

MINNESOTA STATUTES 1978

603

COUNTY AGRICULTURAL SOCIETIES, FAIRS, FARM BUREAUS 38.01

CHAPTER 38

COUNTY AGRICULTURAL SOCIETIES, FAIRS, FARM BUREAUS

Sec.		Sec.	
38.01	County agricultural societies; formation, powers.	38.17	Levy for improving county-owned grounds and buildings.
38.013	Tort liability.	38.18	County fairgrounds, improvement aided.
38.02	Aid, distribution.	38.19	Expenditure of appropriations.
38.03	Lease of county lands.	38.20	Supplemental to existing laws.
38.04	Annual meetings; reports.	38.27	County agricultural societies.
38.05	Right of eminent domain.	38.28	Agricultural societies; tax levy; exceptions.
38.12	Appropriations by certain municipalities.		COUNTY EXTENSION
38.13	Commissioner of agriculture to examine books.	38.33	Purpose.
38.14	County fairs; appropriations in certain counties.	38.34	County board, expenses.
38.15	Sites and buildings.	38.35	Appropriations, how expended.
38.16	Exemption from zoning ordinances.	38.36	County extension committee.
38.161	Restaurant; licenses when not required.	38.37	County extension committee; program, county agents.
38.162	Permit required for certain concessions operated at county fairs and local civic festivals.	38.38	County extension committee; duties.

38.01 COUNTY AGRICULTURAL SOCIETIES; FORMATION, POWERS. An agricultural society or association may be incorporated by citizens of any county, or two or more counties jointly, but only one agricultural society shall be organized in any county. An agricultural society may sue and be sued in its corporate name; may adopt bylaws, rules, and regulations, alter and amend the same; may purchase and hold, lease and control any real or personal property deemed to promote the objects of the society, and may rent, lease, sell, and convey the same. Any income from the rental or lease of such property may be used for any or all of the following purposes: (1) Acquisition of additional real property; (2) Construction of additional buildings; or (3) Maintenance and care of the society's property. This section shall not be construed to preclude the continuance of any agricultural society now existing or the granting of aid thereto.

An agricultural society shall have jurisdiction and control of the grounds upon which its fairs are held and of the streets and grounds adjacent thereto during such fair, so far as may be necessary for such purpose. At or before the time of holding any fair, the agricultural society may appoint, in writing, as many persons to act as special constables as necessary, for and during the time of holding the same and for a reasonable time prior and subsequent thereto. These constables, before entering upon their duties, shall take and subscribe the usual oath of office, endorsed upon their appointment, and have and exercise upon the grounds of the society, and within one-half mile thereof, all the power and authority of constables at common law and, in addition thereto, may, within these limits, without warrant, arrest any person found violating any laws of the state, or any rule, regulation, or bylaw of the society, and summarily remove the persons and property of such offenders from the grounds and take them before any court of competent jurisdiction to be dealt with according to law. Each such peace officer shall wear an appropriate badge of office while acting as such.

As an alternative to the appointment of special constables, the society may contract with the sheriff or local municipality to provide the society with the same police service it may secure by appointing special constables. A person providing police service pursuant to such a contract is not, by reason of the contract, classified as an employee of the agricultural society for any purpose other than the discharge of his powers and duties under the contract.

Any person who shall wilfully violate any rule or regulation made by such societies during the days of a fair shall be guilty of a misdemeanor.

The provisions of this section supersede all special laws on the same subject.

[*RL s 3097; 1909 c 416 s 1; 1911 c 381 s 5; 1921 c 464 s 1; 1923 c 146 s 1; 1923 c 232 s 1; 1937 c 352 s 1; 1955 c 618 s 1; 1963 c 408 s 1*] (7885)

38.011 [Repealed, 1955 c 618 s 6]

38.012 [Repealed, 1955 c 618 s 6]

38.013 TORT LIABILITY. The provisions of chapter 466, regarding tort liability apply to county agricultural societies organized under this chapter.

[1978 c 659 s 1]

38.02 AID, DISTRIBUTION. Subdivision 1. **Pro rata distribution; conditions.**

(1) Money appropriated to aid county and district agricultural societies and associations shall be distributed among all county and district agricultural societies or associations in the state pro rata, upon condition that each of them has complied with the conditions specified in clause (2).

(2) To be eligible to participate in such distribution, each such agricultural society or association (1) shall have held an annual fair for each of the three years last past, unless prevented from doing so because of a calamity or an epidemic declared by the local board of health or the state commissioner of health to exist; (2) shall have an annual membership of 25 or more; (3) shall have paid out to exhibitors for premiums awarded at the last fair held a sum not less than the amount to be received from the state; (4) shall have published and distributed not less than three weeks before the opening day of the fair a premium list, listing all items or articles on which premiums are offered and the amounts of such premiums and shall have paid premiums pursuant to the amount shown for each article or item to be exhibited; provided that premiums for school exhibits may be advertised in the published premium list by reference to a school premium list prepared and circulated during the preceding school year; and shall have collected all fees charged for entering an exhibit at the time the entry was made and in accordance with schedule of entry fees to be charged as published in the premium list; (5) shall have paid not more than one premium on each article or item exhibited, excluding championship or sweepstake awards, and excluding the payment of open class premium awards to 4H Club exhibits which at this same fair had won a first prize award in regular 4H Club competition; (6) shall have submitted its records and annual report to the commissioner of agriculture on a form provided by the commissioner of agriculture, on or before the first day of November of the current year.

(3) All payments authorized under the provisions of this chapter shall be made only upon the presentation by the commissioner of agriculture with the commissioner of finance of a statement of premium allocations. As used herein the term premium shall mean the cash award paid to an exhibitor for the merit of an exhibit of livestock, livestock products, grains, fruits, flowers, vegetables, articles of domestic science, handicrafts, hobbies, fine arts, and articles made by school pupils, or the cash award paid to the merit winner of events such as 4H Club or Future Farmer Contest, Youth Group Contests, school spelling contests and school current events contests, the award corresponding to the amount offered in the advertised premium list referred to in schedule 2. Payments of awards for horse races, ball games, musical contests, talent contests, parades, and for amusement features for which admission is charged, are specifically excluded from consideration as premiums within the meaning of that term as used herein. Upon receipt of the statement by the commissioner of agriculture, it shall be the duty of the commissioner of finance to draw his voucher in favor of the agricultural society or association for the amount to which it is entitled under the provisions of this chapter, which amount shall be computed as follows: On the first \$750 premiums paid by each society or association, such society or association shall receive 100 percent reimbursement; on the second \$750 premiums paid, 80 percent; on the third \$750 premiums paid, 60 percent; and on any sum in excess of \$2,250, 40 percent.

(4) If the total amount of state aid to which the agricultural societies and associations are entitled under the provisions of this chapter exceeds the amount of the appropriation therefor, the amounts to which the societies or associations are entitled shall be pro rated so that the total payments by the state will not exceed the appropriation.

Subd. 1a. Premiums for certain livestock and livestock products. A livestock and livestock product exhibit for which a premium may be paid pursuant to subdivision 1, paragraph 3, includes, but is not limited to, livestock exhibited live on the association or society grounds and the carcass of the same animal exhibited later at a place of slaughter off the association or society grounds.

Subd. 2. Accounting; commissioner of agriculture, duties. It shall be the duty of the commissioner of agriculture to prescribe uniform forms and methods of accounting to be used by agricultural societies, and associations.

MINNESOTA STATUTES 1978

605

COUNTY AGRICULTURAL SOCIETIES, FAIRS, FARM BUREAUS 38.05

Subd. 3. Certification, commissioner of agriculture. Any county or district agricultural society which may have held its second annual fair shall be entitled to share pro rata in such distribution. The commissioner of agriculture shall certify to the secretary of the state agricultural society, within 30 days after payments have been made hereunder, a list of all county or district agricultural societies that have complied with this chapter, and which are entitled to share in such appropriation. All payments hereunder shall be made on or before December 20 of the year in which the fair is held or within 30 days after all societies have submitted their annual report to the commissioner of agriculture, whichever is later.

Subd. 4. Poultry association or society; premiums aid. A poultry association or society that receives aid in payment of premiums at exhibitions of poultry shall not receive an amount greater than the annual premium paid to exhibitors by it and the amount of aid paid shall not in any case exceed the sum of \$150 to any one county. A society or association to be entitled to its distributive share of aid to poultry associations shall file annually with the commissioner of agriculture by the first day of April of each year a sworn statement signed by the president or secretary of the association or society showing the amount of cash premiums paid during the year to exhibitors. The amount to be distributed to the society or association from the aid appropriation shall be based and determined upon the amount of cash premiums paid out as hereinbefore provided. Except as herein provided, where there is more than one association in a county, the amount allotted to the county, not exceeding \$150, shall be distributed to the societies in equal amounts.

[*RL s 3098; 1911 c 381 s 6; 1913 c 425 s 1; 1915 c 243 s 1; 1919 c 138 s 1; 1921 c 452 s 1; 1923 c 301 s 1; 1925 c 47 s 1; 1929 c 211 s 1; 1937 c 352 s 2; 1947 c 493 s 1; 1949 c 508 s 1; 1951 c 446 s 1-4; 1953 c 69 s 1; 1955 c 618 s 2-4; 1963 c 195 s 1; 1963 c 408 s 2; 1967 c 513 s 1; 1973 c 492 s 14; 1976 c 163 s 4,5; 1976 c 239 s 14; 1977 c 121 s 2-4; 1977 c 305 s 45*] (7886)

38.03 LEASE OF COUNTY LANDS. The county board of any county may lease to agricultural societies established and existing in its county, for such period and on such terms as it shall deem expedient, any lands of the county, including any portion of lands of the county used as a poor farm, to be used by the society for fair purposes. The society may construct on the leased land, suitable buildings, race tracks, and other improvements; provided, that in case of the leasing by the county board of any county of lands previously set aside as a poor farm, such improvements shall be constructed according to a plan previously submitted to the county board and approved by it.

[*RL s 3099; 1915 c 346 s 1; 1955 c 618 s 5*] (7887)

38.04 ANNUAL MEETINGS; REPORTS. Every county agricultural society shall hold an annual meeting for the election of officers and the transaction of other business on or before the third Tuesday in November, each year, at which time its secretary shall make a report of its proceedings for the preceding year; this report shall contain a statement of all transactions at its fairs, the numbers of entries, the amount and source of all moneys received, and the amount paid out for premiums and other purposes, and show in detail its entire receipts and expenditures during the year.

The treasurer shall make a comprehensive report of the funds received, paid out, and on hand, and upon whose order paid. Each secretary shall cause a certified copy of his annual report to be filed with the county recorder of the county and the commissioner of agriculture on or before the first day of November, each year.

[*RL s 3100; 1911 c 381 s 7; 1919 c 114 s 1; 1947 c 493 s 2; 1973 c 492 s 14; 1976 c 181 s 2; 1977 c 121 s 5*] (7888)

38.05 RIGHT OF EMINENT DOMAIN. Every county agricultural society may acquire, by right of eminent domain, such private real property as may be necessary or convenient for the transaction of the public business for which it was formed.

[*1921 c 296 s 1*] (7888-1)

38.06 [Repealed, 1955 c 618 s 6]

38.07 [Repealed, 1955 c 618 s 6]

38.08 [Repealed, 1955 c 618 s 6]

MINNESOTA STATUTES 1978

38.12 COUNTY AGRICULTURAL SOCIETIES, FAIRS, FARM BUREAUS

606

38.09 [Repealed, 1955 c 618 s 6]

38.10 [Repealed, 1955 c 618 s 6]

38.11 [Repealed, 1955 c 618 s 6]

38.12 APPROPRIATIONS BY CERTAIN MUNICIPALITIES. The council of any city and the board of supervisors of any town having fairs of county and district agricultural societies or associations, who are members of the Minnesota state agricultural society, held within their corporate limits or in close proximity thereto, are hereby authorized and empowered to appropriate for and pay to such agricultural society or association annually a sum not exceeding \$1,000.

[1913 c 546 s 1; 1973 c 123 art 5 s 7] (7889)

38.13 COMMISSIONER OF AGRICULTURE TO EXAMINE BOOKS. All books and affairs of all county agricultural societies or any like societies receiving aid from the appropriation for aid of county agricultural societies shall be subject to examination by the commissioner of agriculture. Each agricultural society or association shall reimburse the commissioner of agriculture for all expenses of the commissioner incurred in examining the records and accounts of such societies or associations.

[1913 c 452 s 1; 1973 c 492 s 14; 1977 c 121 s 6] (7890)

38.14 COUNTY FAIRS; APPROPRIATIONS IN CERTAIN COUNTIES. In any county in this state now or hereafter having a population of 150,000, the county board may annually appropriate not to exceed \$3,000, except that counties having more than 300,000 and less than 450,000 inhabitants may appropriate not to exceed \$5,000, to assist in maintaining a county fair, which fair shall be under the management and control of a county agricultural society. The appropriation shall be made either to the treasurer of the society or to some other suitable person, but before the money is paid to the treasurer or other person, he shall file with the county auditor a satisfactory bond in double the sum of the appropriation, conditioned upon the faithful disbursing and accounting for all of the funds so appropriated. The funds so appropriated shall be used solely for the purpose of obtaining, preparing, and arranging exhibits and paying premiums to exhibitors. The treasurer or other person to whom the appropriation is paid shall, within four months after the holding of any such aided annual fair, file with the county auditor his verified and detailed report showing the name and address of every person to whom any of the money was paid, together with the date of payment, and a full description of the purposes for which the money was so paid, and he shall attach thereto receipts and subvouchers for each payment so made and return to the county treasurer all of the unexpended portion thereof. After the report, receipts, and subvouchers have been audited by the county board and found to be correct, it may, by resolution, release the treasurer or other person and his sureties from all further liabilities under bond.

[1913 c 271 s 1; 1917 c 311 s 1; 1923 c 205; 1951 c 218 s 1; 1959 c 173 s 1] (737)

NOTE: Section 38.14 is not applicable to Ramsey county. See Laws 1974, Chapter 435, Article 7, Section 1.

38.15 SITES AND BUILDINGS. The county board in any such county may also annually appropriate such further sum as it may desire, not exceeding \$7,500, for the purpose of procuring a suitable site and the erection of a suitable county building thereon, for the building or repairing of a race track and for grading and improving the grounds, to be used in connection with such county fair, but the site and the building and improvements shall be and remain the property of the county, and the annual appropriation shall be used only for the purpose of so acquiring the site and building and grading and for the necessary care, repair, maintenance, and upkeep thereof. In any county in this state now or hereafter having a population in excess of 150,000 and an area of more than 5,000 square miles, the county agricultural society may expend funds appropriated to it for the year 1957 for the payment of debts and liabilities incurred during the year 1956 in the construction of county fair buildings, notwithstanding the provisions of Laws 1941, Chapter 118.

[1913 c 271 s 2; 1917 c 311 s 2; 1957 c 637 s 1] (738)

NOTE: Section 38.15 is not applicable to Ramsey county. See Laws 1974, Chapter 435, Article 7, Section 1.

MINNESOTA STATUTES 1978

607

COUNTY AGRICULTURAL SOCIETIES, FAIRS, FARM BUREAUS 38.18

38.16 EXEMPTION FROM ZONING ORDINANCES. When lands lying within the corporate limits of towns or cities of the first or second class of the state are owned by a county and used for agricultural fair purposes, the lands and the buildings now or hereafter erected thereon shall be exempt from the zoning, building, and other ordinances of the town or city; provided, that no license or permit need be obtained from, nor fee paid to, the town or city in connection with the use of the lands.

[1927 c 212; 1931 c 166 s 1] (738-1)

38.161 RESTAURANT; LICENSES WHEN NOT REQUIRED. Subdivision 1. No governmental subdivision of this state shall impose any license upon or collect a license or service fee from any group, association or organization operating a restaurant, as defined in section 157.01, where the purpose of such operation is solely to provide meals, lunches or refreshments for a limited period not to exceed one week at a fair conducted by a county agricultural society. This exemption from licensure does not exempt such group, association or organization from compliance with any sanitary or public health ordinance or regulation of the political subdivision having jurisdiction over the area in which such operation is conducted.

Subd. 2. For the purpose of this section a county agricultural society shall not be considered to be a governmental subdivision.

[1957 c 59 s 1,2]

38.162 PERMIT REQUIRED FOR CERTAIN CONCESSIONS OPERATED AT COUNTY FAIRS AND LOCAL CIVIC FESTIVALS. Any church, civic organization, 4H club or nonprofit organization which operates a concession offering for sale food or nonalcoholic beverages at a county fair or at a local civic festival as defined by the state commissioner of health, shall, at least two weeks before the event, procure a permit to operate the concession. Permits shall be issued by the state commissioner of health upon satisfaction of regulations providing safe sanitation and health standards promulgated in accordance with chapter 15. Each permit shall be effective for a period of six days, which period will be designated on the face of the permit. No person or organization retaining a permit pursuant to this section shall be required to obtain an additional license or permit pursuant to the provisions of section 28A.04, or chapter 157, for the operation of a concession. There shall be no charge for any permit issued under this section.

[1971 c 623 s 1; 1973 c 35 s 15; 1977 c 305 s 45]

38.17 LEVY FOR IMPROVING COUNTY-OWNED GROUNDS AND BUILDINGS. In any county in this state having an assessed valuation exceeding \$25,000,000, and less than \$250,000,000, exclusive of money and credits, and an area exceeding 2,500 square miles, when the county owns grounds and buildings used for agricultural fairs, the county board may, in any year, make a tax levy, the rate for which shall not exceed one-twelfth of one mill on the total assessed valuation of the county, exclusive of money and credits, the proceeds of which may be appropriated to the association or society having the management, control, and direction of agricultural fairs held therein, for the purpose of repairs, maintenance, improvements, extensions, and alterations of the grounds and buildings; provided, in years when the proceeds of the tax levy are available, all appropriations for these purposes shall be made therefrom; provided, further, no such tax levy shall be made or extended unless the total county rate for all purposes, including that hereby authorized, shall not exceed six and two-thirds mills.

[1925 c 94 s 1; 1973 c 773 s 1] (738-2)

38.18 COUNTY FAIRGROUNDS, IMPROVEMENT AIDED. Any town, statutory city, or school district in this state, now or hereafter having an assessed valuation of all its taxable property, exclusive of money and credits, of more than \$25,000,000, and having a county fair located within its corporate limits, is hereby authorized to aid in defraying part of the expense of improving any such fairground, by appropriating and paying over to the treasurer of the county owning the fairground such sum of money, not exceeding \$10,000, for each of the political subdivisions, as the governing body of the town, statutory city, or school district may, by resolution, determine to be for the best interest of the political subdivision, the sums so appropriated to be used solely for the purpose of aiding in the improvement of the fairground in such manner

as the county board of the county shall determine to be for the best interest of the county.

[1925 c 321 s 1; 1973 c 123 art 5 s 7] (738-3)

38.19 EXPENDITURE OF APPROPRIATIONS. The county board owning any such fairground may expend the funds so appropriated and paid over by any such town, statutory city, or school district for the use of the county, in the same manner as the funds of the county set apart for these purposes may be expended; and may, by resolution, set apart for the use of the town, statutory city, or school district any building, or any portion of the fairground, that may be constructed or otherwise improved with the funds so appropriated and paid over to the county by the town, statutory city, or school district, but the title to the building, or other improvement, shall be and remain the property of the county as part of the fairground property.

[1925 c 321 s 2; 1973 c 123 art 5 s 7] (738-4)

38.20 SUPPLEMENTAL TO EXISTING LAWS. Sections 38.18 to 38.20 shall be supplemental to any existing laws authorizing any town, statutory city, or school district to appropriate funds to aid in the carrying on of any county fair located within the limits of the town, statutory city, or school district, and any town, statutory city, or school district which now has such power shall continue to have such power to make the appropriations to any such county agricultural society as may be authorized by existing laws.

[1925 c 321 s 3; 1973 c 123 art 5 s 7] (738-5)

38.21 [Omitted, Local]

38.22 [Omitted, Local]

38.23 [Omitted, Local]

38.24 [Omitted, Local]

38.25 [Omitted, Local]

38.26 [Repealed, 1974 c 435 art 6 s 1]

38.27 COUNTY AGRICULTURAL SOCIETIES. Subdivision 1. **Tax levy; powers.** In all counties, in addition to all other powers now or hereafter by law conferred upon county boards, authority hereby is given annually to levy a tax upon all property subject to taxation and, from time to time, to appropriate and pay over the proceeds of this tax, when collected, to any county agricultural society of its county which is a member of the state agricultural society, to assist the society in paying its financial obligations now or hereafter incurred, and for the construction, reconstruction, alteration, repairs and improvements of necessary buildings.

Subd. 2. [Repealed, 1973 c 583 s 3]

Subd. 3. In all counties, in addition to all other powers now or hereafter by law conferred upon county boards, authority is given annually to levy a tax upon all property subject to taxation and, from time to time, to pay over the proceeds of this tax, when collected, to a county agricultural society of its county which is a member of the state agricultural society, to assist the society in paying financial obligations hereafter incurred for premium costs of liability insurance procured pursuant to section 466.06 or for payment of judgments as provided in section 466.09. A tax levied under this subdivision for payment of judgments may be in excess of any per capita or millage tax limitation imposed by statute or charter. A tax levied under this subdivision for payment of premium costs of liability insurance shall not be a special levy as defined in section 275.50, subdivision 5, and shall be subject to the levy limitation provided in sections 275.51 and 275.52.

[1927 c 111; 1947 c 97 s 1; 1953 c 514 s 1; 1963 c 142 s 1; 1973 c 583 s 4; 1978 c 659 s 2] (738-15)

38.28 AGRICULTURAL SOCIETIES; TAX LEVY; EXCEPTIONS. In addition to all other powers now or hereafter by law conferred upon county boards, authority hereby is given annually to levy, by a four-fifths vote of the board, a tax of not to exceed one-twelfth of one mill upon all property subject to taxation and, from time to time, to appropriate and pay over the proceeds of this tax, when collected, to any county agricultural society of the county which is a member of the state agricultural society, to assist the society in paying its financial obligations heretofore incurred. This section shall not apply to counties having authority to levy a greater tax under

MINNESOTA STATUTES 1978

609

COUNTY AGRICULTURAL SOCIETIES, FAIRS, FARM BUREAUS 38.36

existing laws. This section shall not apply to counties in which there is a city of the first class.

[1927 c 128 s 1,2; 1929 c 48 s 1,2; 1973 c 773 s 1] (738-16,738-17)

38.29 [Omitted, Local]

38.30 [Omitted, Local]

38.31 [Repealed, 1974 c 435 art 6 s 1]

38.32 [Repealed, 1965 c 45 s 73]

COUNTY EXTENSION

38.33 PURPOSE. The purpose of sections 38.33 to 38.38 is to coordinate the work of the federal government, the state, the several counties of the state, and the division of agricultural extension of the University of Minnesota in the maintenance of county extension work in agriculture and home economics.

[1923 c 423 s 1; 1953 c 202 s 1] (6121)

38.34 COUNTY BOARD, EXPENSES. The county commissioners of the several counties of this state are hereby authorized and empowered to incur expenses and to expend money for county extension work in agriculture and home economics, as provided in sections 38.33 to 38.38.

[1923 c 423 s 2; 1953 c 202 s 2] (6122)

38.35 APPROPRIATIONS, HOW EXPENDED. All moneys appropriated by the state for the purpose of aiding in the maintenance and expenses of county extension work in agriculture and home economics shall be expended under the direction of the dean of the Institute of Agriculture of the University of Minnesota, or his delegated representative, who, acting with the county extension committee, is hereby empowered to carry out the provisions of sections 38.33 to 38.38.

[1923 c 423 s 4; 1953 c 202 s 3] (6124)

38.36 COUNTY EXTENSION COMMITTEE. There shall be provided in each county an extension committee, consisting of nine members, of whom two shall be members of the board of county commissioners, including the chairman and one other member of the county board selected by the board, the county auditor, and six additional members to be selected and appointed at large by the county board as provided in this section. In 1970 and each year thereafter, the board of county commissioners at their annual meeting shall select and appoint on an at large basis for a term of three years that number of the county extension committee as is required to fill the memberships on that committee expiring at that time. In cooperation with the dean of the Institute of Agriculture of the University of Minnesota, or his delegated representative, the county extension committee, each year, on or before the second Monday of July, shall prepare a budget showing the total funds available and needed, and shall recommend to the board of county commissioners the amount of county funds necessary for the maintenance, support, and expenses of the county extension work in agriculture and home economics during the following year. A copy of such budget shall be presented by the county auditor to the board of county commissioners. It shall be the duty of the board of county commissioners at its regular meeting in July or January, as the case may be, to consider the recommended county share of money necessary for the maintenance, support, and expenses of county extension work in agriculture and home economics during the following year. For these purposes the board of county commissioners may appropriate money annually from the general revenue fund and may include the same in the annual levy of county taxes or may make a special levy for county extension purposes or both. The amount of money so set aside and appropriated by the board of county commissioners for any county for these purposes shall constitute a fund to be known as the county extension fund, which shall be paid out by orders of the dean of the Institute of Agriculture of the University of Minnesota, or his delegated representative, for salaries of the agents employed, their employees, and other expenses incident to the work of such agents in improving agriculture and home economics and improving and bettering the marketing of farm products within the appropriation available. No order for the application of these funds for the purposes named shall be issued until the expenditure shall have been audited and signed by the county auditor. In the event there is an unexpended balance of the county extension fund at the end of any year, this balance shall be carried over or re-

appropriated.

[1923 c 423 s 5; 1947 c 157 s 1; 1951 c 390 s 1; 1951 c 412 s 1; 1953 c 202 s 4; 1957 c 208 s 1; 1963 c 198 s 1; 1969 c 1081 s 1; 1973 c 528 s 1; 1973 c 583 s 5] (6125)

38.37 COUNTY EXTENSION COMMITTEE; PROGRAM, COUNTY AGENTS.

The county extension committee shall, annually, formulate a program of work in agriculture and home economics in cooperation with the agricultural extension division of the University of Minnesota and the United States Department of Agriculture. For the purpose of putting this program into operation it shall be the duty of the county extension committee, acting with the dean of the Institute of Agriculture of the University of Minnesota, or his delegated representative, and in accordance with county and university personnel administration procedures to employ a suitable and qualified person or persons for such work to be known as county extension agents.

[1923 c 423 s 6; 1953 c 202 s 5; 1969 c 1081 s 2] (6126)

38.38 COUNTY EXTENSION COMMITTEE; DUTIES. The duties of the members of the county extension committee, in addition to those hereinbefore specified, shall be to encourage the cooperation of all individuals and organizations to make profitable use of extension activities. It shall elect its own chairman and vice-chairman, who shall serve for one year. The county extension agent shall give aid and advice to all residents of the county when called upon, when the object is to improve the science, art and business of agriculture and home economics and subjects related thereto. The county auditor shall act as secretary of such county extension committee, and keep a record of all its proceedings, and shall forward copies of all resolutions appropriating funds by the county commissioners to the dean of the Institute of Agriculture of the University of Minnesota. The members of the county extension committee other than members of the board of county commissioners shall be reimbursed for expenses or may receive a per diem allowance in accordance with section 375.47. County commissioners may receive a per diem pursuant to section 375.055, subdivision 1, and may be reimbursed for their necessary expenses, including mileage in accordance with section 471.665.

[1923 c 423 s 7; 1953 c 202 s 6; 1957 c 208 s 2; 1969 c 1081 s 3; 1975 c 301 s 1] (6127)