

MINNESOTA STATUTES 1979 SUPPLEMENT

393.04 COUNTY WELFARE BOARD

CHAPTER 393. COUNTY WELFARE BOARD

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393.04 Organization.

The county welfare board shall, by resolution, establish a date in July for an annual meeting at which it shall organize by electing a chairman, a vice chairman, and a secretary, except as provided in section 393.01, subdivision 3, each of whom shall perform the customary duties of his office. The board shall appoint a director and such assistants and clerical help as it may deem necessary to perform the work of the board. The appointment of the director shall be made in accordance with rules to be adopted by the commissioner of public welfare and the director shall be chosen upon the basis of his experience, training, and general qualifications for the work. The director's salary shall be fixed by the county welfare board, and the county welfare board shall fix the salary of such other employees as it may hire.

The welfare board shall require its director and such other of its employees as it may determine, to execute and file with it a bond conditioned as are other official bonds, to the state, with corporate sureties to be approved by it, in such amount as it may fix, not less than \$1,000, and the premium thereon shall be paid by the board.

[1979 c 186 s 1]

393.07 Powers and duties.

[For text of subd 1, see M.S.1978]

Subd. 1a. [Repealed, 1979 c 256 s 3]

[For text of subds 2 to 11, see M.S.1978]

393.08 Estimates furnished to county board.

Subdivision 1. As scheduled by the county board of commissioners 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.

[1979 c 186 s 2]

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BUILDING COMMISSIONS; PLANNING DEVELOPMENT, ZONING 394.27

393.13 Private insurance policies.

Subdivision 1. Upon providing services pursuant to sections 252.27, 260.251, subdivision 1a, 261.27 or 393.07, subdivision 1 or 2 to any person having private health care coverage, the county agency shall be subrogated, to the extent of the cost of services provided, to any rights the person may have under the terms of any private health care coverage. The right of subrogation does not attach to benefits paid or provided under private health care coverage prior to the receipt of written notice of the exercise of subrogation rights by the carrier issuing the health care coverage.

Subd. 2. To recover under this section, the county attorney may institute a civil action against the carrier of the private health care coverage.

Subd. 3. When any amount of money shall be recovered pursuant to this section the county shall pay to the state an amount of the recovery substantially in the proportion in which the state agency has contributed toward the services which were paid by the carrier issuing the health care coverage.

Subd. 4. For the purposes of this section, private health care coverage means any policy or plan regulated by chapter 62A, 62C, 62E or 64A. Private health care coverage also includes any self-insurance plan providing health care benefits.

[1979 c 174 s 5]

CHAPTER 394. BUILDING COMMISSIONS; PLANNING DEVELOPMENT, ZONING

Sec.	
394.25	Forms of control.
394.27	Creation and duties of a board of adjustment.

394.25 Forms of control.

[For text of subs 1 and 2, see M.S.1978]

Subd. 3. Within each such district zoning ordinances or maps may also be adopted designating or limiting the location, height, bulk, number of stories, size of, and the specific uses for which dwellings, buildings, and structures may be erected or altered; the minimum and maximum size of yards, courts, or other open spaces; setback from existing roads and highways and roads and highways designated on an official map; protective measures necessary to protect the public interest including but not limited to controls relating to appearance, signs, lighting, hours of operation and other aesthetic performance characteristics including but not limited to noise, heat, glare, vibrations and smoke; the area required to provide for off street loading and parking facilities; heights of trees and structures near airports; and to avoid too great concentration or scattering of the population. All such provisions shall be uniform for each class of land or building throughout each district, but the provisions in one district may differ from those in other districts. No provision may prohibit earth sheltered construction as defined in section 116H.02, subdivision 3, that complies with all other zoning ordinances promulgated pursuant to this section.

[For text of subs 4 to 10, see M.S.1978]

[Ex1979 c 2 s 39]

394.27 Creation and duties of a board of adjustment.

[For text of subs 1 to 6, see M.S.1978]

Subd. 7. The board of adjustment shall have the exclusive power to order the issuance of variances from the terms of any official control including restrictions placed on nonconformities. Variances shall only be permitted when they are in harmony with the general purposes and intent of the official control in cases when there are practical difficulties or particular hardship in the way of carrying out the strict letter of any official