,2; 1981 c 181 s 2

383C.79 LAKE AND ST. LOUIS COUNTIES; TOILET FACILITIES DURING SMELT SEASON.

Subdivision 1. **Toilet facilities.** The county boards of Lake and St. Louis counties acting separately or jointly shall provide temporary toilet facilities and other environmental protection measures in the most practical locations as they determine along the

north shore of Lake Superior during the time when the smelt season is open. The counties in providing such toilet facilities shall contract for or lease such facilities for the period of time required.

Subd. 2. Reimbursement. The commissioner of natural resources may reimburse the county of St. Louis and the county of Lake for actual expenditures for carrying out the provisions of this section.

History: 1971 c 121 s 1,2; 1973 c 217 s 1; 1977 c 455 s 91

383C.80 APPROPRIATIONS FOR CLEARING LAND.

Subdivision 1. Authority. The board of county commissioners of any county in this state containing not less than 200 congressional townships and a population of not less than 200,000 and an assessed valuation, including moneys and credits, of not less than \$270,000,000, and now having, or which may hereafter have, not less than 35 percent of its land area consisting of vacant and unimproved land is hereby authorized to appropriate and expend, from any and all funds of said county now on hand or hereafter accruing to the credit of the county, whether a specific levy for such purpose has been made or otherwise, a sum not to exceed \$15,000 and establish with said appropriation a revolving fund to enable said county board by resolution to purchase the necessary equipment and defray the cost of labor for operating the equipment in clearing and improving not to exceed ten acres of agricultural lands in any one year of lands of resident-owner-operators, as hereinafter provided, and upon such conditions of payment for and under such restrictions as the county board may deem proper.

Subd. 2. Application. Any person coming under the provisions of this section, desiring their lands to be cleared of stumps and boulders with equipment using "Angledozer" or "bulldozers" shall first make application, on a form approved by the county board, with the county agricultural agent, which application shall provide among other things for the payment of the expense thereof by such person requesting such service. The county agricultural agent, and county auditor guided by available land classification information, shall determine whether the land is suitable for agricultural purposes and worth the cost of clearing; also whether the land is tax delinquent and make recommendations on said application to the county board. The county board may then by resolution approve or reject the application, giving notice to applicant of same.

Subd. 3. Highway engineer to determine use of equipment. The county highway engineer shall be furnished a copy of the resolution affirming or rejecting said application, which shall be filed according to townships wherein applicants reside. The manner, time, and place where county equipment shall be used for the clearing of land shall be determined by the highway engineer and no county equipment shall be used in any manner when required by regular county business.

Subd. 4. Not to be used on tax delinquent land. No county equipment shall be used on land which is tax delinquent unless cash is paid at time of clearing at a rental rate to be determined by the county highway engineer, which rate shall be sufficient to cover labor, transportation, equipment, and other items incidental to clearing said land of applicant. Where tax on land of applicant is paid, upon approval of application by county board said land may be cleared by said equipment at the rates determined, as hereinafter stated, by payment by the owner of the total cost at completion of clearing or upon the payment of 20 percent of the estimated cost by the owner to the county treasurer before land clearing equipment goes on land, and balance shall be certified by highway engineer to the county auditor who shall enter same upon the tax books as an assessment upon such land and shall be collected in the same manner that other real estate taxes are collected, except that said auditor shall spread said balance so as to be collected over a period of four years. Upon the collection of such rental price for such land clearing equipment, the same shall be credited to said revolving fund for use in continuing such land clearing.

History: 1939 c 130 s 1-4; 1986 c 444

383C.801 ST. LOUIS COUNTY MAY BUY EXPLOSIVES FOR RESALE AND USE IN CLEARING LAND.

The county board in any county in this state now or hereafter having an area of over 5,000 square miles and an assessed valuation of over \$200,000,000, exclusive of money and credits, and having not less than 35 percent of its area consisting of vacant and uncultivated lands, may appropriate from the revenue fund of the county the sum of not more than \$25,000 and advance such sum to any county club and farm bureau association of the county for the purpose of enabling the county club and farm bureau association to purchase excess war explosives from the United States government, at the best prices obtainable, for resale for cash to land owners in the county for use in clearing and improving cutover, uncleared lands, therein, upon such terms and conditions as shall be prescribed by the county board, such funds so advanced to be repaid to the county on the completion of the purposes and objects for which the funds shall be so advanced.

History: (750-1) 1927 c 153 s 1; 1933 c 153

383C.802 REVOLVING FUND FOR PURCHASE OF EXPLOSIVES.

The board of county commissioners of any county in this state now or hereafter having a land area of over 5,000 square miles, and an assessed valuation of all taxable real and personal property of over \$200,000,000, exclusive of money and credits, and having not less than 35 percent of its land area consisting of vacant and unimproved land, to appropriate and expend from the road and bridge fund of the county not more than \$25,000, and establish with the funds a revolving fund, for the purpose of enabling the county board to purchase dynamite or other explosives for resale for cash or on time, to land owners, farmers, or towns in the county, for use by them in clearing and improving lands in the towns, the sales of and payment for such explosives to be made under such rules and regulations as shall be prescribed by the county board.

History: (750-2) 1927 c 153 s 2; 1935 c 177 s 1; 1937 c 170 s 1

383C.803 BOARD TO MAKE REGULATIONS.

The county board, before purchasing or selling any such explosives, shall adopt such rules and regulations for the handling, selling, and collecting the purchase price for such explosives as they shall deem advisable and adequate to protect the best interests of the county and avoid financial loss. Such county board shall not have legal authority to sell more than 100 pounds of any such explosive to any single land owner or over 2,000 pounds to any single town, until any and all explosives previously bought by such land owner or town have been paid for in full, with interest on such purchase price at five percent per annum.

History: (750-3) 1927 c 153 s 3; 1935 c 177 s 2

383C.804 RULES FOR HANDLING.

The county board and the board of supervisors of any such county or town, respectively, shall have authority to employ the services of the county agricultural agent or agents of any such county or town in cooperating with any such municipality in the preparation of such rules and regulations for the handling, selling, and use of such explosives and the collection of the purchase price thereof as they shall deem necessary, in order to facilitate the carrying out of the objects and purposes of sections 383C.802 to 383C.805. Any county board or town board shall have authority to enter into contracts with any such land owners or farmers for the repayment of the purchase price of such explosives by labor by man and team or by motor equipment on county or town road work, respectively, or to otherwise secure the repayment of the purchase price of such explosives where not paid for in cash.

History: (750-4) 1935 c 177 s 3

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383C.805 RULES FOR PAYMENT.

Neither the county board nor the town board shall have authority to sell, or otherwise dispose of, any such explosives to any town, land owner, or farmer, after making such sales of 2,000 pounds and 100 pounds, respectively, until the purchase price of all of such prior sales shall have been paid for in cash or labor. On the collection of such purchase price in money or labor on county or town roads, the same shall be credited to the revolving fund for use in continuing such purchase and sale of such explosives to land owners, farmers, or towns, respectively.

History: (750-5) 1935 c 177 s 4