

MINNESOTA STATUTES 1973 SUPPLEMENT

389.011 COUNTY SURVEYOR

CHAPTER 389. COUNTY SURVEYOR

Sec.

389.011 Qualifications; appointment; election; termination of office; performance of duties; bonds.

389.011 Qualifications; appointment; election; termination of office; performance of duties; bonds

[For text of subds. 1 and 2, see M.S.1971]

Subd. 3. Bond, oath. Any county surveyor appointed or elected after July 1, 1961, before entering upon his duties shall give bond to the state, approved by the county board, in the sum of \$2,000 conditioned for the faithful discharge of his duties, which bond, with his oath, together with a certified copy of his registration as a land surveyor or his certificate of election shall be filed for record with the register of deeds.

[1973 c 524 s 7]

[For text of subd. 4, see M.S.1971]

CHAPTER 390. CORONER; MORGUE; INVESTIGATION OF DEATH

Sec.

390.01 Bond.

390.01 Bond

Before entering upon the duties of his office, the coroner shall give bond to the state in such penal sum, not less than \$500 nor more than \$10,000, as the county board directs and approves, with the same conditions in substance as in the bond required by law to be given by the sheriff, except as to the description of the office, which bond, with his oath of office, shall be filed for record with the register of deeds.

[1973 c 524 s 8]

CHAPTER 393. COUNTY WELFARE BOARD

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393.01 Establishment.	393.10 Medical, surgical and hospital expenses, lien.
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393.01 Establishment

[For text of subd. 1, see M.S.1971]

Subd. 2. Selection of members, terms, vacancies. Except in counties which contain a city of the first class and counties having a poor and hospital commission, the county welfare board shall consist of seven members, including the board of county commissioners, to be selected as herein provided; two members, one of whom shall be a woman, shall be appointed by the commissioner of public welfare, one each year for a full term of two years, from a list of residents, submitted by the board of county commissioners. As each term expires or a vacancy occurs by reason of death or resignation a successor shall be appointed by the commissioner of public welfare for the full term of two years or the balance of any unexpired term from a list of one or more, not to exceed three residents submitted by the board of county commissioners. The board of county commissioners may, by resolution adopted by a majority of the board, determine that only three of their members shall be members of the county welfare board, in which event the county welfare board shall consist of five members instead of seven. When a vacancy occurs

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on the county welfare board by reason of the death, resignation, or expiration of the term of office of a member of the board of county commissioners, the unexpired term of such member shall be filled by appointment by the county commissioners. Except to fill a vacancy the term of office of each member of the county welfare board shall commence on the first Thursday after the first Monday in July, and continue until the expiration of the term for which such member was appointed or until a successor is appointed and qualifies. If the board of county commissioners shall refuse, fail, omit, or neglect to submit one or more nominees to the commissioner of public welfare for appointment to the county welfare board by the commissioner of public welfare, as herein provided, or to appoint the three members to the county welfare board, as herein provided, by the time when the terms of such members commence, or, in the event of vacancies, for a period of 30 days thereafter, the commissioner of public welfare is hereby empowered to and shall forthwith appoint residents of the county to the county welfare board. In the event that the commissioner of public welfare shall refuse to appoint a nominee from the list of nominees submitted by the board of county commissioners, he shall notify the county board of such refusal. The county board shall thereupon nominate additional nominees. Before the commissioner of public welfare shall fill any vacancy hereunder resulting from the failure or refusal of the board of county commissioners of any county to act, as required herein, the commissioner of public welfare shall mail 15 days written notice to the board of county commissioners of its intention to fill such vacancy or vacancies unless the board of county commissioners shall act before the expiration of the 15-day period.

[1973 c 781 s 1]

Subd. 3. County board to be welfare board in Hennepin county. In the county of Hennepin the board of county commissioners shall be the county welfare board. In such county the members shall be reimbursed by the county for expenses actually incurred in the performance of their official duties under the provisions of this chapter. In such county the county auditor shall be ex officio secretary of the board, but shall have no voice in its proceedings.

[1973 c 380 s 15; 1973 c 650 art XXI s 27]

[For text of subds. 4 to 7, see M.S.1971]

393.06 Salary and expenses

The salaries, office, traveling, and other necessary expenses of the county welfare board, including such amount as may be allowed in the discretion of the county board as compensation for cashing welfare board checks, shall be paid by the county, except as provided in section 393.01, subdivision 4, and shall be subject to reimbursement out of state and federal funds as may be provided by law.

[1973 c 717 s 26]

393.07 Powers and duties

[For text of subds. 1 and 1a, see M.S.1971]

Subd. 2. Administration of public welfare. The county welfare board, subject to the supervision of the commissioner of public welfare, shall administer all forms of public welfare, both for children and adults, responsibility for which now or hereafter may be imposed on the commissioner of public welfare by law, including poor relief, general assistance, aid to dependent children, county supplementation, if any, or state aid to recipients of supplemental security income for aged, blind and disabled, child welfare services, mental health services, and other public assistance or public welfare services, provided that the county welfare board shall not employ public health nursing or home health service personnel other than homemaker-home help aides, but shall

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contract for or purchase the necessary services from existing community agencies. The duties of the county welfare board shall be performed in accordance with the standards, rules and regulations which may be promulgated by the commissioner of public welfare to achieve the purposes intended by law and in order to comply with the requirements of the federal social security act in respect to public assistance and child welfare services, so that the state may qualify for grants-in-aid available under that act. The county welfare board shall supervise wards of the commissioner and, when so designated, act as agent of the commissioner of public welfare in the placement of his wards in adoptive homes or in other foster care facilities.

[1973 c 380 s 16; 1973 c 650 art XXI s 28; 1973 c 678 s 2; 1973 c 717 s 27]

Subd. 3. Federal social security. The county welfare board shall be charged with the duties of administration of all forms of public assistance and public child welfare or other programs within the purview of the federal social security act, other than public health nursing and home health services, and which now are, or hereafter may be, imposed on the commissioner of public welfare by law, of both children and adults. The duties of such county welfare board shall be performed in accordance with the standards, rules and regulations which may be promulgated by the commissioner of public welfare in order to achieve the purposes of the law and to comply with the requirements of the federal social security act needed to qualify the state to obtain grants-in-aid available under that act. Notwithstanding the provisions of any other law to the contrary, the welfare board may delegate to the director the authority to determine eligibility and disburse funds without first securing board action, provided that the director shall present to the board, at the next scheduled meeting, any such action taken by him for ratification by the board.

[1973 c 678 s 3]

[For text of subds. 4 and 5, see M.S.1971]

Subd. 6. Purchase of equipment to aid welfare recipients. Every county welfare board authorizing braces, crutches, trusses, wheel chairs and hearing aids for use by recipients of supplemental security income for the aged, blind and disabled, aid to families with dependent children and relief shall secure such devices at the lowest cost obtainable conducive to the well being of the recipient and fix the recipient's grant in an amount to cover the cost of the device providing it will be purchased at the lowest cost obtainable, or may make payment for the device directly to the vendor.

[1973 c 717 s 28]

[For text of subds. 7 and 8, see M.S.1971]

Subd. 9. Power to compel certain persons to pay child support. When directed by a judge of district court or when a person under court order is in default in making child support payments to another person who is indigent and who has custody of the children for whom such payments have been ordered, the county welfare board shall take such steps as may be necessary to compel the person in default on such payments to make them; to take such steps as may be necessary to compel such persons to make reimbursement to comply with the order of court when in default; and to institute, if necessary, contempt proceedings on behalf of such person or persons to whom money or property is ordered to be paid or delivered. It shall be the duty of the county attorney to conduct such contempt proceedings when directed by a judge of the district court or when requested by the county welfare board. The county attorney in such contempt proceedings or upon a separate motion supported by order to show cause and affidavits may move the court that any defaults or delinquent payments under such order of support be reduced to a judgment against the defaulting party, and where the county welfare board or any other public agency has advanced and expended funds to supply the unmet needs of such children because of such default by failure to pay the court order, such county welfare board or other public agency shall be sub-

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gated and may recover under such judgment to the extent that public funds were expended for the care and support of such children. The additional cost incurred by the county attorney to bring contempt actions under this subdivision shall be paid from the moneys collected in such actions in whatever manner and amount approved by a judge of that particular county district court.

[1973 c 199 s 1]

[For text of subd. 10, see M.S.1971]

393.08 Estimates furnished to county board

Subdivision 1. On or before the first day of July each year the county welfare board, except any such board referred to in section 393.01, subdivision 3 shall submit to the county board of commissioners an estimate of the amount needed by it to perform its duties, including expenses of administration, and the county board of commissioners shall consider the estimates so submitted and, if approved, shall levy a tax as provided by law for the purposes. In the event the estimate is not approved, the county board of commissioners shall confer with the county welfare board and adjust a budget in accordance with the facts and levy a tax for the amount required.

In counties referred to in section 393.01, subdivision 3, the estimate required shall not include institutional requirements in any city of the first class located therein. The tax levy by the county board of commissioners in such counties shall be such as is required for public assistance, poor relief and categories of aid under the federal social security act, and shall be separate and distinct from other levies made by it. The governing body of any such city of the first class may annually levy a tax for institutional requirements as authorized by such home rule charter, on the real and personal property within the corporate limits of such city. Such tax levy and the proceeds thereof shall be subject to the same control and supervision as is imposed on any existing public welfare tax levy.

In counties referred to in section 393.01, subdivision 7, the estimate required to fund the public welfare programs of the single welfare department, including expense of administration, shall be submitted to the boards of county commissioners who are parties to the agreement. Each board of county commissioners shall consider the estimate so submitted and shall confer with the board of county commissioners from the other counties who are a party to the agreement in determining the amount of funds to be assessed against each county for purposes of funding the welfare program.

[1973 c 380 s 17; 1973 c 510 s 1; 1973 c 650 art XXI s 29]

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

Subd. 2. [Repealed, 1973 c 380 s 18; 1973 c 650 art XXI s 33]

393.10 Medical, surgical and hospital expenses, lien

[For text of subd. 1, see M.S.1971]

Subd. 2. Such county board or county welfare board may perfect and enforce its lien by following the procedures set forth in sections 514.69, 514.70 and 514.71, except that it shall have 180 days from the date when the last item of medical, surgical or hospital care was furnished in which to file its lien. Provided, however, that no lien pursuant to this section shall be effective as to any payment made prior to the time that the lien is filed.

[1973 c 161 s 1]

393.12 Fees for homemaker services

A county welfare board may charge fees for homemaker services furnished to a family not on public assistance. The county welfare board shall establish fee schedules based on the recipient's ability to pay. The schedules shall be subject to the approval of the commissioner of public welfare.

[1973 c 190 s 1]