

set by agreement with the county but may not exceed ten percent of the sale price and must be paid from the proceeds of the sale.

In no case shall lands be disposed of without there being reserved to the county all iron ore and other valuable minerals in and upon the lands, with right to explore for, mine and remove the iron ore and other valuable minerals, nor shall the minerals and mineral rights be disposed of, either before or after disposition of the surface rights, otherwise than by mining lease, in similar general form to that provided by section 93.20 for mining leases affecting state lands. The lease shall be for a term not exceeding 50 years, and be issued on a royalty basis, the royalty to be not less than 25 cents per ton of 2,240 pounds, and fix a minimum amount of royalty payable during each year, whether mineral is removed or not. Prospecting options for mining leases may be granted for periods not exceeding one year. The options shall require, among other things, periodical showings to the county board of the results of exploration work done;

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

Sec. 5. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved May 10, 1985

CHAPTER 109 — H.F.No. 516

An act relating to counties; authorizing reimbursement to county commissioners and county officers for certain expenses; renaming the county executive secretary; fixing expenditure authority for certain county activities; removing provisions for county purchasing agents and demonstration and experiment farms; revising the language of the text of chapters concerning county powers and county boards; amending Minnesota Statutes 1984, sections 375.055, by adding a subdivision; 375.48, subdivisions 1 and 2; 375.49, subdivisions 1 and 2; 375.50; 375A.07, subdivision 1; 475.52, subdivision 3; chapters 370; 371; 372; 374; 376; 377; 392; and 395; proposing new law coded in Minnesota Statutes, chapter 382; repealing Minnesota Statutes 1984, sections 374.05; 377.02; 377.04; 392.01; 392.02; 392.03; 395.01; 395.02; and 395.03.

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

Section 1. Minnesota Statutes 1984, chapter 370, is amended to read:

370.01 CHANGE OF BOUNDARIES; CREATION OF NEW COUNTIES.

The boundaries of counties may be changed by taking territory from a county and attaching the same it to an adjoining county, and new counties may

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be established out of territory of one or more existing counties, as hereinafter provided. ~~No such~~ A new county shall contain ~~less than at least~~ at least 400 square miles, ~~nor have less than at least~~ at least 2,000 inhabitants, ~~nor shall it and~~ have an assessed valuation of ~~less than at least~~ at least \$4,000,000. ~~No An~~ existing county shall ~~not~~ be reduced in area below 400 square miles, ~~nor so as to have less than~~ 2,000 inhabitants, ~~nor so as to or~~ have an assessed valuation of less than \$4,000,000.

In existing counties having an area of more than 3,500 and less than 6,000 square miles, boundaries may be changed and new counties established having an assessed valuation of ~~not less than at least~~ at least \$2,500,000.

No change in the boundaries of any county having an area of more than 2,500 square miles, whether by the creation of a new county, or otherwise, shall detach from ~~such~~ the existing county any territory within 12 miles of the county-seat thereof.

370.02 PETITION.

A separate petition for each ~~affected county to be affected thereby~~, signed by ~~the voters therein equal in number to~~ at least one-fourth of those voting in ~~such~~ the county at the last preceding election, giving the residence of each signer, may be filed with the secretary of state, and a copy thereof with the auditor of each county, ~~not less than at least~~ at least 90 days before any general election, ~~praying for requesting~~ a change of county boundaries, or that a new county ~~be is~~ established out of territory ~~to be taken from one or more existing counties~~. If the petition ~~be is~~ for a change of boundaries, it ~~shall must~~ contain a description of the territory to be taken, the name of the county from which the ~~same~~ territory is to be detached, and the county to which the territory is to be attached. If ~~the~~ the petition ~~is~~ for the establishment of a new county, ~~the petition shall it must~~ state the name of the proposed new county, a description of the territory to be included ~~therein~~, giving boundaries, the name and location of the proposed county-seat, and the names and places of residence of the persons who shall constitute the first county board.

370.03 PROCLAMATION; ONLY ONE PROPOSITION.

If it ~~appears that~~ each petition is signed by the requisite number of persons who are voters in each of the ~~affected counties affected~~, ~~of which latter fact the affidavits of the persons procuring the signatures thereto shall be prima facie evidence~~, the secretary of state shall notify the governor of the filing thereof, ~~who, not less than 60 days before such election~~. ~~The affidavits of the persons obtaining the signatures shall be prima facie evidence that each petition is signed by persons who are voters in each of the affected counties~~. The governor shall issue ~~his a~~ proclamation, ~~reciting at least 60 days before the election~~, stating that ~~such~~ the petitions have been ~~so~~ filed, and the substance thereof ~~of the petitions~~, and directing that the question of ~~such~~ change of boundaries, or the establishment of ~~such~~ a new county, as the case may be, be submitted to the voters of the

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~~affected counties to be affected thereby at such the election; but in no case shall.~~
No more than one proposition may be submitted at the same election, except for mutual exchange of territory between counties.

370.04 RECORD PETITION; PUBLISH NOTICE.

Upon issuance of the proclamation, the secretary of state shall record the petitions, affidavits, and proclamation, and transmit a certified copy of the proclamation, by mail, to the auditor of each county.

370.05 NOTICE OF ELECTION; FORM OF BALLOT.

The notice of the next general election of county officers ~~shall~~ must specify that the question of forming the new county, or changing the boundaries of existing counties, as the case may be, will be voted upon at ~~such the~~ election, and ~~shall~~ must state substantially the facts ~~set forth~~ in the petition. If the proposition ~~be is~~ for a change of boundaries, the ballots shall ~~have printed thereon~~ include the words: "For changing county boundaries. Yes. No." If for the establishment of a new county, the words: "For a new county. Yes. No. ". Each of the last two words, "yes" and "no," shall be followed by a square in which the voter may make a cross to indicate his choice.

370.06 CANVASS; JUDGES OF ELECTION; COUNTY CANVASSING BOARD.

The ~~judges of election~~ judges, in addition to the returns required in other cases, shall, ~~within 24 hours after the canvass is completed,~~ transmit to the secretary of state, by certified mail, their certificate of the number of votes cast for and against any proposition submitted; ~~and within 24 hours after the canvass is completed.~~ The county canvassing board shall make return of the vote as in the case of votes for state officers, ~~and.~~ The return shall ~~also~~ must show the result of the vote for and against any proposition submitted, in ~~such the~~ proposed new county, as well as in the entire county affected by ~~such the~~ election.

370.07 CANVASS; PROCLAMATION; SECRETARY OF STATE; AUDITOR; NOTICE TO COUNTY COMMISSIONERS.

The state canvassing board shall canvass ~~such the~~ returns at the time of canvassing the votes cast for state officers, and in the same manner; ~~and it.~~ The board may resort to use the returns received from the election judges ~~for the correction of to correct errors and supply omissions~~ in the returns of the county canvassing board, ~~and for supplying omissions therein.~~ When the canvass is completed, the board shall make and file ~~with the secretary of state its a~~ certificate declaring the result of the vote; ~~and, with the secretary of state.~~ If the certificate shows that the proposition has received a majority of the votes cast ~~thereon~~ in each affected county ~~to be affected thereby,~~ and also has received a majority of the votes cast ~~thereon~~ in the territory forming the proposed new county, if the proposition was for the establishment of a new county, the

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governor, ~~within ten days thereafter,~~ shall issue his a proclamation declaring that the same proposition has been adopted within ten days after completion of the canvass. The secretary of state shall record the certificate and proclamation in his office, and transmit a certified copy of the proclamation to the auditor of each county whose territory is affected ~~thereby.~~ The auditor shall, if the proposition was for the establishment of a new county, serve a certified copy on each of the persons elected as county commissioners of the new county. The proclamation shall also be published with the general laws enacted at the next session of the legislature ~~thereafter.~~

370.08 EFFECT OF PROCLAMATION.

Upon the issuance of the proclamation, the proposed change of boundaries shall ~~become~~ becomes effective; ~~and,~~ If the proposition was for the establishment of a new county, it ~~shall thereupon become~~ becomes duly organized; ~~but.~~ The territory ~~included therein of the new county~~ shall remain attached, for judicial purposes, to the county from which it was taken, until the officers of the new county have been appointed and have qualified, as provided in section 370.09.

370.09 COMMISSIONERS TO QUALIFY, ELECT CLERK, APPOINT COUNTY OFFICERS.

Immediately after the service upon them of copies of the governor's proclamation, the persons chosen as commissioners shall meet at the place named as the county-seat and qualify. The county board shall elect one of its members to act as clerk until the auditor ~~shall have is~~ qualified; and shall then appoint the county officers, beginning with the auditor, and the appointed persons ~~so appointed~~ shall qualify as required by law.

370.10 FILLING VACANCY IN COMMISSIONER DISTRICT CAUSED BY CHANGE OF BOUNDARIES.

In all cases when ~~If~~ a change in the boundaries of any a county shall ~~have heretofore resulted, or shall hereafter result, in the abolishment of any abolishes~~ a commissioner district or districts in the county, by the removal of all the territory of ~~such the~~ the district or districts from the original county, or otherwise, or ~~in creates~~ a vacancy or vacancies in the board of county commissioners of the original county, ~~for the filling of which provision is not otherwise made provided~~ for by law, and when ~~in such case~~ the board of county commissioners shall ~~be is~~ left with less than five members or with an even number of members, the governor shall ~~forthwith~~ immediately, upon the issuance of his the proclamation declaring ~~such the~~ change in the boundaries of any county, appoint a sufficient number of members to complete a board of five commissioners for the county; or, if the board, after the change of boundaries, ~~shall have been is~~ left with more than five members, to complete a board consisting of an odd number of members,

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and shall designate, in ~~his~~ the appointment, the name of the retiring commissioner succeeded by each commissioner appointed ~~by him~~.

370.11 COMMISSIONER AT LARGE; QUALIFICATION.

Each commissioner ~~so~~ appointed by the governor shall be chosen from the county for which ~~he~~ is appointed, shall not be a resident of any town which already has a member on the board, and shall be known as a commissioner at large. The appointment shall at once be communicated to the auditor of the county, who shall immediately notify the appointee; ~~and the~~. The latter appointee shall qualify as such a commissioner, in the same manner required as to other commissioners in the same county, at any time within five days after notice of his the appointment. His Failure so to do so shall be deemed considered a refusal of the office, and the governor shall thereupon appoint another commissioner at large in his stead, and similar proceedings the same procedure shall be had as before followed until the vacancy shall be is filled.

370.12 DUTIES OF AUDITOR; MEETING OF BOARD.

Immediately upon the appointment and qualification of ~~such the~~ commissioner or commissioners at large the county auditor shall give written notice, ~~in writing,~~ delivered personally or by mail, to each commissioner in the county, of a meeting of the board, ~~which~~. The meeting shall be held not less than at least five, nor but not more than ten, days thereafter, and, together with such other business as may then come up for attention, after notice is given. The meeting's business shall include any business which may have been required by law, or by previous proceedings, to be transacted by the board of the county board at a meeting held after such the change of boundaries became effective and before the vacancies thereby caused created were filled, and which shall was not have been then transacted, shall be disposed of at the meeting so held after the qualification of such the commissioner or commissioners at large, and shall have like the effect and validity as if accomplished at the prior meeting; and. Further proceedings required to follow the commissioners' action on ~~such these~~ matters shall be taken within the times or on the dates provided by law, or within ~~such a~~ reasonable time thereafter as ~~will permit of the after giving notice as~~ required by law and of the earliest possible adjustment of affairs to the usual routine.

370.13 REDISTRICTING OF COUNTY; SUBSEQUENT ELECTION.

At least six months before the next general election in the county held ~~next~~ after the appointment and qualification of the commissioner or commissioners at large, unless ~~there is~~ less time ~~shall intervene~~ between ~~such the~~ appointment and qualification and the election, in which event the action ~~herein~~ provided for shall be taken at the first meeting after ~~such the~~ commissioners shall have qualified, the board shall proceed to re-divide ~~its the~~ county into five commissioner districts, ~~five in number, to be~~ numbered from 1 to 5, unless otherwise provided by law; ~~and~~. At the next general election held in the county after ~~such~~

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the redistricting, a commissioner shall be elected from each district, the member from each odd-numbered district to hold ~~for the term of two years~~ a two-year term, and the member from each even-numbered district to hold ~~for the term of four years~~ a four-year term, and thereafter all commissioners, except those elected or appointed to fill vacancies for unexpired terms, shall be elected ~~for the term of four years~~ four-year terms. If, ~~upon such the~~ redistricting, ~~causes any new district shall to~~ cover the same territory as any one of the old districts, the commissioner elected from ~~such the~~ old district shall continue to act as commissioner from the new district for the remainder of the term for which he was elected. In case a contest, or other litigation, ~~shall be is~~ pending involving the legality of the change of boundaries of the county, the redistricting ~~herein provided for~~ shall not be made until after ~~such the~~ contest, or other litigation, has been finally determined in favor of ~~such the~~ change of boundaries. In ~~such this~~ event, if the term of any commissioner at large ~~shall expire~~ expires before the county is redistricted, ~~his a~~ successor shall be elected by the voters of the entire county, ~~whose for a term shall be of~~ four years, unless sooner ended, as ~~in under~~ this chapter ~~provided for~~, or otherwise.

370.14 BOUNDARIES RESTORED AFTER CONTEST.

If, as the result of a contest, or other litigation, involving the change of boundaries of any such county, it shall follow, after the appointment or election of any commissioner or commissioners at large, that the territory detached from the county by the change of boundaries shall, by final determination of the courts, ~~be is~~ restored to it by the final determination of the courts as a result of a contest or other litigation concerning the change of boundaries of the county, after the appointment or election of the commissioner or commissioners at large, the term of office of all such commissioners each commissioner at large shall at once terminate upon immediately after the election or appointment and qualification of a commissioner for the district of the former commissioner whose place on the board is occupied by ~~him; and, the commissioner at large.~~ If the term for which the former commissioner was elected ~~shall has not have~~ expired, ~~he the former commissioner~~ shall, within 30 days after the final determination restoring ~~his the~~ district to the county, qualify as required by law and hold ~~his office for the remainder of his the~~ term. Otherwise the vacancy shall be filled by appointment as in other cases.

370.15 CENTER LINE OF HIGHWAY TO BE BOUNDARY OF COUNTY IN CERTAIN CASES.

Where a city of the fourth class is situated in one county and such city adjoins a city of the first class in another county, and ~~where the center line of a highway runs running~~ along the boundary line between these cities and the boundary line between the counties and ~~where the center line of the highway deviates from the boundary line between these cities and counties, but the boundary line between the cities and counties is within or on the lateral limits of~~

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the highway, then the center line of the highway ~~between the cities and the counties~~ shall be established as the boundary line between the city of the fourth class and the city of the first class and as the boundary line between the counties in which the cities are situated cities and the counties.

370.17 TOWNS, SCHOOL, AND ROAD DISTRICTS.

The ~~several~~ towns, school districts, and road districts whose boundaries are unaffected by the change of county lines shall continue to be ~~such the same~~ in the new county, or county to which transferred, under the same officers as before. Fractions of ~~such~~ towns or districts as are divided by the changed county lines shall be reorganized by the county board of the county in which they are placed, or be attached to adjoining towns or districts, as the board ~~shall deem~~ considers best.

370.18 RECORDS TRANSCRIBED.

All records in the office of the county recorder affecting real estate transferred under this chapter from one county to another shall be transcribed by the county recorder of the county to which ~~such the~~ transfer is made, and he shall receive ~~such compensation therefor~~ as the board of commissioners of the county to which the records are transmitted shall fix. In like ~~the same~~ manner and with like effect, the county auditor shall transcribe from the auditor's office ~~such the~~ records and documents as that the county board shall direct, for which he shall receive six cents per folio directs. The board of commissioners of the county to which the records are transmitted shall pay the county recorder and the county auditor for transcribing the records. These transcribed records shall have the same effect, for all purposes, as the originals.

370.19 TAXES; LEVY; COLLECTION.

No transfer of territory under the provisions of this chapter shall affect the collection of taxes levied at the date of the filing of the petition ~~therefor, but all such~~. The taxes shall be collected by the officers of the original county, and all moneys then money remaining in or afterward coming into the treasury of the original county, or into the possession of any county officer of the county, and belonging to any town, school, or road district in the territory transferred, shall be apportioned and paid over to ~~such the~~ town or district in the same manner as if ~~such the~~ town or district had remained a part of ~~such the~~ original county. After the filing of the petition no county tax shall be extended, by or on behalf of the original county, upon any property within the territory proposed to be transferred, unless and until the proposed change ~~shall have~~ has been rejected.

370.20 NEW COUNTIES; TAX LEVY.

When a new county ~~shall have~~ has been, or may hereafter be, created and organized out of territory ~~embraced~~ within the boundaries of one or more organized counties in the state, the county board of the ~~newly created~~ new county

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may, immediately upon the or within 90 days after its organization thereof, or at any time within 90 days thereafter, levy a tax for county purposes for the current year, subject to the limitations now provided by law, and the county auditor of the county shall ~~forthwith~~ extend the same tax upon the auditor's tax books of his office, and it shall be. The tax is due and payable from and after 30 days from the date of the levy thereof, and shall be paid and collected as other taxes for county purposes are now paid and collected; and any and. All tax levies made for county purposes by the county board of the county or counties out of which the new county is created and organized, during the year immediately preceding the organization of the new county, so far as the same shall which affect the territory embraced within the boundary of the new county, are vacated and any extension thereof is hereby declared void.

370.21 TRANSFER OF PLATS.

The county recorder of the county from which a land transfer is made under this chapter shall deliver the records, or certified copies, of the original plats of lands embraced land in the territory transferred to another county under the provisions of this chapter, on file or of record in the office of the county recorder of the county from which the transfer is made, or certified copies thereof, shall be delivered by such county recorder, to the county recorder of the county to which the territory is transferred, and by him filed and recorded. The county recorder of the county to which a land transfer is made shall then record and file the records.

370.22 COUNTY INDEBTEDNESS; COUNTY BUILDINGS.

All transferred territory so transferred shall continue is liable for its proportion of the excess, if any, ~~of the~~ indebtedness of the original county above the value of its county buildings and of the balance of funds in its treasury. Such The share shall be based upon the last assessment, and the value of the buildings, unless agreed upon by the respective county boards, shall be fixed by the sworn appraisal of three disinterested citizens, none of whom shall be a resident or taxpayer in either county, and who shall be appointed by the governor, upon the written application of the board of either county. The appraisal shall be in writing, subscribed and verified by at least two of such appraisers, and filed in the office of the secretary of state, and shall be final and conclusive. Within five days after the filing of the appraisal, the secretary of state shall transmit to the auditor of each of such the counties a certified copy of the appraisal, application, appointment and oath.

370.23 COUNTY BONDS; PAYMENT AND ISSUE.

The county board of the county to which such territory is transferred shall make provision for payment of such pay for indebtedness by levying a tax therefor at the time fixed by law for so doing; and, for the purpose of meeting any portion of the indebtedness which may become due before the same it can be

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raised by taxation, and providing for the necessary county expenses, such the board in any such new county may issue bonds of its county, with coupons attached, for not exceeding in amount the sum of more than \$10,000, to run for a period of not more than ten years, bearing interest at a rate not exceeding six percent per annum of interest as authorized under section 475.55.

370.24 PENALTY FOR REFUSAL TO ACT.

The validity of the establishment of any such new county shall not be affected by the failure or refusal of any county officer to do any of the acts or things required by this chapter, but any officer who shall refuse refuses or wilfully neglect neglects to perform any required duty herein required shall be is guilty of malfeasance in office.

Sec. 2. Minnesota Statutes 1984, chapter 371, is amended to read:

371.01 COUNTIES MAY CONSOLIDATE.

Two or more counties may be consolidated into a single county in the manner provided in this chapter.

371.02 PETITION.

A petition for each affected county to be affected thereby, signed by voters thereof equal in number to at least one-fourth of those voting in such the county at the last preceding biennial general election, giving the residence of each signer, shall be filed with the secretary of state not less than at least 90 days before any general election, praying for requesting the consolidation of the counties therein named, specifying the name of the proposed new county and the name and location of the proposed county-seat.

371.03 PROCLAMATION.

If it appears that each petition is signed by the requisite number of persons who are voters in each of the affected counties affected, of which latter fact the affidavits of persons procuring the signatures thereto shall be prima facie evidence; and, if the petition otherwise conforms to the requirements of section 371.02, the secretary of state shall notify the governor of the filing thereof, who, not less than 60 days before such general election, The affidavits of persons obtaining the signatures shall be prima facie evidence that each petition is signed by persons who are voters in each of the affected counties. The governor shall issue his a proclamation reciting at least 60 days before the election, stating that such the petitions have been so filed, the substance thereof of the petitions, and directing that the question of such consolidation shall be submitted to the voters of the respective affected counties to be affected thereby at such the election.

371.04 NOTICE OF PROCLAMATION.

Upon the issuing of After the proclamation is issued, the secretary of state shall record the petitions, affidavits, and proclamation, and transmit a certified copy of the proclamation, by mail, to the auditor of each county.

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371.05 NOTICE OF ELECTION.

The notice of ~~such~~ the general election shall must specify that the question of consolidating the counties will be voted upon at ~~such~~ the election, and shall state substantially the facts ~~set forth~~ in the petition. The ballots upon such for the proposition shall have printed thereon include the words:

"Shall the following named counties (inserting the names) be consolidated into a single county?

Yes

No"

371.06 JUDGES; CANVASS OF VOTES.

The ~~election~~ judges of election, in addition to the returns required in other cases, shall canvass, count, certify, and return, as in ~~such~~ other cases, to the county auditor the votes cast upon the proposition, and. The county canvassing board shall canvass and make return of ~~such~~ the votes as in the case of votes for state officers, ~~which~~. The return shall must show the result of ~~such~~ the vote for and against the proposition ~~so~~ submitted.

371.07 STATE CANVASSING BOARD TO CANVASS RETURNS.

The state canvassing board shall canvass ~~such~~ the returns at the time of canvassing the votes cast for state officers, and in the same manner. When the canvass is completed the board shall ~~make and file with the secretary of state its a~~ certificate declaring the result of the vote with the secretary of state, showing the number of votes cast in each county for and against consolidation. If 60 percent of the votes cast ~~thereon~~ in each affected county ~~affected by the proposed consolidation be in favor thereof is for the consolidation~~, the secretary of state shall record the certificate and shall deliver a certified copy ~~thereof~~ to the governor, who shall issue a proclamation declaring the result. Upon the issuance of ~~After~~ the proclamation is issued by the governor, the consolidation shall ~~become~~ is effective and operative on the first day of January 1 following ~~such~~ the general election.

371.08 GOVERNOR TO APPOINT FIRST COUNTY BOARD.

The governor shall, within 60 days after issuing such proclamation, appoint five qualified electors residing within the ~~territory~~ of ~~such~~ consolidated county to constitute the first board of county commissioners for the new county, within 60 days after issuing the proclamation, who shall qualify as provided by law. The several officers of each affected county so affected shall continue in office until the consolidation proceedings become effective, as provided in this chapter, with all the powers and duties of their respective offices, except as provided in this chapter.

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

371.09 MEETING OF COUNTY BOARD.

The board of county commissioners for the new county shall meet at the county-seat at a time designated in the order of the governor appointing them and elect one of its number as chairman. The auditor of the county in which the county-seat is located shall act ~~for and be~~ as the recording officer of the board until the consolidation proceedings become effective. At such ~~the~~ meeting, or at any adjournment ~~thereof~~, the board shall divide the new county into commissioner districts by an order defining the boundaries of each district, which. The order shall be filed with the auditor of each county affected.

371.10 DUTIES OF COUNTY BOARD.

The board of county commissioners shall meet ~~at a time~~ in July ~~to be fixed by it~~, and shall levy a tax for such ~~the~~ new county in the manner ~~now~~ provided by law for levying taxes for county purposes; and. The chairman ~~thereof~~ shall certify to the auditor of each county affected ~~thereby~~ the amount ~~so~~ levied, and. The county boards of the respective counties ~~so~~ to be consolidated shall not ~~in such year~~ levy any tax for county purposes in this year.

371.11 COUNTY AUDITORS TO MEET.

~~At the time of levying such~~ When the tax is levied, the county board shall ~~fix~~ set a time for a meeting of the auditors of the counties affected and shall certify such ~~the~~ date to the county auditors at ~~the time of when~~ certifying the levy. ~~At the time specified~~ The county auditors shall meet at the county-seat and ~~shall, at that meeting, or any adjournment thereof, ascertain and determine~~ set the tax rate of taxation for such ~~the~~ new county, based upon the aggregate assessed valuation of the consolidated counties, and at that meeting or any adjournment. Each auditor shall extend such ~~the~~ taxes within his ~~the~~ county ~~in the manner provided by law, and shall, on the first Monday in January following,~~ deliver the appropriate books to the treasurer of the new county for collection on the first Monday in the following January, as provided by law. The ~~several~~ officers of the new county shall have all the powers and ~~be subject to all the duties in reference to~~ for the collection of delinquent taxes levied by the consolidated counties as would have been previously possessed and performed by the ~~several~~ officers of the respective counties had no ~~before the~~ consolidation been effected ~~became~~ effective.

371.12 COUNTY BOARD TO APPOINT NEW OFFICERS.

The county board of the new county shall, ~~prior to the date on which the consolidation becomes effective,~~ appoint electors residing within such ~~the~~ new county to the ~~several~~ county offices ~~thereof, who~~ before the consolidation becomes effective. The new officers shall qualify on the date that such ~~the~~ consolidation becomes effective, in the manner now ~~as~~ provided by law ~~therefor~~. All the books, records, and files of the ~~several~~ offices of the consolidated counties shall be delivered to the appropriate officers of the new county.

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

371.13 COUNTY BOARD TO PROVIDE COURTHOUSE.

The county board of ~~such the~~ new county shall, ~~on or before the date such~~ consolidation becomes effective, make appropriate arrangements for suitable offices for the several county officers before the consolidation becomes effective. If the county is not going to succeed to any building or buildings appropriate for ~~such this~~ purpose, the board is ~~authorized to~~ may lease suitable space or buildings.

371.14 TITLE TO PROPERTIES OF ALL COUNTIES TO BECOME VESTED IN NEW COUNTY.

~~Upon~~ When the consolidation ~~becoming~~ becomes effective, the new county shall become vested with the title to all real and personal property, other than ~~moneys~~ money in cash or on deposit, of the consolidated counties. The territory ~~embraced~~ within the consolidated counties shall remain liable for all indebtedness of the respective counties ~~outstanding and unpaid at the time when~~ the consolidation becomes effective. Any ~~moneys~~ money on hand, in cash or on deposit, at the time and the proceeds of any tax levied by the respective counties, ~~when and as collected,~~ shall be applied on the indebtedness. The appropriate officers of the new county shall from time to time levy ~~such a~~ such tax as ~~may be necessary to provide funds for the payment of such to pay the~~ indebtedness as it becomes due, ~~which.~~ The tax shall be spread against the ~~liable~~ taxable property ~~liable therefor.~~ The new county shall have authority to enforce any contract and to collect any claims of the several consolidated counties by suit or otherwise.

371.15 MAY ISSUE CERTIFICATES OF INDEBTEDNESS.

At Any time after the county board has made the original tax levy for ~~such the~~ new county and certified the ~~same~~ tax levy to the respective auditors, it may issue ~~the~~ certificates of indebtedness of ~~such the~~ new county in anticipation of the collection of ~~such the~~ levy, ~~which.~~ Each certificate shall be in writing, signed by the chairman, and attested by the recording officer of the board, ~~mature not later than before~~ December ~~first~~ 1 following the effective date of the consolidation, and bear interest at a rate ~~not greater than six percent per annum~~ as authorized under section 475.55.

Sec. 3. Minnesota Statutes 1984, chapter 372, is amended to read:

372.01 PETITION.

When ~~there shall be a~~ petition is presented to the auditor of any county a ~~petition~~ substantially in the following form: "To the county board of the county of, Minnesota: The undersigned legal voters of this county pray request that the county-seat ~~thereof~~ be changed to (here designate the place)," signed by ~~legal voters of the county to a number equal to not less than at least~~ 60 percent of the whole number those voting therein in the county at the

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last preceding general election, accompanied by affidavits of ~~not less than at least~~ two of the signers thereof stating that, ~~to the knowledge of affiants,~~

(a) ~~the petition~~ signatures to the petition are genuine,

(b) ~~they~~ were subscribed thereto ~~signed~~ within 60 days preceding before the date of the affidavits, and that affiants are informed and believe that at the time of

(c) ~~when~~ signing the petition the petitioners were legal voters of the county,

and it appearing that the notice of intention to circulate the petition provided for in under section 372.02 has been was given, the auditor shall forthwith immediately file the petition and affidavits, and make, seal, and file in his the auditor's office an order for a special meeting of the county board to consider such the petition, specifying therein. The order shall specify the time of the meeting, which shall be between nine o'clock a.m. and five o'clock p.m., and not less than at least 15 nor but not more than 20 days after such the filing. The auditor shall also cause serve a duplicate copy of the order to be served upon each member of the board, personally or by mail, not less than at least five days before the time specified therein for such the meeting.

372.02 FORM OF NOTICE.

When the order is filed the auditor shall forthwith make, seal, subscribe, and file in his the auditor's office a notice substantially in the following form: "To the legal voters of the county of (here name the county), Minnesota: Notice is hereby given that a petition is on file in my office, signed by legal voters of the county to the number of (here state number as shown by the petition and affidavits), praying requesting that the county-seat of the county be changed to (here designate the place), and that a special meeting of the county board will be held at (name the place of meeting), on the (state time), to consider the petition, at which time and place any legal voter of the county may appear, in person or by counsel, and be heard." The auditor shall cause have ten days' posted notice of the meeting to be given in each town therein. Proof of posting may be by the affidavit of any person having personal knowledge thereof, which of the posting. The affidavit shall be filed in the auditor's office of the auditor, and thereafter be is prima facie evidence of the truth of the facts therein set forth that the notice was posted. Two weeks' posted notice of the intention to circulate such the petition shall must be given at the county-seat. Proof of the posting shall be made in like the same manner as in the case of notice of the special meeting of the board.

372.03 DUTIES OF COUNTY BOARD.

At the time and place specified in the notice, proof of its service having been filed, the county board shall meet to act on the petition, and. The board

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shall inquire and determine ~~which, if any, of the signatures to the petition~~ signatures are not genuine; and ~~which, if any, of the signers thereof were not, at the time of signing the same, legal voters of the county; and which, if any, of the signatures thereto were not attached within 60 days preceding before the filing thereof; and, which, if any, of the signatures have been withdrawn.~~ All such signatures shall be stricken from the petition and deducted from the count, and a list thereof, certified by the board, shall be filed ~~forthwith~~ with the auditor. Any competent evidence offered bearing upon the matters committed to the determination of the board shall be received; and ~~to that end~~ any voter of the county may appear, in person or by counsel, and be heard in respect to these matters, under such reasonable rules and ~~regulations~~ as the board may prescribe.

372.04 ORDER FIXING SETTING TIME OF ELECTION.

If the names of the legal voters of the county remaining affixed to the petition shall equal or exceed at least 60 percent of those voting therein at the last preceding general election remain on the petition, the auditor, ~~upon the after~~ filing of the certificate, shall make, under his official seal, and file in his the auditor's office, an order fixing setting the time of holding for a special election upon the question of changing the county-seat to the place designated in the petition, ~~which shall not be less than at least 20 nor but not more than 30 days after filing the certificate.~~

372.05 NOTICE; MANNER OF SERVICE.

Upon the filing of When the order is filed, the auditor shall ~~cause~~ have two weeks' published notice of the election ~~to be given in all the newspapers in the county, and ten days' posted notice in each town therein.~~ The notice ~~shall~~ must be substantially in the following form: "To the legal voters of the county of (here name the county), Minnesota: Notice is ~~hereby~~ given that a special election will be held in the several election districts in the county on the (here insert the time), ~~for the purpose of voting to vote~~ upon the question of changing the county-seat of the county to (here designate the place)." The auditor shall serve ~~upon~~ the clerk of each town and city in the county personally or by mail a duplicate copy of the notice, ~~not less than at least 15 days previous to the time so fixed for holding before the election.~~

372.06 PLACE OF ELECTION; NOTICE.

Upon receipt of When the notice is received, every ~~such~~ clerk shall ~~cause~~ have ten days' posted notice of the election ~~to be given in each election district in his the town, substantially in the following form:~~ "To the legal voters of the (here insert specifically the election district), in the county of (here name county), Minnesota: Notice is ~~hereby~~ given that a special election will be held at (here specify the place), in the election district, on the (here insert the time), ~~for the purpose of voting to vote~~ upon the question of changing the county-seat of the

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county to (here designate the place)." The clerk shall file one copy of the notice, with proof of the posting, shall be filed by the clerk in his the clerk's office.

372.07 CONDUCT OF ELECTION.

As far as practicable ~~such~~ the election shall be conducted, and the votes cast, counted, returned, and canvassed, by the same officials and under the same provisions of law as in the case of general elections. The polls shall be opened at eight o'clock a.m. and closed at five o'clock p.m. The ballots shall ~~have printed thereon~~ include the words: "For changing the county-seat to (here name the place). Yes. No," with a square opposite each of the words "yes" and "no," in ~~one of which each~~ the voter shall may make a cross to ~~express~~ indicate ~~his the~~ voter's choice.

372.08 CANVASS; CERTIFICATE OF CANVASSING BOARD.

When the canvass is completed the canvassing board shall ~~forthwith~~ immediately make, subscribe, and file with the auditor a certificate ~~setting forth stating~~ stating the total number of votes cast at the election; ~~the number cast in each election district in favor of and against the change, and; the majority in each district for or against the same, change;~~ the number cast in favor of and against the change in the county; and the majority therein in the county for or against the ~~same change~~. If 55 percent of all the votes cast at the election ~~shall be~~ are in favor of the change, the board shall set a date ~~not less than at least 60 nor but not more than 90 days after the election after which the place so chosen shall be to change~~ the county-seat.

372.09 ELECTIONS HELD ONLY ONCE IN FIVE YEARS.

When an election for a change of county-seat ~~shall have~~ has been held in any county ~~no~~, a subsequent election for the removal of the county-seat shall ~~not~~ be held ~~therein~~, ~~nor shall any~~ notice of intention to circulate a petition for ~~such a~~ change shall ~~not~~ be published or posted, ~~nor any such and a~~ petition shall not be circulated, ~~until after for the expiration of next five years; and no such. A~~ subsequent election shall not be ordered unless the petition for the change is signed by ~~legal voters to the number of 60 percent of those voting in the county at the last preceding general election.~~

372.10 DUPLICATE PETITIONS CONSOLIDATED.

When two or more ~~such~~ petitions shall ~~be~~ are presented to the county auditor substantially at the same time they shall ~~be~~ attached together and ~~thereafter~~ constitute one petition.

372.11 ONE PLACE ONLY VOTED FOR.

~~No~~ An election shall ~~not~~ be called or held under ~~the provisions of this chapter for voting to vote~~ upon the question of changing any county-seat to more

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than one place at the same time and all such elections shall be held as far as practicable at the same place of holding as the last preceding general election.

372.12 FAILURE TO GIVE NOTICE.

Wilful failure or refusal by any an owner or manager of any a newspaper to publish any notice required by this chapter shall not affect the sufficiency of the notice, nor invalidate any of the proceedings thereunder. Failure to post any notice shall be disregarded unless it affirmatively appears that a sufficient number of voters were thereby prevented from voting to change the result.

372.13 NEGLECT OF DUTY A MISDEMEANOR.

Any county auditor or other official who shall wilfully neglect neglects or refuse refuses to perform the duties required of him by this chapter shall be is guilty of a misdemeanor.

Sec. 4. Minnesota Statutes 1984, chapter 374, is amended to read:

374.01 COUNTY AND CITY OF FIRST CLASS MAY BUILD COURTHOUSE.

Any county in this state now or hereafter having within its limits a city of the first class may, together with such the city, jointly acquire land for, erect construct, equip, furnish, maintain, and operate a joint court-house courthouse and city hall building to be used jointly by such county and city.

374.02 EXPENSE DIVIDED.

The county and city shall share equally in the cost and expense of acquiring land for, erecting constructing, equipping, and furnishing such the building shall be borne equally by such county and such city. The building shall not be erected constructed or contracted to be erected and constructed, no land shall be acquired therefor, and no bonds shall be issued or sold by the county, as provided in section 374.03, until the city has been authorized to issue bonds to defray pay its proportion share of the cost of such land and building and the ordinances providing for the issuance of such bonds bond issue have been ratified by the vote of the electors of such the city in the manner provided in the city charter of such city or by the laws of the state of Minnesota law.

374.03 ISSUANCE OF BONDS.

At any time after such When the city shall have has been so authorized to issue bonds to defray pay its part share of the cost of acquiring a site and of erecting the city hall and courthouse building, the county board of county commissioners of any such county may issue and sell certificates of indebtedness or bonds of such county to defray pay the county's portion share of the cost of acquiring land for, erecting constructing, equipping, and furnishing such the building in an amount, equal to the amount of bonds authorized to be issued by such the city, without submission to the vote of the electors of such the county,

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and. The full faith and credit of the county shall must be pledged to the payment of the principal and interest of ~~such~~ the certificates of indebtedness or bonds. ~~In no event shall any such~~ The county may not issue its certificates of indebtedness or bonds for ~~such~~ this purpose in an amount ~~exceeding~~ for more than \$2,000,000. ~~Such~~ The certificates of indebtedness or bonds may be issued in one or more ~~instalments~~ installments, but the certificates of indebtedness or bonds of each ~~instalment~~ installment shall installment must be serial bonds or certificates of indebtedness, a portion of which shall be payable each year after issue, ~~but~~. None of these certificates of indebtedness or bonds shall run for a longer term than 30 years from their date, ~~and~~. The county board of ~~county~~ commissioners shall fix the denominations ~~thereof~~ and shall fix the dates of maturity of each ~~instalment~~ installment so that the amounts necessary each year to pay the principal and interest maturing in ~~such~~ the year shall be approximately the same in each of the years during which the certificates of indebtedness or bonds of the ~~instalment~~ installment shall run. ~~Such~~ The certificates of indebtedness or bonds shall be sold in accordance with the provisions of as provided under section 475.60. ~~The at~~ a rate of interest shall, ~~in no case, exceed six percent per annum authorized under section 475.55.~~

374.04 BONDS; EXECUTION AND DELIVERY.

Such bonds or certificates of indebtedness shall be executed in ~~such~~ manner as ~~The county~~ The county board of ~~county~~ commissioners shall, by resolution, determine the manner of executing the bonds and certificates. The delivery of the bonds or certificates of indebtedness ~~so~~ executed at any time thereafter shall be valid, notwithstanding any change in ~~such~~ the officers or in the seal of the county occurring after ~~such~~ the execution.

374.06 TAX LEVY.

The county board of ~~county~~ commissioners shall levy a tax, at the time and in the manner prescribed by section 475.61, to pay the principal and interest of ~~such~~ the bonds or certificates of indebtedness. This section shall not be construed as limiting to limit the power of a municipality to levy taxes to pay its obligations issued hereunder, but the governing body of every municipality shall have the authority and it shall be its duty to levy any taxes necessary to provide revenue to pay ~~such~~ the obligations.

374.07 LIMITATIONS.

The amount of indebtedness authorized to be incurred by ~~any such~~ the county shall be in addition to ~~and over~~ and above any limits now fixed by law.

374.08 JUDGES TO APPOINT BUILDING COMMISSION.

As soon as practicable after the city council of ~~any such~~ any city and the county board of ~~commissioners~~ commissioners of ~~any such~~ any county shall determine decide to proceed with the ~~erection~~ construction of a joint ~~court-house~~ courthouse and city

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hall building, ~~there~~ an advisory courthouse and city hall building commission of nine members shall be appointed by, and serve at the pleasure of, ~~those persons who shall be the~~ judges of the district court of the judicial district of which ~~such the~~ county may be a part, not acting in their judicial capacities, ~~an advisory court-house and city hall building commission of nine members~~, to be selected as follows: two members from the membership of the city council of ~~such city~~; two members from the membership of the county board of county commissioners of ~~such county~~; and five members at large who shall be freeholders landowners and residents of ~~such the~~ county, one of whom shall reside outside the limits of ~~such the~~ city.

374.09 PROCEDURE IF JUDGES FAIL TO APPOINT.

If the ~~persons who shall be~~ judges of the district court for any reason shall fail to make appointments to the advisory ~~court-house~~ courthouse and city hall building commission within 30 days after the city council of any ~~such city~~ and the board of county commissioners of any ~~such county~~ have determined decide to proceed with the ~~erection~~ construction of any ~~such the court-house~~ courthouse and city hall building, then ~~such the~~ advisory ~~court-house~~ courthouse and city hall building commission, consisting of nine members, shall be appointed as follows: four members to be appointed by the city council of ~~such city~~, two of whom shall be members of ~~such the~~ city council; four members to be appointed by the county board of county commissioners of ~~such county~~, two of whom shall be members of the county board of county commissioners; the ninth member of the commission shall be appointed by a majority vote of the members of the city council and the county board of county commissioners sitting in joint session.

374.10 WHO MAY BE MEMBERS OF COMMISSION.

No more than two members of the advisory ~~court-house~~ courthouse and city hall building commission shall be at any one time members of the county board of county commissioners, and no more than two of ~~such the~~ members shall be at any one time members of the city council; ~~and, in the event any person appointed. If~~ a member of the commission who was not at the time of his appointment a member of either the city council or the county board of county commissioners and shall subsequently ~~become~~ becomes a member of either body, ~~he the person shall thereupon~~ cease to be a member of the advisory ~~court-house~~ courthouse and city hall building commission.

Immediately after the appointment of the commission, the persons appointed as members ~~thereof~~ shall indicate their acceptance of their appointment, in writing, filed with the auditor of the county.

In case any ~~If~~ a person appointed as a member of the commission shall ~~fail so fails~~ to file his written acceptance of ~~such the~~ appointment within 20 days after ~~such the~~ appointment, ~~or in case any member shall die dies, resign resigns,~~ or be is removed from office, or ~~in case any of the members a member~~ of the

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commission, ~~who were~~ appointed from the membership of the city council or the county board of county commissioners, shall ~~cease~~ ceases to be ~~members~~ a member of the council or board, ~~their successors~~ a successor shall be appointed in the manner and by the same persons as that originally appointed such the member.

Immediately ~~upon~~ after the expiration of the 20 days following the appointment of ~~the members~~ of the commission members, or ~~prior thereto upon~~ after the filing of such acceptance by all those appointed as members ~~thereof~~, the chairman of the county board of county commissioners shall call a meeting of such the commission and shall preside at the first meeting. ~~At such meeting~~ The commission shall select from its own members a chairman and ~~such~~ other officers as it ~~may deem~~ considers necessary.

374.11 DUTY OF COMMISSION.

As soon as practicable after the appointment of the members of such the commission, it shall ~~proceed~~ to select a site or sites for such the building and may contract with the owners ~~thereof for the acquisition of such~~ to acquire the site or sites by gift or purchase, ~~which~~. The contract or contracts shall be subject to ratification by the city council and board of county commissioners; provided, that if the site selected ~~be is~~ not the site of ~~any then an~~ an existing ~~court-house courthouse~~ and city hall building, then the site selected ~~shall must~~ be a site located within one city block of the site of ~~any an~~ an existing ~~court-house courthouse~~ and city hall building. The commission shall not recommend erection of constructing the court-house courthouse and city hall on a new site, unless two-thirds of the ~~personnel of the~~ commission members are in favor ~~thereof and are of the opinion, and~~ and The commission's report shall so state in the report of the commission, that the proposed new site is more advantageous to the city and county than the site of the existing ~~court-house courthouse~~ and city hall ~~cannot be used for such court-house and city hall in a manner as advantageous to the city and county as the proposed new site and shall embody in its report a statement of and the facts upon which it bases its conclusions in this regard, and such this conclusion is based. The new site shall must not be finally selected until the report shall have has been published in the daily newspapers of the city and an opportunity given for the public to present its objections thereto, at a hearing on a date not earlier than held at least 30 days after such the publication. As soon as practicable after the selection of a site or sites, the commission shall report to the city council and the board of county commissioners, describing the property selected as a site for the building, and the price at which the properties can be acquired. Upon the filing of When the report is filed, the county board of county commissioners and the city council shall consider the report and may either reject ~~the same~~ or ratify the action taken by the ~~commissioners;~~ and, in the event that commission. If either or both of these bodies shall reject rejects the commission's report of the commission, the matter shall must be resubmitted to the commission for further action. In the event that If the city council and the~~

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~~county board of county commissioners shall approve~~ approves the site selected by the commission, but ~~shall does not~~ approve the price at which the site or sites can be acquired, the city council and the county board of county commissioners shall ~~thereupon~~ proceed to acquire the property by eminent domain. The proceedings in eminent domain ~~for the acquisition of~~ to acquire the property may be instituted and carried to completion in the name of either the city or the county, as may be determined by the city council and county board of county commissioners, and. The proceedings may be instituted and completed either under the laws governing the condemnation of land by counties or under the provisions of the city charter of such city relating to the acquisition of land by eminent domain, or under the laws of the state law relating to the acquisition by cities of land by eminent domain.

The cost of acquiring this land, whether acquired by purchase or eminent domain, shall be paid one-half by ~~such the~~ county and one-half by ~~such the~~ city; and, in case. If the property is acquired by eminent domain in proceedings instituted and completed by ~~such the~~ city, the county shall reimburse it for one-half of the cost and expense of acquiring such the land and one-half of the expense incident thereto; and, If the proceedings are instituted and completed by ~~such the~~ county, the city shall ~~likewise~~ reimburse the county in the same manner. All land acquired as a site for ~~such court-house~~ the courthouse and city hall building shall be owned jointly by ~~such the~~ county and ~~such the~~ city; and, in case. If the entire tract is acquired by either ~~such the~~ city or ~~such the~~ county, it shall ~~convey~~ an undivided one-half interest thereof shall be conveyed to the other upon reimbursement for one-half of the cost of acquiring the ~~same~~ land.

374.12 PLANS AND SPECIFICATIONS DRAWN.

Either before or after the selection of the building site of such building, the commission shall ~~cause to be prepared~~ have plans and specifications for ~~such the~~ building prepared and may employ architects, engineers, draftsmen, and ~~such~~ clerical help as may be ~~deemed necessary~~ for the purpose of preparing such to prepare the plans and specifications. The compensation of ~~such employees~~ shall be fixed by The commission and shall be paid in equal parts by ~~shall set~~ the compensation of the employees. The city and the county upon presentation of shall pay the compensation in equal parts when presented with statements therefor certified to be correct by a majority of ~~such the~~ commission. All ~~such~~ contracts and ~~employments~~ employment shall be subject to approval by the city council and county board of county commissioners. Upon ~~When~~ the completion of the plans and specifications for ~~such the~~ building are completed, the commission shall submit the ~~same~~ them to the city council and the county board of county commissioners for approval. The council and board shall ~~thereupon~~ approve the proposed plans and specifications, or reject them and resubmit them to the commission for further consideration; and, When the plans and specifications are satisfactory to both the city council and the county board of county

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commissioners, each of those bodies shall ~~thereupon~~ pass a resolution authorizing and instructing the commission to proceed with the work.

374.13 TO ADVERTISE FOR BIDS.

~~Upon the completion of such~~ When the plans and specifications are completed and their approval or adoption approved by the city council and the county board of county commissioners, the commission shall, after notice appropriate to inform possible bidders, obtain bids or proposals for all or any portion of the work or materials, or both, to be done, performed, or furnished in the construction of the building. All bids or proposals shall be sealed by the bidders or proposers and shall be filed with the commission at or before the time specified for the opening of bids or proposals. At the time and place specified for the opening of bids or proposals, the commission shall meet, open the bids or proposals, ~~and tabulate the same them,~~ and ~~shall thereupon~~ award the contract or contracts to the responsible bidder whose bid or proposal is the most favorable to the city or county, or reject all bids and proposals. ~~In the event~~ If all bids or proposals are rejected, the commission may, after similar notice, obtain more bids or proposals or may modify or change the plans and specifications and submit ~~such~~ the modified plans and specifications to the city council and the county board of county commissioners for approval, ~~and~~. When such the modified or changed plans and specifications are satisfactory to both the city council and the county board of county commissioners, the plans and specifications shall be returned to the commission and the commission shall proceed ~~to~~ again, after similar notice, to obtain bids or proposals. Any ~~such~~ contract awarded by the commission shall be subject to approval by the city council and the county board of county commissioners.

374.14 CERTIFIED CHECKS WITH ALL BIDS.

Each person submitting bids or proposals under ~~the terms~~ of section 374.13 shall file with ~~his~~ the bid or proposal a certified check in an amount prescribed in the specifications of the commission for the building, to be retained as liquidated damages and divided equally between the city and county in case of failure to enter into a contract if ~~he~~ it is awarded ~~the same~~.

All contracts shall be in writing and ~~shall be~~ made in the name of the county and city ~~proposing to erect such building,~~ and shall be executed in their behalf of ~~such county and city~~ by the officers empowered by law or charter to execute the contracts in behalf of ~~such county and such city~~. All persons who may be awarded building contracts in connection with the erection of ~~such building~~ shall be required to furnish bonds in the amount and in the form prescribed as required by the laws of the state ~~law~~ relating to contracts for public improvements, ~~and such~~. The bonds shall run to the county and city ~~erecting such building~~.

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374.15 WAGES.

Work specifications for all such work shall contain a provision that skilled and unskilled laborers employed in such the work shall be paid a wage equal to the wage required to be paid by contractors doing work for such the city, if such the city has in force an ordinance providing such a scale of wages.

374.16 COST OF REMOVING AND REMODELING.

In the event if the selected site be then is occupied by an existing city hall and court-house courthouse, such that and temporary quarters must be provided for officers and officials located therein pending before completion of the new building, the cost of any remodeling of such temporary quarters, and moving expenses incident to their occupancy shall be considered a part of the cost of the new building.

374.17 COMMISSION MAY APPOINT ARCHITECTS.

The work of erecting constructing, equipping, and furnishing the building shall be conducted and completed under the direction and supervision of the commission and. The commission members thereof are charged with the duty of requiring that the work to be is done in accordance with the plans and specifications. The commission is hereby authorized to may employ such architects, engineers, supervisors, inspectors, clerks, and other employees as it may deem necessary or advisable to supervise and inspect the work and assist in the performance of the duties of the commission, and. The county and city shall pay the fees and salaries of such the employees in the amounts fixed by the commission, one-half by the county and one-half by the city, upon the presentation of when presented with statements therefor certified to be correct by a majority of the commission. Such employments shall be The employment is subject to the approval of the city council and county board of county commissioners in the manner provided in this chapter.

374.18 MANAGEMENT OF BUILDING.

If, at the time of the erection of such building, the county and city so erecting a court-house and city hall shall then be jointly owning own and operating operate a city hall and court-house courthouse building under authority and power granted by law, the management of the new building shall be vested in when a new building is constructed, the same persons or committees as that managed the old building then jointly owned and operated by such city and county shall manage the new building. In all other cases the management of the building shall be vested in, a joint committee consisting of two members of the county board of county commissioners selected by the board, and two members of the city council selected by the council shall manage the building. The committee shall have full charge and management of the building and shall have the power to appoint such employees as the committee shall deem considers necessary for the proper care, management, and operation of the building. The

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committee shall set the salary and compensation to be fixed by the committee of the employees, and the county board of county commissioners and the city council of the city shall each provide an amount sufficient to pay one-half of the expense of operating the building.

374.19 TO SERVE WITHOUT COMPENSATION.

The members of the advisory ~~court-house~~ courthouse and city hall building commission and the members of the joint building management committee of the city council and county board to ~~manage the building~~ shall not receive any compensation for their services upon the committee or commission, ~~and~~. None of the members of the advisory ~~court-house~~ courthouse and city hall building commission shall have any financial interest in any of the contracts awarded by the commission.

374.20 SALE OR LEASE OF LANDS NOT USED.

In case If any land or buildings owned and used by either the county or the city, or jointly owned and used by them, ~~shall is~~ not be required for the use of by the county or city, or both of them, after the completion of the new building is completed, the land and buildings shall be sold as soon as practicable ~~and~~. The proceeds shall be placed in separate funds of the county and city to be and used for the payment of bonds or certificates of indebtedness authorized ~~hereunder by~~ by the county and courthouse and city hall bonds issued by any such the city. The proceeds of such the sales shall be paid into to the county and city treasuries in the proportion of ownership of each in the real property so sold. So far as practicable the proceeds of such the sales shall be used to pay a portion of the bonds or certificates of indebtedness maturing in each year after sales ~~in such manner as to make so that~~ the annual payments from the proceeds of such the sales as nearly equal as may be in each of the years in which bonds or certificates of indebtedness mature. No part of the proceeds of such the sales shall be used to pay interest charges on any bonds so issued, ~~and~~. No part thereof shall be used for any purpose other than the payment of maturing bond or certificates of indebtedness, unless there is a surplus after the payment of all bonds or certificates of indebtedness, ~~in which case such~~. The surplus shall then be paid into the general sinking fund of such the city and county.

The city and county are each authorized to may sell or lease to the other for a nominal or other consideration, all or part of its interest in the aforesaid land ~~or any part thereof~~, provided that, in the event of such sale, If the purchasing city or county, as the case may be, ~~shall resell such~~ resells the land to a purchaser other than the city or county as soon as practicable, the proceeds of such the resale to shall be equally divided between the city and county; ~~provided further that~~. If said the land or any part thereof is leased by either the city or county, as provided above under this section, said the lease shall be only for such term and under such conditions as will must permit the sale thereof of the land to a purchaser other than the city or county as soon as practicable.

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In the event that ~~If~~ either the city or county shall ~~acquire~~ acquires full title to ~~said~~ the property, ~~said~~ the city or ~~said~~ county is ~~authorized~~ may, in the sale of ~~such~~ the property to, consider their combined economic, financial and industrial interests, as well as the price offered, with relation to a proposed project ~~thereon~~, and ~~may~~ include ~~such~~ these factors in the specifications or proposals for ~~such~~ the sale.

This section shall be liberally construed to effectuate carry out its purpose, and in the event. ~~If~~ any portion or clause of ~~such~~ the section or clause thereof shall be ~~is~~ held ~~ineffectual~~ invalid, the validity of the balance shall not be affected.

374.21 AUDITORIUM; MILITARY VETERAN ORGANIZATIONS, MEETING PLACES.

Subdivision 1. MUNICIPAL AUDITORIUM. If any ~~such~~ the city desires to construct an auditorium, ~~such~~ the building may be included in the ~~court house~~ courthouse and city hall building if the county board of county commissioners shall agree thereto and ~~agrees~~, an agreement is reached between ~~such~~ the board and the city council of ~~such~~ city as to on the cost of ~~such~~ the addition to the ~~court house~~ courthouse and city hall building, and the entire amount of ~~such~~ the additional cost arising from the inclusion of ~~such~~ auditorium building in the ~~court house~~ courthouse and city hall building shall be borne is paid by ~~such~~ the city. Nothing herein contained in this section shall require that in the event ~~such~~ auditorium is made a part of the city hall and court house building the city shall must sell any existing auditorium building if an auditorium is constructed in the city hall and courthouse building. In the event ~~If~~ the auditorium is included in the city hall and court house courthouse building, the management and control of ~~such~~ auditorium shall not be vested in managed by the joint building management committee hereinbefore provided for to manage of the city hall council and court house building, but the management and control of the auditorium shall be vested in ~~such~~ city county board. The city shall manage the auditorium and shall pay for any additional expense in the care, upkeep, and maintenance of the ~~court house~~ courthouse and city hall building arising from the inclusion of ~~such~~ an the auditorium shall be borne by ~~such~~ city.

The city council of any ~~such~~ city issuing and selling bonds as herein authorized for the purpose of defraying the expense of acquiring land for erecting, equipping, and furnishing any ~~such~~ joint court house and city hall building is hereby authorized and empowered without reference to any ~~such~~ advisory court house and city hall building commission or other public body or bodies to reconstruct, remodel, and improve the theater section of any municipal auditorium building located in any ~~such~~ city and to defray the expense, not in excess of the sum of \$25,000, of reconstructing, remodeling, and improving the theater section of any ~~such~~ building from the balance of the proceeds of the issuance and sale by ~~such~~ city of any ~~such~~ bonds, remaining after the expense of acquiring land

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for erecting, equipping, and furnishing any such joint court house and city hall building has been defrayed, as herein provided.

Subd. 2. **MUNICIPAL AUDITORIUM BUILDING; COUNTY EQUIPPING.** The A county board of any such county issuing and selling bonds as herein authorized for the purpose of defraying the expense of to pay for acquiring land for erecting constructing, equipping, and furnishing any such a joint court house courthouse and city hall building is hereby authorized and empowered, without reference to any such advisory court-house and city hall building commission, to may appropriate and expend spend not more than \$10,000 from the funds provided by the sale of such bonds for the purpose of bond proceeds for equipping any a municipal auditorium building situated located in any a city of the first class located within any such the county, without reference to the courthouse and city hall building commission or other public body or bodies.

Subd. 3. **VETERAN ORGANIZATIONS, MEETING PLACES.** If, in the opinion of the city council and county board, it is inadvisable to provide meeting halls or quarters in the city hall and court house courthouse, for veteran organizations the membership whereof is composed of persons who served the United States in the army, navy, or marine corps in the civil war, Spanish-American war, Philippine Insurrection, Boxer Uprising, Chinese Relief Expedition, World War I and World War II, and for the auxiliaries to or of those organizations and their auxiliaries, and in the opinion of those bodies such halls or quarters should be provided, the county board and city council may provide not to exceed the sum total of \$20,000 to be expended in 1947 or any year subsequent thereto out of the balances remaining in the funds referred to in Minnesota Statutes 1945, section 374.23, more than \$20,000 for the improving of such halls or quarters in a municipally-owned auditorium building for such the organizations and their auxiliaries out of the balances remaining in the funds referred to in section 374.23. In If the event halls or quarters in a municipal auditorium are improved for the use of such the organizations and their auxiliaries, such the halls and quarters shall be under the sole control and management of the same persons or committees as that manage the city hall and court house courthouse building; and. All costs of heating, lighting, and operation of such operating the halls or quarters shall be the expense of such paid by the persons or committees; provided, that. The last named persons or committees may, if they so elect, direct such the organizations and their auxiliaries to form a joint housing or other proper committee to represent and act for such the organizations and their auxiliaries in all matters relating to such the halls and quarters and to prepare and adopt rules and regulations prescribing setting the time when, manner in which, and conditions under which such the halls or quarters or portions thereof shall be used by the several organizations and auxiliaries; and provided further, that in the event such. If the joint housing or other committee be is formed, any rules or regulations by it adopted shall, before becoming effective, adopts must be approved by the persons or committees

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having control and management of such the halls or quarters before becoming effective.

374.22 MAY RECONSTRUCT AUDITORIUM.

The city council of any such city issuing and selling bonds as herein authorized for the purpose of defraying the expense of to pay for acquiring land for erecting constructing, equipping, and furnishing any such a joint court-house courthouse and city hall building is hereby authorized and empowered, without reference to any such advisory court-house and city hall building commission or other public body, may use not more than \$25,000 from the balance of the bond proceeds remaining after paying the expense of acquiring land for constructing, equipping, and furnishing the joint courthouse and city hall building, to reconstruct, remodel, and improve the theater section of any municipal auditorium building located in any such the city and to defray the expense, not in excess of the sum of \$25,000, of reconstructing, remodeling, and improving the theater section of any such building from the balance of the proceeds of the issuance and sale by any such city of any such bonds, remaining after the expense of acquiring land for erecting, equipping, and furnishing any such joint court-house and city hall building has been defrayed, as herein provided without reference to the advisory courthouse and city hall building commission.

374.23 COMMISSION; REPORT, FILING.

Upon When the completion of the erection and equipping of the city hall and court house courthouse building is completed, the commission herein provided to be appointed shall make and file a report with the district court of the county, the office of the county auditor of any such county, and the city clerk of any city of the first class located in such county a report of its proceedings, setting forth. The report shall state, in general terms, the acts performed by such the commission pursuant to under this chapter, as well as the contracts which were let in the erection construction and equipping of such the building, and the balances remaining in the funds provided by the sale of bonds, as herein provided. Upon the After filing of such the report the commission shall thereupon be is discharged. The city council of any such city and the county board of commissioners of any such county may, not later than within ten years from the date of the filing of such the report, expend spend the balances remaining in the funds provided by sale of bonds for enlarging the court facilities in such the building, and for inscribing the names of deceased military personnel of World War II, or who had active service on and after June 27 26, 1950, and prior to the final cessation of hostilities as proclaimed by proper federal authority, on the columns in the concourse of said the building, to be done, however, only upon the request of the judges of the district court in the county in which the building is located. The remainder of the bond proceeds of the bonds shall be used for the purpose of retiring to retire the bonds issued hereunder, and upon the expiration of the ten-year term, in the event the above mentioned under this chapter. If the

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improvements to the building mentioned in this section have not been contracted for within ten years, the funds provided ~~therefor~~ shall ~~thereupon~~ be used to retire the bonds.

374.25 JOINT COUNTY AND MUNICIPAL BUILDING AUTHORIZED.

Any county in this state which does not have within its limits a city of the first class, may, together with the city in ~~such county~~ which is the county seat thereof, jointly acquire land for, erect ~~construct~~, equip, furnish, maintain and operate a joint ~~court house~~ courthouse and city hall building to be used jointly by ~~such county and such city~~.

374.26 PROPORTIONAL DIVISION OF COST.

The cost and expense of acquiring land for, ~~erecting~~ constructing, equipping, and furnishing ~~such the~~ building shall be ~~borne~~ paid by the county and the city in proportion to the amount of space to be used by each governmental unit in the building, ~~and~~. The architect preparing the plans and specifications for ~~such the~~ building shall certify as to the amount of space within ~~such the~~ building which is designed for use by each governmental unit. The building shall not be ~~erected~~ constructed or contracted to be ~~erected~~ constructed and no land shall be acquired ~~therefor~~ and no bonds shall be issued or sold by the county, until the city has been authorized to issue bonds to ~~defray~~ pay its proportion share of the cost of ~~such the~~ land and building and the ordinances providing for the bond issue of ~~such bonds~~ have been ratified by the vote of the electors of ~~such the~~ city in the manner provided in the city charter of ~~such city~~ or by ~~the laws of the state law~~.

374.27 BOND ISSUE.

At any time after ~~such~~ When the city has been authorized to issue bonds to ~~defray~~ pay its part share of the cost of acquiring a site and ~~erecting the city hall and court house building~~, the county board of ~~county~~ commissioners of any ~~such county~~ may submit to the voters thereof, in the manner provided by Minnesota Statutes 1945, under section 375.20, the question as to whether or not to issue and sell bonds of ~~such the~~ county to ~~defray~~ pay the county's portion share of the cost of acquiring land for, ~~and erecting~~ constructing, equipping and furnishing ~~such the~~ building. The full faith and credit of the county shall must be pledged to the payment of the principal and interest of ~~any such the~~ bonds so issued. ~~Such~~ The bonds may be issued in one or more instalments, but the bonds of each instalment shall must be serial bonds, a portion of which shall be payable each year after issue, ~~but~~. None of ~~such the~~ bonds shall run for a longer time than 20 years from their date, ~~and~~. The board of county commissioners shall fix the denominations thereof and shall fix the dates of maturity of each instalment so that the amounts necessary each year to pay the principal and interest maturing any year shall be approximately the same in each of the years during which the

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bonds of the instalment shall run. ~~Such~~ The bonds shall be sold in accordance with the provisions of Minnesota Statutes 1945, as provided under section 475.60. ~~The, at a rate of interest shall, in no case, exceed six percent per annum as authorized under section 475.55.~~

374.28 EXECUTION AND DELIVERY OF BONDS.

Such bonds shall be executed in such manner as ~~The~~ the county board of county commissioners shall, by resolution, determine the manner of executing the bonds. The delivery of the bonds so executed at any time thereafter shall be valid, notwithstanding any change in officers or in the seal of the county occurring after their execution.

374.29 COUNTY TAX LEVY.

The county board of county commissioners shall levy a tax, at the time and in the manner prescribed by Minnesota Statutes 1945, section 475.61, to pay the principal and interest of ~~such~~ the bonds. This section shall not be construed as limiting to limit the power of a municipality to levy taxes to pay its obligations issued hereunder, but the governing body of every municipality shall have the authority and it shall be its duty to levy any taxes necessary to provide revenue to pay ~~such~~ the obligations.

374.30 BOND LIMITATION NOT APPLICABLE.

The amount of indebtedness authorized to be incurred by ~~any such~~ the county shall be in addition to ~~and over and above~~ any limits now fixed by law.

374.31 BUILDING COMMISSION.

As soon as ~~such~~ the city and ~~such~~ the county have both authorized the issuance of bonds for the erection construction of a joint court house courthouse and city hall building, the county board of county commissioners and the city council or other governing body of ~~such~~ the city shall constitute the court house courthouse and city hall building commission of ~~such~~ the county, and the chairman of the county board of county commissioners shall act as chairman of ~~said~~ the commission. The commission shall select from its own members ~~such~~ other officers as it may deem considers necessary.

374.32 JOINT OWNERSHIP OF SITE.

The commission shall select a site for ~~such~~ the building and may contract with the owner thereof for the acquisition of ~~such~~ to acquire the site by gift or purchase, or ~~such~~ the site may be acquired by proceedings in eminent domain, ~~to be instituted and carried to completion~~ in the name of either the city or the county, as the commission may determine. All land acquired as a site for ~~such~~ the court house the courthouse or city hall shall be owned jointly by ~~such~~ the county and ~~such~~ the city, in the same proportion as each contributes to the acquisition of land and the construction of ~~such~~ the building; ~~and, in case, if~~ the entire tract is

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acquired by either such the city or county, it shall convey the proper undivided interest therein to the other.

374.33 PLANS AND SPECIFICATIONS.

Either before or after the selection of the building site of such building, the commission shall ~~cause to be prepared~~ have plans and specifications for the building prepared and may employ architects, engineers, draftsmen, and such clerical help as may be deemed necessary for the purpose of preparing such to prepare the plans and specifications. ~~The compensation of such employees shall be fixed by~~ The commission shall set the compensation of the employees.

374.34 ADVERTISEMENT FOR BIDS.

~~Upon the completion of such~~ When the plans and specifications are completed and their approval or adoption approved by the commission, the commission shall, after notice appropriate to inform possible bidders, obtain bids or proposals for all or any portion of the work or materials, or both, to be done, performed or furnished in the construction of the building. All bids or proposals shall be sealed by the bidders or proposers and shall be filed with the commission at or before the time specified for the opening of bids or proposals, at which time the commission shall meet, open the bids or proposals and tabulate ~~the same~~ them, and shall ~~thereupon~~ award the contract or contracts to the responsible bidder whose bid or proposal is the most favorable, or reject all bids and proposals. ~~In the event~~ If all bids or proposals are rejected, the commission may, after similar notice, obtain more bids or proposals or may modify or change the specifications, and shall again, after similar notice, ~~obtain~~ obtain more bids or proposals in the manner ~~hereinbefore~~ provided.

374.35 CERTIFIED CHECK; CONTRACTS.

Each person submitting bids a bid or ~~proposals~~ proposal shall file with ~~his~~ the bid or proposal a certified check in an amount prescribed in the specifications of the commission for the building, to be retained as liquidated damages in case of failure to enter into a contract if the bidder is awarded the ~~same~~ contract.

All contracts shall be in writing and shall be made in the name of the county and the city ~~proposing to erect such building~~, and shall be executed in their behalf of such county or city by the officers empowered by law or charter to execute the contracts in behalf of such county and such city. All persons who may be awarded building contracts in connection with the erection of such building shall be required to furnish bonds in the amount and in the form prescribed as required by the laws of the state law relating to contracts for public improvements and such. The bonds shall run to the county and the city erecting such building.

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374.36 SUPERVISION.

The work of ~~erecting~~ constructing, equipping and furnishing the building shall be conducted and completed under the direction and supervision of the commission ~~and~~. The commission members thereof are charged with the duty of requiring the work to be done in accordance with the plans and specifications. The commission is authorized to ~~may~~ employ such architects, engineers, supervisors, inspectors, clerks and other employees as it may deem necessary or ~~advisable~~ to supervise and inspect the work and assist in the performance of the duties of the commission.

374.37 MANAGEMENT.

The management of the building when ~~erected~~ constructed shall be vested in the commission ~~which shall have with~~ the power to appoint ~~such~~ employees as it may deem necessary for the proper care and management and operation of the building, ~~and~~. The commission shall fix their ~~the~~ employees' compensation and determine the proportion thereof which is to be paid by the county and by the city.

374.38 COMPENSATION OF COMMISSIONERS; ADVERTISE- MENT FOR BIDS.

The members of the commission shall receive no compensation for their services upon the commission other than their compensation which they receive as members of the county board of county commissioners or of the city council ~~or other governing body of such city, and~~. No member of this commission shall have any financial interest in any of the contracts awarded by the commission.

Sec. 5. Minnesota Statutes 1984, section 375.055, is amended by adding a subdivision to read:

Subd. 8. TRAINING EXPENSES. The county board may reimburse a newly elected county commissioner for expenses incurred prior to assuming office for attendance at a training or education program which will familiarize the commissioner with official duties.

Sec. 6. Minnesota Statutes 1984, section 375.48, is amended to read:

375.48 EXECUTIVE SECRETARY; APPOINTMENT; QUALIFICATIONS COUNTY COORDINATOR.

Subdivision 1. APPOINTMENT; QUALIFICATIONS. Notwithstanding sections 375A.01 and 375A.12, a county board may employ ~~an executive secretary a~~ county coordinator upon the terms it ~~deems~~ considers advisable. It may appropriate funds and provide suitable office space for the office. The county board shall set the salary of the ~~secretary~~ county coordinator. The ~~secretary~~ coordinator shall be chosen solely on the basis of training, experience and administrative qualifications and need not be a resident of the county at the

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time of appointment. The ~~executive secretary~~ county coordinator serves at the pleasure of the board and employment may be terminated by the board without notice. The board may provide for a termination allowance.

Subd. 2. **COUNTY OFFICER OR EMPLOYEE MAY BE APPOINTED.** The county board may appoint as ~~executive secretary~~ county coordinator any county officer or employee except a county commissioner during the term for which ~~he~~ the commissioner was elected. If a county officer or employee is appointed ~~executive secretary~~ county coordinator, the board may provide that the duties of ~~executive secretary~~ county coordinator are in addition to the duties as an officer or employee.

Sec. 7. Minnesota Statutes 1984, section 375.49, is amended to read:

375.49 DUTIES OF EXECUTIVE SECRETARY COUNTY COORDINATOR.

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

Subd. 2. **DUTIES AND RESPONSIBILITIES.** The ~~executive secretary~~ county coordinator may be assigned any of the following duties and responsibilities:

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

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

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

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

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

(f) To serve as clerk of the county board. ~~Upon the adoption of~~ When a resolution is adopted directing the ~~executive secretary~~ county coordinator to assume the responsibilities of clerk of the board, the county auditor shall no

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longer be held responsible for the duties as clerk to the board imposed by section 384.09.

Sec. 8. Minnesota Statutes 1984, section 375.50, is amended to read:

375.50 RESCISSION OF RESOLUTION ESTABLISHING EXECUTIVE SECRETARY'S COUNTY COORDINATOR'S OFFICE.

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

Sec. 9. Minnesota Statutes 1984, section 375A.07, subdivision 1, is amended to read:

375A.07 EXECUTIVE SECRETARY TO THE COUNTY BOARD COUNTY COORDINATOR.

Subdivision 1. **CHANGE IN NAME.** Except as otherwise provided in this section, on January 1, 1974, the office of county administrator established pursuant to sections 375.48 to 375.50, shall terminate and the person holding that office after said this date shall be known as the ~~executive secretary to the county board~~ coordinator. This subdivision shall not apply to any person who on January 1, 1973, held the office of county administrator pursuant to sections 375.48 to 375.50 and did not on that date concurrently hold an elective county office.

Sec. 10. Minnesota Statutes 1984, chapter 376, is amended to read:

CHAPTER 376

HOSPITALS, SANATORIUMS, AND NURSING HOMES

376.009 COUNTY HOSPITAL.

For the purposes of sections 376.01 to 376.06, "county hospital" means any hospital owned or operated by a county ~~and this hospital which~~ may consist of any number of buildings at one location or any number of buildings at different locations within the county.

376.01 ACQUISITION OF LAND.

The A county board of any county may acquire ~~lands~~ land in the county for hospital purposes for patients, other than ~~insane~~ the mentally ill.

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376.02 BUILDINGS.

The A county board of ~~any county~~ may purchase, ~~erect~~, or construct suitable buildings for hospital purposes for patients, other than ~~insane the~~ mentally ill, on any land acquired ~~pursuant to~~ under section 376.01, and may improve, equip, and maintain these buildings for ~~such~~ hospital purposes. The county board may pay for these buildings out of any ~~moneys fund~~ in the county treasury not otherwise appropriated or issue therefor the warrants or bonds of the county in for payment therefor. The county board may fix the time and terms of payment of these warrants or bonds and the amount of interest to be paid.

376.03 QUESTION SUBMITTED TO VOTERS.

If a majority of the electors of any county voting upon the proposition at any election at which the question of purchasing, ~~erecting~~, and constructing hospital buildings, as ~~provided in~~ under section 376.02 is submitted, vote in favor of the proposition, the county board shall ~~thereupon proceed~~ to purchase, erect, and construct these buildings and make the improvements necessary to fit the buildings for hospital purposes.

376.04 ELECTION, SEPARATE BALLOT.

The question of purchasing, ~~erecting~~ and constructing hospital buildings shall be submitted to the ~~qualified~~ voters of any county at a general election and placed upon a separate ballot. This election shall must be called by a resolution of the county board ~~which states~~. The resolution must state the time of the election, that a county hospital is proposed to be established, the proposed location ~~thereof~~, and the same to cost, including equipment, ~~for not to exceed more than the sum set forth amount stated~~ in the resolution. Upon passage of ~~When the resolutions are passed~~, the county auditor ~~forthwith notifies shall immediately notify~~ each town or city clerk in the county that the question of ~~erecting constructing~~ hospital buildings will be voted upon at the time stated in the resolution, ~~the election to be controlled by the existing in the manner provided under the state election laws~~.

The ballot shall must be in the following form:

“For the purchase, ~~erection~~ and construction of hospital buildings, including equipment, to be located at (state location), at a cost not to ~~exceed more than~~ (state amount), pursuant to the resolution of the board of county commissioners passed (state date).

Yes

No

Electors ~~desiring to vote in favor thereof shall make their cross-mark, thus (X), opposite the word “yes,” and electors desiring to vote against the proposition shall make their cross-mark, thus (X), opposite the word “no”.~~ Each of the last

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two words, "yes" and "no", shall be followed by a square in which the voter may indicate by a mark (X) either a negative or affirmative vote. These votes shall be cast in the same manner as votes cast at the general election and counted by the same officers, and. Returns must be made to the county auditor, and canvassed in like the same manner as the returns on county officers.

376.05 HOSPITAL AUTHORIZED, ~~ERECTION~~ CONSTRUCTION OF BUILDINGS.

If a majority of the electors voting upon the proposition vote in favor of purchasing, ~~erecting~~, and constructing such the hospital buildings, the county board shall ~~forthwith proceed to~~ immediately purchase, erect, and construct such, and equip the buildings as are deemed proper, suitable, and convenient and equip the same to effectuate the purpose.

376.06 SUPERINTENDENT, HOSPITAL BOARD; DUTIES.

Subdivision 1. ~~The A~~ county board of ~~any county having so which has~~ purchased, ~~erected~~ and constructed buildings for hospital purposes may operate these buildings as such a hospital, and may appoint a superintendent ~~therefor for a term to be fixed by it, fix his.~~ The board shall set the superintendent's salary, and at pleasure remove him, prescribe his term of employment, and powers and duties; provide for the management and operation of the hospital; and shall operate, control, and manage the hospital. The superintendent shall serve at the pleasure of the board. If the board determines that it is in the interest of the public ~~so to do~~ interest, it may appoint a hospital board of ~~not less than at least~~ at least three, ~~nor but not~~ more than nine members, who shall must be resident freeholders of the county residents and landowners, and who shall to serve without compensation unless the county board authorizes the payment of compensation and reimbursement of expenses for service on the hospital board, which. Notwithstanding section 375.44, if compensation and reimbursement if ~~so are~~ authorized notwithstanding the provisions of section 375.44, they shall be the same as authorized for service on the county welfare board. Subject to its supervision, the county board may commit the care, management, and operation of the hospital to such the hospital board and. The county board may provide for the organization and regulation of such the hospital board, its duties and the duties of the members thereof, and such further regulation in reference thereto and to regulations for the management, operation, and control of the hospital as are proper, necessary, or desirable. The county board may lease and let unto the hospital grounds and buildings to a responsible hospital association such hospital grounds and buildings upon such for terms as it deems considers advisable. Sections 376.01 to 376.06 do not permit any county board to purchase, ~~erect~~ and construct any such hospital buildings or to pay therefor for them without first submitting the question to the vote of the people. No such purchase, ~~erection~~ or construction of buildings or payment ~~therefor~~ may be made unless a majority of the electors voting upon the proposition vote in favor thereof.

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Subd. 2. A county commissioner may be appointed by the county board of which he is a member to any hospital board as provided in Minnesota Statutes 1961, under sections 376.009 to 376.09, ~~except that this subdivision shall not apply to except for~~ any hospital board operating a county hospital as ~~defined in Minnesota Statutes 1961, Section 376.009~~ located in a city of the first class.

376.07 ADDITION TO COUNTY HOSPITAL.

When, ~~pursuant to the provisions of sections 376.01 to 376.06~~, the county board of any a county has been ~~heretofore, or shall have been hereafter~~, authorized by the voters to construct an addition to the county hospital of ~~such the county under sections 376.01 to 376.06~~, whether or not also authorized to equip ~~such the addition~~, and the board ~~shall have ascertained and has determined that such the addition~~, whether with or without equipment, cannot be completed within the cost authorized, or ~~shall have~~ has determined that, to complete the improvement, certain alterations should be made, or fixtures or equipment added, either in the original building, or in the addition, or both, the board may be authorized to ~~expend spend~~ a specified additional amount for each, any, or all of the purposes ~~herein mentioned in this chapter~~, either by vote of the people of the county at a general or special election, at ~~which or by petition~~. If an election is held, the proposition ~~so to do~~ shall be submitted and disposed of ~~substantially in the same manner as provided by sections 376.01 to 376.06; or, in lieu of a vote at such an election.~~ If by petition of a number of voters of the county equal to, the petition must be signed by a majority of the votes cast therein those voting at the last preceding general election. Such The petition may be in the form of one document or of several documents of substantially like tenor and effect in the same form, and shall be filed with the county auditor. Any A special election thereunder may be called in any the manner by law provided for the calling of special county elections. Upon When authority being is granted by the voters, in either manner herein provided, the board may thereupon proceed accordingly and. If it shall ~~have theretofore~~ the board made or attempted to make a contract or contracts ~~in excess of for more than~~ the authority first granted, it may ratify and carry out such the contracts, or any thereof.

376.08 COUNTIES, APPROPRIATIONS FOR HOSPITALS AND NURSING HOMES.

The board of county commissioners in any county in this state ~~having 50,000 inhabitants, or less, is hereby authorized to with a population of 50,000 or less may appropriate up to \$65,000 annually from the general revenue fund of such the county a sum not exceeding \$65,000 in any one year to aid in for the acquisition of lands for hospital purposes, and the erection, construction, improvement, alterations, equipment and maintenance of hospitals within such the county and. The board may also appropriate up to \$25,000 from the general revenue fund of such the county a sum not exceeding \$25,000 for the acquisition~~

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of land and construction of municipally owned nursing homes within such the county.

376.09 AID TO HOSPITALS IN COUNTIES HAVING NO COUNTY HOSPITAL.

In any county ~~in this state~~ in which there is no county hospital, the county board ~~is hereby authorized and empowered to~~ may appropriate and pay money from the general fund of the county, as ~~aid in for the erection,~~ construction, and maintenance ~~in such county~~ of a hospital in the county for the treatment of sick, diseased, and injured persons, a ~~sum not exceeding \$5,000, and.~~ Admission preference shall always be given in the admission to such hospital of such to patients as who are, in whole or in part, public charges, and are sent thereto to the hospital by the county board.

376.55 COUNTY NURSING HOME.

Subdivision 1. **AUTHORITY.** (a) Any county ~~singly,~~ or any group of counties acting jointly ~~are hereby authorized to~~ may establish a county nursing home, in sections 376.55 to ~~376.57~~ and ~~376.58~~ to 376.60 also termed "nursing home," for the care and treatment of chronically ill or convalescent persons ~~with the consent of a majority of the county board;~~

(b) ~~In addition to its usual meaning, the phrase "chronically ill or convalescent persons" as used in sections 376.55 to 376.57 and 376.58 to 376.60 includes~~ or persons who need nursing home care because old age or infirmity ~~renders~~ makes them unable to properly care for themselves, with the consent of a majority of the county board.

(c) (b) Any county, or group of counties, which owns a nursing home, may establish and operate an attached or related facility for the purpose of providing supportive services to elderly persons who are not yet in need of nursing home care. Supportive services may include congregate housing, adult day care, and respite care services.

Subd. 2. **ESTABLISHMENT.** ~~The~~ A county board ~~of any county,~~ or any a group of counties acting jointly, may establish a nursing home and a facility for supportive services as ~~provided in~~ under sections 376.55 to ~~376.57~~ and ~~376.58~~ to 376.60, by converting suitable existing county owned buildings, by leasing suitable premises, or by acquiring a suitable site by gift, purchase, or condemnation proceedings instituted in the name of the county or counties and ~~erecting~~ constructing suitable buildings which are equipped, maintained, enlarged or otherwise modified to be the same as a nursing home.

Subd. 3. **FINANCING.** The county board ~~of any county in this state~~ may transfer surplus funds from any fund except the road and bridge, sinking or drainage ditch funds for the purpose of establishing, maintaining, enlarging, or adding to a county nursing home. When surplus funds are not available for

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transfer, a county board may issue bonds to ~~defray~~ pay the cost of establishing, equipping, furnishing, enlarging, or adding to a county nursing home, subject to the provisions of section 376.56.

Subd. 4. **PURCHASE OF INTEREST IN EXISTING HOME.** ~~Any A~~ county, ~~or a group of counties,~~ not maintaining a nursing home, ~~either alone or in connection with another or other counties,~~ may purchase an interest in an existing county nursing home if the county board or boards owning ~~such the~~ nursing home decide by majority vote of each county board to admit ~~such the~~ county. ~~The sum to be paid for admission to ownership shall be fixed by~~ The county board or boards owning ~~such the~~ home ~~with due regard for~~ shall set the cost for admission to ownership, taking into consideration their investment in ~~such the~~ home. Any county admitted under this provision shall have all the rights and privileges provided for in sections 376.55 to ~~376.57 and 376.58~~ to 376.60.

Subd. 5. **COUNTY DEFINED.** ~~Whenever~~ Where in sections 376.55 to 376.57 and 376.58 to 376.60 the word "county" is used, it refers to a county acting singly, or as one of a group of counties acting jointly, unless the context clearly indicates otherwise.

Subd. 6. **WITHDRAWAL OF INTEREST.** Any county board may withdraw its interest in ~~any a~~ county nursing home if the county board or boards owning ~~such the~~ nursing home decide by majority vote of each county board to allow ~~such the~~ withdrawal. ~~The sum to be paid to the county withdrawing shall be fixed by~~ The county board or boards owning ~~such the~~ home ~~with due regard for~~ shall set the amount to be paid to the withdrawing county, taking into consideration their investment in ~~such the~~ home.

376.56 TAX LEVIES AND BONDS.

Subdivision 1. The county board of ~~any county~~ establishing or participating in establishing a nursing home, under section 376.55 may annually levy a tax ~~in the amount necessary to defray pay~~ all or its proportion of the net costs of maintenance and operation of the nursing home after taking into consideration payments received for care of residents, ~~and a.~~ The board may levy an additional tax to repay the cost of acquiring, establishing, equipping, furnishing, enlarging, or adding to a county nursing home, and to pay the principal of and interest on general obligation bonds issued by ~~it~~ for that purpose.

Subd. 2. The proceeds of taxes for costs of maintenance and operation shall be paid by ~~the county by which they are collected~~ into a county nursing home fund, which, in the case of counties operating jointly, shall be kept in the treasury of the county in which the nursing home is located and ~~shall be expended spent~~ as provided in sections 376.55 to 376.66.

Subd. 3. Bonds issued under section 376.55, subdivision 3, may be general obligations of the county and may be issued and sold, and taxes levied for

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their payment ~~in accordance with~~ as provided under chapter 475. No election shall be required to authorize the ~~issuance of such bonds~~ bond issue for the purpose of improving, remodeling, or replacing an existing nursing home without increase of increasing the number of accommodations for residents. The revenues of the nursing home shall also be pledged for the payment of the bonds and for any interest and premium, ~~if any, thereon~~. ~~A portion~~ Part of the proceeds may be deposited in the debt service fund for the issue, to capitalize interest and create a reserve for the purpose of reducing or eliminating to reduce or eliminate the tax otherwise required by section 475.61 to be levied before issuing the bonds. The remaining proceeds from the sale of the bonds and any surplus funds transferred pursuant to under section 376.55, subdivision 3 ~~shall must~~ be credited to and deposited in the county nursing home building fund of the county in which the nursing home is located.

Subd. 4. The county treasurer of the county in which the nursing home is located shall make payments out of the county nursing home fund and county nursing home building fund on properly authenticated vouchers of the county nursing home administrative board, as provided in sections 376.58 and 376.59. The county treasurer of each county issuing general obligation bonds ~~pursuant to~~ under subdivision 3 shall pay ~~such the~~ bonds and interest ~~thereon~~ from the county's debt service fund and ~~shall~~ be the custodian of net revenues transmitted by the administrative board for the payment of ~~such the~~ the bonds.

376.57 DETERMINATION TO ESTABLISH.

In establishing a jointly owned and operated county nursing home or facility for supportive services, each of the cooperating counties shall determine by a majority vote of the county board ~~of that county~~ that it is in favor of the establishment of the home or of the facility, the place of its location, and the approximate amount to be ~~expended~~ spent for the establishment of the proposed nursing home or facility ~~under the authority provided in section 376.55 and~~. Each county shall authorize the payment by that county of its proportionate share of ~~that the~~ the cost of the establishment. The proportion of costs of ~~that the~~ establishment, and of costs of maintenance and operation of the nursing home or facility to be paid by each county shall be set by terms agreed upon by each of the participating counties.

376.58 SUPERVISION.

Subdivision 1. **DESIGNATION OF COUNTY NURSING HOME ADMINISTRATIVE BOARD.** The county board of any county establishing a county nursing home and facility for supportive services may designate any board under the jurisdiction and control of the county board to supervise ~~that the~~ the nursing home and facility, and that board shall constitute the nursing home's administrative board for that county.

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

Subd. 2. **NURSING HOME ADMINISTRATIVE BOARD; CREATION; COMPENSATION.** Whenever two or more counties, through their county boards of county commissioners, have agreed to maintain a county nursing home and facility for supportive services under the authority provided in section 376.55, the county commissioners of each county shall designate a board from each of the cooperating counties as the county nursing home administrative board. Immediately after their designation as the county nursing home administrative board, the boards of the cooperating counties shall hold a joint meeting and elect a chairman, vice chairman and secretary who shall be the executive committee; ~~provided, however, that~~. Each county shall have not less than at least one representative on the executive committee, provided also that and where more than three counties participate in establishing a nursing home, the executive committee shall be expanded by one member for each additional county above three to the end so that no county will have less than one member on the executive committee. The first joint meeting of the county boards that have been designated as the county nursing home administrative board shall, in the first instance, be called by the chairman of the county board of the county in which the county commissioners have agreed to locate the proposed home and facility, and thereafter they. The board shall meet annually, and at such other times as are deemed considered necessary. Members of the county nursing home administrative board, and its executive committee, other than members of the county board of county commissioners, shall be paid for each day spent in transacting the business of the board or the committee shall be compensated and. Each member, including members of the county board of county commissioners, may be reimbursed for necessary expenses incurred by them in connection with their official duties; ~~such~~. Compensation and reimbursement for expenses shall be paid from the county nursing home fund in a manner and amounts agreed upon by the county boards. ~~Nothing in This subdivision shall be construed to~~ does not prohibit the payment of a per diem to county commissioners pursuant to under section 375.055, subdivision 1.

Subd. 3. **NURSING HOME ADMINISTRATIVE BOARD; POWERS, DUTIES.** The county nursing home administrative board ~~shall have the power to may~~ establish, operate and maintain a county nursing home and facility for supportive services ~~within the limits prescribed in under~~ sections 376.55 to ~~376.57 and 376.58 to~~ 376.60. The county nursing home administrative board may delegate to the executive committee defined in subdivision 2 the authority to supervise the establishment, management and operation of the county nursing home and facility for supportive services, including the approval of expenditures and ~~such other business as is necessary for the efficient operation of the home within such the general policies as have been established by the county nursing home administrative board.~~ The county nursing home administrative board may authorize a sum to pay payment of incidental expenses of the nursing home ~~in accordance with the provisions of under~~ section 375.16.

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

Subd. 4. **EXPENDITURES, APPROVAL.** The county nursing home administrative board, or its executive committee, if ~~so designated as provided in subdivision 2~~ delegated to do so, shall approve by a majority vote all expenditure vouchers, and the chairman of the board or committee ~~approving them~~ shall ~~thereafter then~~ transmit them to the county auditor of the county in which the home and facility are located for payment.

Subd. 5. **ESTIMATES OF COST.** Preparation of estimates of costs for the operation of the nursing home and the facility for supportive services shall be submitted as required by the administrative board of the nursing home or as called for by the county board. The fiscal year for the nursing home, and the facility for supportive services if it is appropriate, may be the reporting year designated by the commissioner of human services.

Subd. 6. **ACCEPTANCE OF GIFTS.** The county's nursing home administrative board is ~~empowered to~~ may accept as a trust any gift, donation, or endowment from any source, whether subject to special provisions of the donor or not, ~~and such.~~ The gifts, donations, or endowments shall be ~~placed to the credit of~~ credited to the county nursing home fund in the treasury of the county in which the home and facility are located and, ~~disbursed,~~ as to the county nursing home administrative board shall disburse the principal or income as the donors may have indicated, ~~by the county nursing home administrative board.~~

Subd. 7. **RESIDENT FUNDS; UNCLAIMED MONEY.** The administrator of a county nursing home shall have the care and custody of all ~~moneys~~ money belonging to residents ~~which may lawfully come into his hands as allowed by law and shall~~ keep accurate accounting records of all transactions concerning ~~such moneys~~ the money as ~~prescribed~~ required by the commissioner of health and the commissioner of human services.

376.59 COUNTY BUILDING FUNDS.

When a the county nursing home administrative board is satisfied that each county in a cooperating group of counties has available its share of the cost of establishing the nursing home and facility for supportive services, it shall ~~so~~ certify this information to the county board of each cooperating county, ~~which.~~ The county board shall order the county treasurer of that county to ~~pay over to~~ the treasurer of the county in which the nursing home is to be located, the county nursing home building funds in the possession of the county treasurer. The county nursing home's home administrative board shall then ~~proceed to~~ carry out the purposes of sections ~~376.55 to 376.57 and 376.58 to~~ 376.60.

376.60 ADMINISTRATIVE BOARD OR EXECUTIVE COMMITTEE; POWERS, DUTIES.

The county nursing home administrative board or its executive committee is authorized may:

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(1) ~~To secure~~ hire an administrator and all necessary employees for the management and control of the nursing home; and to prescribe their compensation and duties;

(2) ~~To~~ arrange for physicians' services and other medical care for the residents in the home;

(3) ~~To~~ purchase equipment, supplies and services necessary in the care and maintenance of the nursing home and the residents;

(4) exercise the county powers authorized under section 376.55, subdivision 2;

(5) institute condemnation proceedings in the name of the county or counties involved, conducted in the manner provided under chapter 117, in the case of other condemnation proceedings by counties; and

(6) ~~To~~ perform all other acts necessary to carry out the provisions of sections 376.55 to ~~376.57~~ and ~~376.58~~ to 376.60, except those with which the county board or boards are specifically charged, including all the powers granted the county by section 376.55, subdivision 2, and specifically the authority to institute condemnation proceedings in the name of the county or counties involved, which shall be conducted in the manner provided by Minnesota Statutes 1949, chapter 117, in the case of other condemnation proceedings by counties unless otherwise provided by law.

Sec. 11. Minnesota Statutes 1984, chapter 377, is amended to read:

377.01 HOSPITALS AND ALMSHOUSES IN COUNTIES HAVING A BOARD OF CONTROL.

In every county of ~~this state in which there exists, or shall hereafter exist,~~ where a board of control ~~which is maintained by funds supplied in proportionate parts by a city within the county and by the county, all receipts received by the board of control from the city and county hospital and county almshouse shall be deposited in the county treasury and. The county treasurer shall be accountable to the city for one-third thereof, the same to of the funds, which shall be credited to the board of control fund and. The balance of such the receipts shall be credited to the poor fund of the county.~~

377.03 BONDS FOR IMPROVEMENT OF COUNTY AND CITY HOSPITAL; MAXIMUM AMOUNT.

Subdivision 1. AUTHORITY TO BOND. Any county and any city within such the county, which maintains a board of control by funds supplied in proportionate parts by any such county and any such city within such county, under section 377.01 may issue and sell in proportionate parts certificates of indebtedness or bonds of such the county and such city within such county, in an amount not to exceed \$210,000, for the purpose of defraying for not more than

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\$210,000 to pay the cost of remodeling, altering, and equipping the buildings at the hospital and almshouse in any such city and in any such county for the purpose of increasing to increase the efficiency of the hospital and almshouse, to provide for the treatment and care of poor persons in such the cities and counties, and to provide additional facilities for the purpose of treating persons afflicted with tuberculosis; that is to say, that any such. The county may issue not to exceed up to \$140,000 worth of such in bonds or certificates of indebtedness and that any such the city within such the county may issue not to exceed up to \$70,000 worth of such in bonds and certificates of indebtedness for this purpose.

Subd. 2. SALE, INTEREST, MATURITY. The bonds or certificates may be issued without submission to the vote of the people. The full faith and credit of the county and the full faith and credit of the city shall be pledged separately to the payment of the principal and interest of the certificates of indebtedness and bonds. The bonds shall be serial bonds, a portion of which shall be payable each year after issue, but none of the bonds shall run for a longer term than ten years. The county board and the city council shall fix the denominations and maturity dates of the bonds, so that the amounts necessary each year for the payment of principal and interest on these bonds shall be approximately the same in each of the years during which the bonds shall run. The certificates of indebtedness or bonds shall be sold in the manner provided by section 475.60. The county board and the city council shall determine whether the bonds shall be sold to the purchaser who will pay the par value, at the lowest interest rate, or to the purchaser who will pay the highest price for the bonds at an interest rate to be fixed by the county board and the city council as authorized under section 475.55.

377.05 TAX LEVY FOR PAYMENT OF BONDS.

Of the total amount of bonds authorized by section 377.03 The county shall issue, bear, and pay two-thirds of the bonds and the city shall issue, bear, and pay one-third of the bonds so issued by the board of county commissioners and the governing body of such city, respectively of the total amount authorized by section 377.03. The county board of county commissioners of such county and the governing body of any such city council shall provide, annually, for the payment of such the bonds and interest and shall raise sufficient taxes therefor, and for the payment. If any such the county board of county commissioners or the governing body of any such city shall fail council fails to make provision in their annual tax levies for the payment and redemption of the bonds, with the interest thereon as the same become as it becomes due and payable, the county auditor of any such county shall add to increase the amount of taxes to be raised by any such of the county and city an amount sufficient to provide for the payment and redemption of such the bonds with the interest due thereon.

Sec. 12. [382.37] TRAINING EXPENSES.

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

The county board may reimburse a newly elected county officer for expenses incurred prior to assuming office for attendance at a training or educational program which will familiarize the officer with official duties.

Sec. 13. Minnesota Statutes 1984, chapter 392, is amended to read:

392.06 CREATION OF COUNTY PURCHASING DEPARTMENT.

In order to ~~effect~~ create economies through volume buying, ~~and in order~~ to promote competitive bidding, and to provide more efficient public service, the county board of any county may establish a county purchasing department. The county board may direct an existing county office, department or agency to perform the duties of the county purchasing department or may create a new department or agency for that purpose.

392.07 DUTIES OF PURCHASING DEPARTMENT.

Subdivision 1. The county purchasing department shall perform all acts necessary to ~~the~~ purchase or contract for all supplies, materials, equipment, and contractual services required by any or all county offices, departments or agencies. The county board shall select the county offices, departments or agencies to be serviced by the county purchasing department. The board may authorize any county office, department or agency designated by the board to purchase directly, without the intervention of the director of purchasing, certain specified supplies, materials, equipment, or contractual services, and shall designate the manner in which ~~such~~ the purchases shall be made.

Subd. 2. The county purchasing department also shall perform the following duties:

- (1) Prepare all specifications for supplies, materials and equipment;
- (2) Transfer to or between county offices, departments or agencies, or sell supplies, materials, and equipment which is surplus, obsolete, or unused.

392.08 DIRECTOR OF PURCHASING; EMPLOYEES.

The county board shall appoint a director of purchasing to direct ~~and supervise~~ the operations of the county purchasing department. The director of purchasing shall be qualified by training and experience for the position. The board may appoint an existing county officer to serve as director of purchasing. The board shall fix the salary of the director and ~~shall require him~~ the director to post ~~such~~ a bond as the board determines necessary. The board shall provide the director with ~~such~~ assistants, office space, equipment, and supplies ~~as may be~~ necessary to carry out the duties of the office. Except for the director, who may be removed from that office by the board for reasons of misconduct or incompetency after due notice and hearing, all employees of the county purchasing department shall be employed in accordance with civil service regulations existing in the county, if any ~~such~~ regulations exist.

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392.09 RULES AND REGULATIONS.

The county board shall promulgate such adopt rules and regulations as are necessary to carry out the provisions of sections 392.06 to 392.10 and shall file them with the county auditor. The board may authorize any county office, department or agency designated by it to purchase supplies, materials, equipment or contractual services in the open market for immediate delivery in emergencies. It shall define such emergencies and designate the manner in which these purchases shall be made and afterwards reported to the director of purchasing.

392.10 VOIDABLE PURCHASES, CONTRACTS, AND SALES.

The purchase or contract for any supplies, material, equipment, or contractual service by any county office, department or agency, or the sale of surplus, obsolete, or unusable supplies, material, or equipment by any county office, department or agency contrary to the provisions of sections 392.06 to 392.10 is voidable. The head of the office, department or agency is personally liable for the cost of such an order or contract and for the reasonable value of supplies, material, or equipment sold. If an order or contract has been paid for out of county funds, the amount may be recovered in the name of the county in an action brought for that purpose. Property sold contrary to the provisions of sections 392.06 to 392.10, or the reasonable value of the property, likewise may be recovered in the name of the county in a similar manner.

392.11 LAWS NOT AFFECTED.

Sections 392.06 to 392.10 are not intended to modify, amend, or repeal any law relating to counties in regard to bidding or any law existing at the time of passage of sections 392.06 to 392.10 which authorize the establishment or creation of a county purchasing agent or department, or a combined city and county joint purchasing arrangement.

Sec. 14. Minnesota Statutes 1984, chapter 395, is amended to read:

395.035 AID TO POULTRY ASSOCIATIONS.

The A county board of any county is hereby authorized to appropriate annually moneys may make an annual appropriation of not more than \$500 from the county treasury, ~~not otherwise appropriated, in a sum not exceeding \$100~~ to aid any poultry association organized and existing in the county; provided, the poultry association holds at least one annual poultry exhibit and pays premiums thereat at the exhibit in at least the amount of the appropriation.

395.04 EXHIBITS AT STATE FAIR.

The A county board of county commissioners of any county in the state, for the purpose of assisting to maintain an exhibit of the products of the county at the Minnesota state fair, is hereby authorized and empowered to may appropriate out of the general revenue fund of the county such a sum of money

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as they may deem advisable ~~not exceeding \$500 annually, exclusive of and in addition to such sums of not more than \$1,000, not including money as may be received by the county as premiums or prizes at the state fair for that year.~~

All ~~moneys~~ money derived from premiums or prizes for ~~such~~ the county exhibit at the state fair shall be paid into the treasury of the county.

395.05 APPOINTMENT OF PERSON TO SUPERVISE.

The A county ~~commissioners~~ board of any county appropriating money as provided in section 395.04 shall, at the same meeting, or some subsequent meeting, appoint a ~~suitable person who shall be a county resident of the county to supervise and have full charge of the exhibit and of the disbursement of the appropriation. The compensation of the person shall be fixed by The county commissioners board shall set the compensation for the position at the same meeting at which the person is appointed, such.~~ Compensation to be shall be paid out of the appropriation made for the exhibit.

395.06 APPROPRIATION; BOND.

The appropriation shall be paid ~~in on~~ on the county auditor's warrant to the person in charge of the exhibit ~~upon his after~~ filing a ~~good and sufficient~~ bond with the auditor in double the amount of the appropriation, ~~conditioned that he shall properly disburse such on the condition that the appropriation is properly disbursed for the purpose intended, and make that a true account thereof is made to the county board of county commissioners as provided in section 395.07. The bond shall have two freehold sureties and be approved by auditor shall approve the bond.~~

395.07 STATEMENT TO BOARD.

The person in charge of the exhibit shall ~~render~~ give a detailed statement to the county board of ~~county commissioners~~ of all the person's expenditures made by him in ~~maintaining such to maintain the exhibit, which.~~ The statement shall be rendered not later than given before November 1st 2 of the year in which the exhibit is made. If the statement shall show shows that any part of the appropriation is unexpended not spent, such the balance shall be paid into the treasury of the county. Upon the approval of the report by When the county board of county commissioners, such approves the report, the person shall be relieved and discharged from all liability under the bond provided for in section 395.06.

395.08 ECONOMIC AND AGRICULTURAL DEVELOPMENT.

The A county board of ~~county commissioners~~ of any county in this state may appropriate not more than \$25,000 annually out of the general revenue fund of the county, a ~~sum of money not to exceed \$25,000 for any one county. The sum appropriated shall to be paid to any incorporated development society or organization of this state which, in the opinion of the board board's opinion,~~ will

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use the money for the best interests of the county in promoting, advertising, improving, or developing the economic and agricultural resources of the county.

Sec. 15. Minnesota Statutes 1984, section 475.52, subdivision 3, is amended to read:

Subd. 3. **COUNTIES.** Any county may issue bonds for the acquisition or betterment of courthouses, jails, ~~poor farms~~, morgues, libraries, and hospitals, for roads and bridges within the county or bordering thereon and for road equipment and machinery and for ambulances and related equipment, except that the power of counties to issue bonds in connection with a library shall not exist in Hennepin county.

Sec. 16. **INSTRUCTIONS TO REVISOR.**

The revisor of statutes shall renumber each section specified in column A with the numbers in column B. The revisor shall also make necessary cross-reference changes consistent with the renumbering.

<u>Column A</u>	<u>Column B</u>
<u>392.06</u>	<u>375.72</u>
<u>392.07</u>	<u>375.73</u>
<u>392.08</u>	<u>375.74</u>
<u>392.09</u>	<u>375.75</u>
<u>392.10</u>	<u>375.76</u>
<u>392.11</u>	<u>375.77</u>
<u>395.035</u>	<u>375.78</u>
<u>395.04</u>	<u>375.79</u>
<u>395.05</u>	<u>375.80</u>
<u>395.06</u>	<u>375.81</u>
<u>395.07</u>	<u>375.82</u>
<u>395.08</u>	<u>375.83</u>

Sec. 17. **REPEALER.**

Minnesota Statutes 1984, sections 374.05; 377.02; 377.04; 392.01; 392.02; 392.03; 395.01; 395.02; and 395.03 are repealed.

Approved May 10, 1985

CHAPTER 110 — H.F.No. 645

An act relating to crimes; specifying the effect of and the procedure for issuing an order of restitution; amending Minnesota Statutes 1984, section 611A.04, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 611A.

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