

## CHAPTER 383A

### RAMSEY COUNTY

383A.01	Boundaries.	383A.28	Salaries of officers and employees.
383A.02	Powers and duties.	383A.29	Civil service.
383A.03	Taxation.	383A.30	Retirement.
383A.04	Tax anticipation warrants.	383A.31	Uniform payroll periods.
383A.05	Assessment.	383A.32	Purchasing.
383A.06	Welfare.	383A.321	Definitions.
383A.07	Parks and recreation.	383A.322	Small business set-aside.
383A.08	Detention and corrections.	383A.33	Assessor.
383A.09	Detention facilities.	383A.34	Auditor.
383A.10	Addition to St. Paul-Ramsey hospital planning.	383A.35	Court commissioner.
383A.11	Morgue.	383A.36	Coroner.
383A.12	Health department.	383A.37	Sheriff; fees.
383A.13	Paramedics.	383A.38	Abstract clerk.
383A.14	Air quality.	383A.39	Court house and city hall.
383A.15	County nursing home bonds.	383A.40	Welfare department; welfare board.
383A.16	Highway improvements.	383A.41	Saint Paul-Ramsey medical center.
383A.17	Capitol approach.	383A.411	Ramsey county medical facility water system.
383A.18	Soldiers' rest.	383A.42	County surveyor; approval of plat.
383A.19	Codification of special laws.	383A.43	Legislative research committee.
383A.20	Government administration.	383A.44	Local government study commission of Ramsey county.
383A.21	Fees of the clerk of district court, coroner and county recorder.	383A.45	Budget.
383A.22	Fee system.	383A.46	Capital program.
383A.23	Commissioners; composition; redistricting.	383A.47	Reduction of appropriations.
383A.24	Terms.	383A.48	Appropriations and tax levy.
383A.25	Compensation.	383A.49	Amendments after adoption.
383A.26	Organization.	383A.50	Administration of budget.
383A.27	Procedure.		

#### 383A.01 BOUNDARIES.

The county of Ramsey is established and bounded as follows:

(a) Beginning at the northwest corner of town thirty north, of range twenty-three west of the fourth principal meridian; thence east, on the line between townships thirty and thirty-one, to the northeast corner of town thirty of range twenty-two; thence south, on the line between ranges twenty-one and twenty-two, to the southeast corner of section twenty-four, in town twenty-eight, of range twenty-two; thence west, on the section line, to the middle of the main channel of the Mississippi river; thence up the middle of said channel to the mouth of the Minnesota river; thence following the western channel of said Mississippi river, so as to include in Ramsey county the islands in said Mississippi river at and above the mouth of the said Minnesota river, to the line between sections thirty-one and thirty-two of town twenty-nine, in range twenty-three; thence north, on the section line, to the north-west corner of section five in said town; thence west, on the north line of said town, to the northwest corner thereof; thence north, on the line between ranges twenty-three and twenty-four, to the place of beginning.

(b) That all of that part of Dakota county lying north of the south boundary line of sections seven and eight and nine, of township number twenty-eight, range twenty-two west, and section twelve of township twenty-eight, range twenty-three west, are detached from the county of Dakota, and attached to the county of Ramsey, for all purposes whatsoever. The southwest quarter of the southeast quarter of section seven, town twenty-eight, range twenty-two west, is excepted from the provisions of this subsection, and remains a part and portion of Dakota county.

**History:** 1974 c 435 s 1.01

#### 383A.02 POWERS AND DUTIES.

In addition to the powers and duties that Ramsey county has under the general laws of the state of Minnesota, Ramsey county has the following powers and duties.

**History:** 1974 c 435 s 1.02

**383A.03 TAXATION.**

Subdivision 1. **Hospital.** (a) **Operations.** Ramsey county may levy, annually, a tax for the operation and maintenance of Saint Paul-Ramsey Hospital, and for its construction as provided in Laws 1957, Chapter 938.

(b) **Bonds.** Ramsey county may levy annually upon all taxable property in the county the ad valorem tax that is necessary to pay the interest on bonds for the construction of Saint Paul-Ramsey Hospital as it accrues and to pay the principal thereof in full at maturity. The board of county commissioners of Ramsey county shall levy a tax for this purpose.

(c) **Financing.** Notwithstanding any law to the contrary, Ramsey county may provide all funds, except those required for the purpose of funding prior construction indebtedness which shall be as heretofore provided, that it approves pursuant to requests duly submitted to it by the Ramsey county hospital and sanitarium commission. Ramsey county may also provide emergency funds for the commission for the purpose of operating facilities when operational income is insufficient to meet operational expenses.

Subd. 2. **Detention and correction.** Ramsey county may levy, annually, a tax for the operation and maintenance of detention and correction facilities.

Subd. 3. **Parks and open space.** Ramsey county shall levy a tax sufficient to pay the principal and interest on the bonds issued for the park and open space system as they become due.

Subd. 4. **Ice arenas and Gall's golf course.** Ramsey county may levy, annually, a tax not to exceed one mill for the acquisition and construction of nine artificial ice arenas and a golf course, to pay the interest on the bonds as it accrues and to pay the principal thereof in full at maturity, and not to exceed one-half mill to provide for the operation of these facilities. The board of county commissioners shall levy a tax for this purpose.

Subd. 5. **Aldrich arena.** Ramsey county may levy, annually, a tax to operate and maintain Aldrich arena.

Subd. 6. **Arts and sciences.** (a) Ramsey county may levy a tax and appropriate money in the amount it finds appropriate to support educational, artistic and scientific interests inside the county of Ramsey.

(b) Upon appropriation and establishment of an account pursuant to statute, Ramsey county may distribute the appropriation authorized herein, in the proportion and in the amount as it decides, to an existing Minnesota nonprofit corporation organized to further the arts and sciences in Ramsey county, which corporation is authorized by its articles of incorporation to use and distribute its income and property exclusively for charitable, educational, scientific and literary purposes, and no substantial part of the activities of which consists of carrying on propaganda and otherwise attempting to influence legislation.

(c) To qualify as a recipient for assistance under the provisions of this subdivision, a Minnesota nonprofit corporation must possess and file with the county auditor an income tax exempt certificate from the state of Minnesota and the United States, which certificate indicates the tax exempt status of the corporation.

(d) The county board shall provide, by rule, for reasonable regulations that it considers proper to control the expenditure of the appropriations made under this subdivision. It may require the reports and controls that are reasonably necessary to insure the protection of the public interest in the expenditure of the funds appropriated.

Subd. 7. **Health.** Ramsey county shall include in its annual levy of county taxes the amount that is necessary for health department purposes. The amount so levied for the health department shall only be expended for the operation and maintenance of the department.

Subd. 8. **Group insurance for retired employees.** Ramsey county may levy a tax upon all taxable property in the county for the purpose of providing to each employee, including an elected official, who retires, or to the surviving spouse of such an employee, insurance protection, in the amount that the county considers proper, providing medical and surgical benefits and hospitalization benefits, for the employee and dependent spouse, subject to the limitations as to premium amounts as hereinafter set forth.

**History:** 1974 c 435 s 1.0201

#### **383A.04 TAX ANTICIPATION WARRANTS.**

Ramsey county may issue and sell certificates of indebtedness of Ramsey county in anticipation of tax revenue from taxes levied but not collected. The total amount of the certificates outstanding at any time may not exceed 80 percent of the taxes levied by the county for the year before the one in which the certificates are issued. The certificates shall become due in the year in which issued, shall be negotiable and shall bear interest before and after maturity at the rate that the county sets.

**History:** 1974 c 435 s 1.0202

#### **383A.05 ASSESSMENT.**

Subdivision 1. **Appropriation for assessment.** Ramsey county may, each year, appropriate enough money to defray the expense of making a proper assessment of all property in the county for the purpose of general taxation.

Subd. 2. **Expenditures; experts.** Ramsey county shall appropriate and expend, in the manner and in the amount that it considers necessary, the money needed to defray the expense of properly conducting the office of the county assessor; the expenditure to include the hiring of experts upon property values for any period considered necessary, the payment of the transportation expense of these experts or other employees in traveling from place to place in the county, and generally any expense reasonably and directly tending to the procurement of a fair and true assessment of property inside the county; but all expenses of this kind shall be made under the supervision of, and with the consent of, the county assessor.

**History:** 1974 c 435 s 1.0203

#### **383A.06 WELFARE.**

Subdivision 1. **Financing.** Ramsey county shall pay all of the costs of relief of the poor therein and be responsible for all welfare programs within the county, the cost of which is not met from federal, state or private sources.

Subd. 2. **Borrowing.** (a) **Authority.** Ramsey county is granted authority to borrow funds and pledge the credit of the county for repayment of the funds for the support of the poor; the governing body of Ramsey county may issue bonds or other evidences of indebtedness to pay therefor when authorized to do so as provided in this subdivision. If the board of commissioners of Ramsey county decides to issue bonds for the relief of the poor, the board shall first submit the question of the issuance of the bonds to a referendum of the voters of the county at a special election called for that purpose, or at a general election. No bonds of this type may be issued unless a majority voting on the question at the election vote in favor thereof.

(b) **Bonds.** All bonds issued pursuant to this subdivision are to be sold in the manner prescribed by Minnesota Statutes, Chapter 475, and mature serially, the first installment of which becoming due in not more than three years and the last of which becoming due and payable in not more than ten years from the date of

issue. These bonds shall bear interest at an annual rate of not to exceed six percent, payable semiannually, and the governing body of Ramsey county shall provide for the payment thereof in the manner prescribed by Minnesota Statutes, Chapter 475, and the governing body of Ramsey county shall negotiate and sell the bonds, from time to time, in the amounts that the board of county commissioners sees fit.

While any of these bonds are outstanding and unpaid, there shall be annually levied and collected a tax upon all real and personal property in Ramsey county, sufficient to pay the principal and interest of these bonds as they respectively become due and payable.

(c) **Emergency borrowing.** The provisions of this subdivision requiring the submission of the question of issuing bonds for the relief of the poor to a vote of the people does not supersede any law of the state, or charter provision, permitting, in cases of emergency, the issuance of bonds or the borrowing of funds for the relief of the poor without obtaining such a vote.

Subd. 3. **Services of Saint Paul corporation counsel.** Ramsey county may pay the sums that it considers reasonable to the city of Saint Paul to defray the expenses of its corporation counsel in prosecuting violations of the laws relating to nonsupport and welfare that are within the corporation counsel's jurisdiction.

**History:** 1974 c 435 s 1.0204; 1978 c 743 s 1

### 383A.07 PARKS AND RECREATION.

Subdivision 1. **Parks and open space system.** Ramsey county may acquire real and personal property within or without the county by purchase, lease, gift, condemnation, option, contract or otherwise including any estate, interest, easement or right, and subject to any estate, interest, easement or right. The county shall hold, improve, maintain, supervise, control and operate the property so acquired for park, open space or recreational purposes.

Subd. 2. **Existing areas.** All areas that Ramsey county has acquired under any other law for public park and open space purposes, public access to waters or recreational purposes are subject to subdivisions 1 to 15.

Subd. 3. **Forest reserves.** The county may acquire lands for conversion into forest reserves and for the conservation of natural resources of the state, including streams, lakes, submerged lands, and swamp lands, and to these ends may create parks, parkways, forests and other reservations, and develop and improve, protect and promote the use of this land in a manner conducive to the general welfare.

Subd. 4. **Public use facilities, accommodations and services, public or private operation.** The county may provide for the construction, installation, maintenance, and operation of suitable facilities, accommodations and services in the park and open space system for public use for the purposes of subdivisions 1 to 15 or may authorize private persons or corporations to do so. The county may not acquire a right, title or interest in or to real property or develop real property pursuant to subdivisions 1 to 15 without the approval of the governing body of the municipality in which the property is located: provided further that no such property situated in any other county shall be acquired without the approval by resolution of the county board thereof.

Subd. 5. **Surveys and plans.** The county may provide for surveys to determine the needs of the park and open space system and the location and suitability of areas available therefor, for general plans for the park and open space system and for plans for the improvement of any park or the construction or installation of facilities, accommodations or services for public use therein.

Subd. 6. **Sale or disposal of surplus tracts.** The county may sell, lease or otherwise dispose of property acquired under or subject to the provisions of

subdivisions 1 to 15 upon such terms as it considers best in the public interest, but the use of real property so disposed of must remain consistent with the purposes of subdivisions 1 to 15.

Subd. 7. **Cooperation with other agencies.** Ramsey county shall cooperate with a public or municipal corporation, governmental body, or with a private or public organization engaged in conservation, recreational activities, pollution, sanitation, mosquito abatement or a constructive purpose consistent with the county park and open space system.

Subd. 8. **Financing.** The county may fix, alter, charge and collect fees for the use of the facilities of the park and open space system or for facilities, accommodations or services provided for public use therein.

Subd. 9. **Contributions from other departmental subdivisions.** A city, town or school district inside or outside Ramsey county or another county may make contributions of funds to Ramsey county for the purposes of subdivisions 1 to 15 with respect to a county park or other unit of the park and open space system. These contributions may be made out of the general funds of the contributing government subdivision or out of funds raised or designated for park and open space purposes or out of funds raised expressly for the purpose of these contributions. The governing body of a government subdivision making such a contribution may specify the particular purpose for which it is to be used, and these contributions shall be paid into the general fund of Ramsey county and used for the purposes herein authorized.

Subd. 10. **Gifts, grants and loans.** The county may accept a gift, grant, or loan of money or other property from the United States, the state, or any other source for any purpose under subdivisions 1 to 15, enter into an agreement required in connection therewith, and may hold, use, and dispose of this money or property for the purposes of subdivisions 1 to 15 in accordance with the terms and conditions of the gift, grant, loan or agreement relating thereto.

Subd. 11. **Bonds.** The county may borrow not more than \$15,000,000 for the purposes of subdivisions 1 to 15. The county may issue and sell bonds from time to time without submitting the question of their issuance to a vote of the people. The payment of these bonds shall be secured by pledging the full faith and credit of Ramsey county. The county shall prescribe the form of these bonds and their interest rate and shall sell them to the highest bidder after publication of the notice of the time and place for receiving of bids. These bonds shall be issued to mature serially, the first installment of which shall become due and payable in not more than three years and the last of which shall become due and payable in not more than 30 years from their date. In all other particulars, the applicable provisions of Minnesota Statutes, Chapter 475, shall control these bonds and their issuance and payment. The proceeds from the sale of these bonds shall be disbursed in the same manner as other county funds for the purposes specifically expressed in subdivisions 1 to 15.

Subd. 12. **Ordinances; enactment.** The county may enact the ordinances relating to the county park and open space system and recreational areas. The county may regulate, by ordinance, the use of any park, open space, or recreational area subject to the provisions of subdivisions 1 to 15, including waters and public lakeshore within the system and not more than 300 feet of the waterfront immediately abutting this lakeshore.

Subd. 13. **Police power.** The county may designate employees as police officers within the park and open space system to exercise police power within the system under the jurisdiction and control of the board. The county may contract with municipalities for the policing of park and open space properties.

Subd. 14. **County park commission.** The county may create a county park and open space commission with such provisions for membership, terms of office

and other requirements that the board may prescribe, and may delegate to this commission authority to exercise any of the powers conferred on the county by this section, except the power to acquire or dispose of real property, to levy taxes, and to appropriate and borrow money. The commission may make recommendations to the county board concerning matters relating to the county park and open space system.

Subd. 15. **Negative referendum.** A resolution of the county board pursuant to subdivisions 1 to 15 shall not be effective until 45 days from the date of publication; however, if a petition asking for an election on the proposition signed by voters equal to five percent of the number of voters at the last regular election is filed with the county auditor within 30 days following publication of the resolution, the resolution shall not be effective until it has been approved by a majority of the votes cast on the question at a regular or special election.

Subd. 16. **Park and recreational areas.** Ramsey county may acquire by gift, purchase, or condemnation, and may improve and maintain public parks, bathing beaches and other recreational areas.

The county may by ordinance provide for the use, government and protection of these public parks, bathing beaches and other recreational areas.

Subd. 17. **Navigable lakes; improvement and recreation grounds.** Ramsey county may appropriate and expend moneys for the improvement of navigable lakes lying wholly or partly inside the county.

Ramsey county may acquire land inside the county by gift, lease, purchase or condemnation, in the vicinity of a lake of this kind, for a public recreational purpose, and may acquire, improve, equip and maintain these recreational grounds.

Subd. 18. **Soil and water conservation.** Notwithstanding the provisions of Minnesota Statutes, Section 375.19, Ramsey county may make annual expenditures from its general revenue fund for soil and water conservation purposes in an amount to be determined by the county board.

Subd. 19. **White Bear and Goose Lakes.** White Bear Lake, in the counties of Ramsey and Washington and Goose Lake, in the county of Ramsey, adjacent to White Bear Lake, are declared to be public waters of the state of Minnesota, and shall forever remain free and open for the common and public use of all citizens of this state.

The waters of these lakes shall never be lowered or diminished by any artificial means, nor shall they or any of them ever be connected with, used, or applied to a use or purpose, public or private, by a person, persons, or corporation public or private.

Subd. 20. **Fish hatcheries.** In Ramsey county the county may locate, equip, develop, and maintain, inside the county, a fish hatchery for the propagation and cultivation of fish to be known as the county fish hatchery of Ramsey county.

The county of Ramsey may acquire by gift, lease, purchase, or condemnation in the name and on behalf of the county, real property, lands, premises, right of way, or easement, public or private, to establish and equip and develop a fish hatchery and grounds and to receive and conduct to and from the hatchery waters necessary or desirable for the use of the hatchery, in the manner that the county considers fit; if the owner of any real property, land, or premises and the county cannot agree as to the value of the premises taken or so to be taken for this use, the value thereof and the price to be paid therefor shall be determined by the appraisal of three competent disinterested persons, residents of the county commissioned to ascertain the amount to be paid by the county to the owner, the appraisers to be appointed on application of the county by the district court under chapter 117, so far as reasonably applicable, which shall apply to and govern the proceedings.

The county of Ramsey has full management and control of the fish hatchery and may hire the help that is necessary to establish and care for the fish hatchery.

To carry out the provisions of this subdivision the county may make an annual appropriation of not more than \$5,000.

**Subd. 21. Artificial ice arenas and golf course.** Ramsey county may acquire from any source, including but not limited to public agencies, by purchase, gift, lease or condemnation, sites for nine artificial ice arenas and a golf course to construct recreational facilities, to be maintained and operated by the county, and may construct these facilities.

**Subd. 22. Bonds, issuance by county.** The county may borrow a sum not to exceed \$3,000,000, or so much thereof as the county considers necessary, to defray the cost and expenses to acquire land to erect and equip the recreational facilities provided under subdivision 21. Ramsey county may issue and sell from time to time, and without submitting the question of the issuance of the bonds to a vote of the people, the bonds of Ramsey county in the sum of \$3,000,000, or the part thereof that the county considers necessary, the proceeds of the sale of the bonds to be used for the purposes specified herein, and to secure the payment of these bonds by pledging the full faith and credit of the county therefor. These bonds shall be in such form and bear interest at the rate that the county prescribes and shall be sold by the county to the highest bidder therefor, after notice of the time and place for the receiving of the bids has been published according to law. These bonds shall be issued to mature serially, the first installment of which shall become due and payable in not more than three years and the last of which shall become due and payable in not more than 30 years from their date. The proceeds received from the sale of these bonds shall be deposited by the county in a fund to be designated as recreation facility fund, and the moneys shall be disbursed therefrom in the same manner as other funds the county has disbursed, but only for the purposes herein expressed, and according to such other procedural requirements in reference thereto as are set out specifically in subdivisions 21 to 28.

**Subd. 23. Additional bonding authorization.** In addition to and not in substitution for any other powers granted to Ramsey county by the above paragraph, Ramsey county may issue in one or more series general obligation bonds of the county in a total aggregate amount not to exceed \$750,000 for the acquisition, construction and equipping of the recreation facilities authorized to be acquired, constructed and equipped under subdivisions 21 to 28. This additional sum shall be spent to buy the golf course, and a balance remaining thereafter of the additional sum may be used to construct and equip the artificial ice arenas. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds and shall provide for the issuance and sale and for the security of the bonds in the manner provided in Minnesota Statutes, Chapter 475, except that no election shall be required and the bonds shall not be included in computing the net debt of the county under any law or amount.

**Subd. 24. Further additional bonding.** In addition to and not in substitution for any other powers granted to the county of Ramsey by laws heretofore enacted, the county of Ramsey may issue in one or more series general obligation bonds of the county in a total aggregate amount not to exceed \$715,000, for the acquisition, construction and equipping of any and all of the recreation facilities authorized to be acquired, constructed and equipped under subdivisions 21 to 28. This additional sum shall be used to construct and equip the artificial ice arenas. The board shall pledge its full faith and credit and taxing powers for the payment of such bonds and shall provide for the issuance and sale and for the security of such bonds in the manner provided in Minnesota Statutes, Chapter 475, except that no election shall be required and such bonds shall not be included in computing the

net debt of the county under any law; and taxes required to be levied for the payment of such bonds shall not be subject to any limitation of rate or amount.

Subd. 25. **Location of arenas.** Seven of the artificial ice arenas shall be constructed inside the city of Saint Paul, one or more of which shall be inside the boundaries of each legislative district inside the city, and two of the artificial ice arenas shall be constructed outside the city of Saint Paul inside the county of Ramsey, one of which shall be located in each of the legislative districts outside the city of Saint Paul. The golf course shall be located inside the city of White Bear Lake and inside the county of Ramsey.

Subd. 26. **Operation.** Ramsey county shall prescribe rules and regulations relating to the use, operation, maintenance and control of the arena facilities and golf course. It shall prescribe fees for the use of the facilities and charges for services performed in connection therewith which shall be reasonable and proper. It shall extend the use of the facilities free of charge to teams and groups that it authorizes and sanctions. Ramsey county shall maintain and operate the arenas and golf course in the manner that will best provide for the equitable and fair use of the facilities by the public, schools and other agencies of the county.

Subd. 27. **Employees.** Ramsey county may employ the employees that in its opinion are necessary and proper to the efficient and effective functioning of the arenas and golf course and activities. These employees are subject to the laws relating to the civil service of the county and their compensation is in accordance with the rules provided for the civil service of the county.

Subd. 28. **Special fund.** Any income accruing to the county from the operation of the ice arenas and golf course shall be placed in the county treasury and credited to a special fund known as the public ice arena-golf course account.

Subd. 29. **Aldrich arena.** Ramsey county may acquire in the name of the county by purchase, lease or condemnation a site for the purpose of erecting thereon a recreational building.

The county may allocate to this purpose any real estate which it presently controls and which is not needed or necessary for other county purposes.

Ramsey county may construct, equip, operate and maintain a building suitable for use as a sports and recreational arena providing for the facilities necessary in its opinion to accommodate the public and educational interest in sports and recreation.

The county shall prescribe rules and regulations relating to the use, operation, maintenance and control of the arena facility erected by the county pursuant to this subdivision. It shall prescribe fees for the use of the facilities and charges for services performed in connection therewith which shall be reasonable and proper. The county shall maintain and operate the arena facility in the manner that will best provide for the equitable and fair use of the facilities by the public, school districts and other agencies of the county.

Income accruing to the county from the operation of the arena facility shall be placed in the county treasury, and credited to a special fund known as the recreation arena account.

The recreation arena erected, operated and maintained under the provisions of this subdivision shall be known as the Aldrich recreation arena; and a suitable plaque shall be placed at a conspicuous place within the building commemorating the services and devotion to public duty displayed by Mr. Eugene E. Aldrich while serving as director of athletics for the Saint Paul public high schools for the people of Ramsey county.

**History:** 1974 c 435 s 1.0205; 1977 c 425 s 1



**383A.08 DETENTION AND CORRECTIONS.**

Subdivision 1. **Authority.** Ramsey county may maintain, operate and manage a detention facility, workhouse, workfarm or juvenile detention facility, or a combination of them.

Subd. 2. The county has the exclusive power to construct, maintain, operate and administer, or combine or abolish, the county home schools for boys and girls existing under Minnesota Statutes 1971, Section 260.094.

Subd. 3. **Acquisition of land.** The county shall bear the cost and expense of acquiring land for erecting, equipping and furnishing a facility.

Subd. 4. **Education.** The board of education, commissioner of education, or others having charge of the public schools where a juvenile detention facility is located may furnish the necessary instructors, school books and school supplies for the boys and girls placed in the juvenile detention facility.

Subd. 5. **Detention of minors.** No sheriff, municipal police officer or other person having charge of a minor under the age of 18 years chargeable with a crime may detain the minor in a public facility other than a county juvenile detention facility.

Subd. 6. **Rules and regulations.** The county may promulgate rules and regulations for the proper operation and maintenance of each facility and the proper care and discipline of inmates detained in the facility. These rules and regulations may, among other things, provide for the diminution of sentences of inmates for good behavior, but in no event to exceed a total of five days for each 30 day sentence.

Subd. 7. **Confinement of inmates from other counties.** The county may accept an inmate for confinement at a county correction facility when the inmate is committed to the facility by order of a judge of a municipality or county outside Ramsey county if the county is paid the amount of compensation for board, confinement and maintenance of the inmate that it determines. No compensation of this kind may be in an amount less than the actual per diem cost per person confined. A county outside Ramsey county or a municipality outside Ramsey county may enter into and agree with Ramsey county for the incarceration of prisoners.

**History:** 1974 c 435 s 1.0206

**383A.09 DETENTION FACILITIES.**

Subdivision 1. **Adult detention center; bonds.** The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$7,500,000 for the costs of construction, including land acquisition, architectural, and other professional fees, of an adult detention center.

Subd. 2. **Juvenile center; bonds.** The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$3,700,000 for the costs of construction equipment and furnishings, including land acquisition, architectural, and other professional fees, of a juvenile center.

Subd. 3. **Full faith and credit; no election.** The full faith and credit and taxing powers of the county shall be pledged for the payment of such bonds and interest thereon, and they may be issued in one or more series and shall be secured in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required.

Subd. 4. **Interest on bond proceeds.** Any other law to the contrary notwithstanding, interest earned from the investment of proceeds of these obligations as

the term is defined in Minnesota Statutes 1974, Section 475.51, Subdivision 3 are authorized to be used for remodeling the jail annex of the Ramsey county sheriff's office and, may, at the discretion of the governing body of Ramsey county, be used either to pay any costs payable from the proceeds from which the interest is derived or, if the proceeds are not held in a sinking fund account established for the obligations, to pay any costs payable from the sinking fund account; provided the use is consistent with the covenants made with the holders of the obligations to secure payment.

Subd. 5. **Referendum.** The provisions contained in subdivision 1 or 2 and a decision by the board to sell bonds for either the adult detention center or the juvenile center shall not become operative if, within 30 days after the county board by resolution indicates its intention to sell the first series of bonds, under subdivision 1 or 2, there shall be filed with the auditor of Ramsey county a petition or petitions, signed by not less than 20 percent of the qualified voters of the county requesting that a referendum be held to determine the question of the issuance of bonds by the county. Each of the signers on a petition shall affix his signature and his permanent address to the petition, and the signer shall swear that he is a resident of Ramsey county and qualified to vote at a general election therein. Any petition or petitions demanding a referendum under this act shall refer to this act by its chapter number, title, the date of passage and its subject matter. If a petition or petitions containing not less than the minimum number of signatures as designated above, are filed and the signatures are genuine and the petition or petitions answer completely the requirements as set out in this subdivision, the board shall fix a time for the holding of a referendum, which shall be not less than 30 days and not more than 180 days after the petition or petitions are filed and the signatures thereon are found to be genuine and sufficient by the board. The election shall be held at a time and at places within Ramsey county as the board shall designate.

In submitting the question to the voters in said referendum, there shall be used a ballot in the following form:

#### COUNTY BALLOT

For the issuance of not to exceed \$..... of bonds of Ramsey county and the expenditure of such sum in order to acquire land for, erect, equip and furnish a (adult detention center or juvenile center, as appropriate), according to the provisions of Laws 1975, Chapter .... (Chapter number of this act to be here inserted).

Yes..... No.....

If a majority of the voters voting on the question submitted to the voters of Ramsey county shall vote in the affirmative, all sections of this act immediately preceding this section shall take effect and be in force immediately. A negative vote by the voters in a referendum on bonds for the adult detention center or juvenile center pursuant to this subdivision shall apply to the entirety of the bonds able to be sold for the adult detention center or juvenile center, as appropriate.

**History:** 1975 c 258 s 7

#### 383A.10 ADDITION TO ST. PAUL-RAMSEY HOSPITAL PLANNING.

Ramsey county may issue and sell general obligation bonds of the county in an amount not to exceed \$400,000 to plan and design an addition to St. Paul-Ramsey hospital in conjunction with the Gillette hospital authority. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required and these bonds shall not be included in computing the

net debt of the county under any laws; and taxes required to be levied for the payment of the bonds shall not be subject to any limitation of rate or amount.

**History:** 1974 c 435 s 1.0207

### 383A.11 MORGUE.

Ramsey county shall construct or otherwise provide, equip, maintain and operate a public morgue.

**History:** 1974 c 435 s 1.0207; 1978 c 743 s 2

### 383A.12 HEALTH DEPARTMENT.

Subdivision 1. **Establishment.** It is the purpose of this subdivision to provide enabling authority for Ramsey county to establish a comprehensive health department and to provide coordinated public and mental health services to the residents of Ramsey county. The term "department" means the comprehensive health department established in Ramsey county. This subdivision is in addition to any statutory authority now existing for the establishment of a health department for Ramsey county.

Ramsey county may create a county health department which is under the supervision and control of the county board.

Subd. 2. **Powers and responsibilities.** (1) The responsibilities assigned to the department shall include but not be limited to all or some of the responsibilities as set forth in clauses 2 to 13.

(2) The powers and duties vested in or imposed upon a local health board as provided in Minnesota Statutes 1969, Chapter 145, for the area of all of Ramsey county.

(3) The powers and duties imposed upon a board of county commissioners to employ public health nurses as provided in Minnesota Statutes 1969, Chapter 145.

(4) Health services for school children vested in or imposed upon a school district when the board of education of the school district petitions the county to provide the services by contract or otherwise for its district.

(5) The powers and duties vested in or imposed upon the health officer of a city inside the county of Ramsey who has elected to maintain local registration of vital statistics and the powers and duties of the clerk of the district court of Ramsey county as local registrar of vital statistics.

(6) The county may authorize the health department to operate a mental health program and may utilize the authorities of the community mental health boards as set forth in Minnesota Statutes, Sections 245.61 to 245.68. When so authorized, the county board shall suffice to function in lieu of the community mental health board provided for in Minnesota Statutes, Section 245.66.

(7) Prepare and have published an annual report of the work of the health department.

(8) Recommend to the governing body of a governmental unit inside the county of Ramsey local legislation pertaining to public health.

(9) The department may be authorized to provide other health services as may be directed by the county board if the services are authorized by law to be provided by the county or by any agency or department thereof.

(10) The department may be authorized to buy services from other agencies, public or private, that are providing services consistent with health department purposes.

(11) The department may be authorized to establish fee schedules based on ability to pay for services rendered.

(12) The county may adopt and enforce rules for the preservation of public health applicable to the whole or a part of the county, but no rule may supersede higher standards established by statute, the rules of the commissioner of the state department of health, or provisions of the charter or ordinances of a municipality inside the county pertaining to the same subject. Nothing in this clause shall prohibit a municipality from adopting ordinances or resolutions for the regulation of the public health setting higher standards than those of the commissioner of the state department of health, the county board, or state law.

(13) The health department shall cause all laws and rules relating to public health to be obeyed and enforced inside its jurisdictional area.

Subd. 3. **Funding.** The health department shall be operated and maintained from funds appropriated for and fees collected by the department together with the state, federal, and private grants that are made available to it or to any of the local governmental units in the county of Ramsey for health purposes.

The county shall annually prepare and approve a budget of the department's proposed expenditures for the ensuing fiscal year.

Subd. 4. **Transfer of functions.** Upon assignment by the county board of the responsibilities under subdivision 2, the powers and duties of a department board, agency, governmental subdivision, or bureau whose powers and duties have been placed in the health department shall end and its records and personnel relating to the powers and duties are transferred to the health department.

Subd. 5. **Health officer.** The county shall appoint a health officer who shall be designated the director of public health and who shall be responsible for the operation of the department. The county shall fix his salary.

The health officer must be a licensed physician experienced or trained in public health administration, or instead a person, other than a physician with training or experience in public health administration. If the appointee is not a physician, the county board shall provide, in addition, the services of a licensed physician that are necessary on either a part time or full time basis and provide reasonable compensation therefor. The director of the department shall select subordinate personnel subject to the approval of the county board.

Subd. 6. **Employees.** Each person transferred to the health department by this subdivision and each employee under a merit system governing public employees is considered to have qualified for a permanent position of similar class and grade in the classified civil service of Ramsey county, without reduction in pay or seniority, and without examination. Each other person so transferred who is a full time officer or employee shall take, within six months after the organization of the health department, and subject to civil service rules of Ramsey county, a noncompetitive, practical, qualifying examination. The qualifying examination may involve only the duties of the position occupied immediately prior to the organization of the health department or the position occupied on the date the examination is given, whichever examination the officer or employee elects to take. If a person taking the qualifying examination possesses the ability and capacity that enables him to perform the duties of the position for which he is examined, in a reasonably efficient manner, he shall be given a permanent civil service status in the Ramsey county civil service. A person who willfully refuses to take the examination when offered without reasonable excuse shall be removed from his position immediately. A person taking the examination who fails to pass shall be removed from his position at the end of 60 days after receipt of notice of failure to pass. A person required to take a qualifying examination shall not be laid off, suspended, discharged, or reduced in pay or position except in accordance with the provisions of laws applicable to members of the classified Ramsey county civil service having civil service status until he has completed the qualifying examination and has been notified of the result thereof.

A part time officer or employee of a department, board, agency, governmental subdivision or bureau whose powers and duties are placed in the health department may be transferred upon the organization of the health department and may become officers or employees thereof.

Subd. 7. **Resolution, approval.** No resolution adopted by the board of county commissioners of Ramsey county establishing a county health department is effective inside each of the following governmental units unless approved by the governing body of the particular unit, namely: city of Saint Paul; city of White Bear Lake; cities of Arden Hills, Blaine, Falcon Heights, Gem Lake, Little Canada, Lauderdale, Maplewood, Mounds View, New Brighton, North Oaks, North Saint Paul, Roseville, Saint Anthony, Shoreview, Spring Lake Park, Vadnais Heights; town of White Bear. The resolution is effective in a unit upon the approval of that unit's governing body.

Subd. 8. **Health service.** The Ramsey county nursing service presently existing shall not be discontinued unless the discontinuance is approved by two-thirds of the governing bodies of the governmental units listed in subdivision 7.

No governmental unit listed in subdivision 7 shall pay for any services provided by this section until its governing body has approved the resolution as provided in subdivision 7.

None of the functions of the presently-existing city health departments in the county of Ramsey may be abandoned by the county health department without proper provision for the exercise of the function by some agency of government.

**History:** 1974 c 435 s 1.0207; 1978 c 743 s 2

### 383A.13 PARAMEDICS.

Subdivision 1. **Definitions.** As used in this subdivision, "paramedic" means a person who:

- (1) Is an employee of the county of Ramsey;
- (2) Has been specially trained in emergency cardiac and noncardiac care by a licensed physician in a training program certified by the commissioner of the state department of health or the state board of medical examiners and is certified as qualified to render the emergency lifesaving services enumerated in this section.

Subd. 2. The county of Ramsey may maintain a staff of paramedics.

Subd. 3. Paramedics may do any of the following:

- (A) Perform regular rescue, first aid and resuscitation services;
- (B) During training administer parenteral medications under the direct supervision of a licensed physician or a registered nurse;
- (C) Perform cardiopulmonary resuscitation and defibrillation in a pulseless, nonbreathing patient;
- (D) Administer intravenous saline or glucose solutions;
- (E) Administer parenteral injections in any of the following classes of drugs;
  - (i) antiarrhythmic agents;
  - (ii) vagolytic agents;
  - (iii) chronotropic agents;
  - (iv) analgesic agents;
  - (v) alkalinizing agents;
  - (vi) vasopressor agents;
  - (vii) diuretics;
- (F) Administer, perform and apply all other procedures, drugs and skills in which they have been trained and are certified to give, apply and dispense.

Subd. 4. At all times before undertaking the actions authorized by clauses (C), (D), (E) and (F), paramedics shall try and, during the course of an emergency, continue to try to establish voice communications with and receive instructions from a licensed physician who has been associated with the dispensing of emergency cardiac and noncardiac medical care. Additionally, during the course of what the paramedics believe to be a cardiac emergency, they shall try to telemeter an electrocardiogram of the person being treated to a licensed physician, who has been associated with the dispensing of cardiac medical care.

Subd. 5. Nothing contained in this section changes existing law as it relates to delegation by a licensed physician of acts, tasks or functions to persons other than paramedics.

Subd. 6. No licensed physician or registered nurse, who in good faith and in the exercise of reasonable care gives emergency instructions to a certified paramedic at the scene of an emergency, or while in transit to and from the scene of such emergency, shall be liable for any civil damages as a result of issuing such instructions.

Subd. 7. No certified paramedic, who in good faith and in the exercise of reasonable care renders emergency lifesaving care and treatment as set forth in this section, is liable for any civil damages because of rendering such care and treatment.

**History:** 1974 c 435 s 1.0207; 1975 c 426 s 2; 1978 c 743 s 2

### 383A.14 AIR QUALITY.

Subdivision 1. **Appropriation.** Ramsey county may appropriate and spend money in each year for the improvement and preservation of the purity and quality of the air.

Subd. 2. **Joint powers.** Ramsey county may enter into contractual agreements with another governmental unit, body or group of bodies inside or outside the county without regard to whether the other governmental unit, body or group of bodies be a unit of state, county or municipal government or a school district, authority, or special district to perform on behalf of that unit, body or group of bodies the improvement and preservation of the purity and quality of the air.

Subd. 3. **Ordinance.** Ramsey county may, by ordinance, enact and enforce rules controlling the purity and quality of the air. No rule adopted by the county pursuant to this subdivision is effective within a governmental unit until ratified by the governing body of the governmental unit affected.

**History:** 1974 c 435 s 1.0207; 1978 c 743 s 2

### 383A.15 COUNTY NURSING HOME BONDS.

Subdivision 1. **Authorization.** Ramsey county may issue general obligation bonds of the county in an amount not to exceed \$4,000,000 for the acquisition and betterment of nursing home facilities in Ramsey county.

Subd. 2. **Full faith and credit; no election.** The county shall pledge its full faith and credit and taxing powers for the payment of these bonds and interest thereon, and they may be issued in one or more series and shall be secured in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required.

Subd. 3. **Negative referendum.** The resolution of the county board, pursuant to this section and Minnesota Statutes, Section 475.57, shall not be effective until it has been approved by a majority of the votes cast on the question at a regular or a special election if a petition asking for an election on the proposition signed by voters equal to five percent of the number of voters at the last regular

election is filed with the county within 30 days following publication of the resolution.

**History:** 1978 c 484 s 1

### **383A.16 HIGHWAY IMPROVEMENTS.**

**Subdivision 1. Power to appropriate for Saint Paul streets.** (a) **Appropriation.** Ramsey county shall annually appropriate to the city of Saint Paul an amount of money to assist in the construction, improvement and maintenance of roads and streets, and bridges thereon, inside the limits of the city of Saint Paul where the roads and streets, and bridges thereon, connect with, and are extensions of, roads in the county outside of the city, but leading into the city. In no year shall the amount appropriated be less than \$1,300,000. The moneys so appropriated shall be paid to the city of St. Paul in two equal amounts, one to be paid by June 15, and one by November 15 of each year.

(b) **City to control expenditure.** Moneys so appropriated shall be spent under the direction of the city.

**Subd. 2. Duty to appropriate for municipal streets; formula for appropriation.** Ramsey county shall appropriate \$100,000 annually and pay it to the municipalities in the county, outside the city of Saint Paul, to aid the municipalities in the construction and maintenance of municipal roads, streets or bridges, appropriate traffic control devices and lighting, and this appropriation shall be apportioned in the following manner:

(a) 70 percent to be prorated to the municipalities in proportion as the number of miles of roads inside, and maintained exclusively by each municipality bears to the total number of miles of roads inside the county and maintained exclusively by all the municipalities; and

(b) 30 percent thereof to the municipalities, proportionately, according to the assessed valuation of all property for taxation in the municipalities, and shall be spent on municipal roads, streets, or bridges by the governing body of each municipality.

**Subd. 3. Certificate.** On or before March 15 of each year, the county engineer shall certify the actual number of miles of roads inside and maintained exclusively by the municipalities outside the city of Saint Paul. The mileage so certified shall not include undeveloped roads, even though the plat thereof may have been filed for record.

**Subd. 4.** (a) In Ramsey county, the governing body of a city, village or town therein may authorize the county to construct and maintain any or all of its highways without advertising for bids.

(b) The construction that is referred to in paragraph (a) is only to be performed as part of a maintenance job, and, the cost of the construction shall not exceed \$2,500 for a project.

**Subd. 5. Lexington avenue; old trunk highway no. 10.** (a) That part of Lexington avenue in Ramsey county from Larpenteur avenue to the northerly boundary of county road E and that part of county road E from Lexington avenue to trunk highway marked No. 51, are a part of the county state-aid system of highways. Minnesota Statutes, Section 161.082, applies to this section of highway.

(b) Notwithstanding any law or rule to the contrary, that part of Lexington avenue in Ramsey county from Larpenteur avenue to the northerly boundary of county road E and that part of county road E from Lexington avenue to trunk highway marked No. 51, being a part of the county state-aid system of highways pursuant to Minnesota Statutes, Chapter 161, shall remain eligible for county turnback funds currently available pursuant to Minnesota Statutes, Section

161.082, until September 7, 1978. No county turnback funds shall be disbursed until a plan is approved by the department of transportation.

**History:** 1974 c 435 s 1.0209; 1975 c 426 s 5; 1977 c 402 s 1

### 383A.17 CAPITOL APPROACH.

Ramsey county shall withdraw from repurchase each parcel of land within the capitol area that has been forfeited to the state for taxes.

**History:** 1974 c 435 s 1.0210

### 383A.18 SOLDIERS' REST.

Subdivision 1. **Authority to buy cemetery lots.** Ramsey county may purchase a plot of ground in an organized cemetery lying, in whole or in part, in the county, or in a contiguous county, to be used as a soldiers' rest for the interment of honorably discharged deceased military veterans of the United States and their spouses and minor children.

Subd. 2. **Authority to hire an agent.** Ramsey county may compensate the expenses of an agent, who must be a veteran, to care for the soldiers' rest and to issue permits for burial in it.

**History:** 1974 c 435 s 1.0212; 1981 c 42 s 1

### 383A.19 CODIFICATION OF SPECIAL LAWS.

Ramsey county may collect and publish the special laws pertaining to Ramsey county.

**History:** 1974 c 435 s 1.0213; 1978 c 743 s 5

### 383A.20 GOVERNMENT ADMINISTRATION.

Subdivision 1. **Reorganization, boards and commissions.** (a) Ramsey county may abolish or consolidate or otherwise restructure agencies, boards and commissions of the county when their existence is provided by law before June 27, 1971, the effective date of Laws 1971, Chapter 611, and the agencies, boards and commissions are funded wholly by countywide tax levies; the abolition or consolidation or restructuring does not alter the obligation of the county to continue to provide the services previously provided by the abolished or consolidated or restructured agency, board or commission.

(b) Ramsey county may place supervision of the services provided by the abolished, consolidated or otherwise restructured agency, board or commission directly under the county board, a new agency or another department of county government.

(c) Nothing in this section may be construed as giving the county authority to abolish, consolidate or otherwise restructure an agency, board or commission which by statute is jointly funded and organized as between any city or town in Ramsey county and the county of Ramsey.

(d) Any Ramsey county employee who is holding a position which is in the classified service is subject to and protected under the civil service laws relating to Ramsey county.

Subd. 2. **Auditor, treasurer, court commissioner and county recorder.** (a) In the county of Ramsey, the offices of county auditor, county treasurer, court commissioner, and county recorder are not elective but filled by appointment by the Ramsey county board of commissioners as provided in subdivisions 1 and 2, unless the office is abolished pursuant to a reorganization or consolidation under clause (b).



(b) The duties, functions and responsibilities which are required by statute to be performed by the various elected officials whose offices are by subdivisions 1 and 2 made appointive are vested in and performed by Ramsey county. Ramsey county may initiate and direct a reorganization, consolidation, reallocation or delegation of these duties, functions, or responsibilities to promote efficiency in county government, and may make the other administrative changes, including the abolishing of the offices of auditor, treasurer and county recorder or the transfer of personnel that the county considers necessary for this purpose. The reorganization, reallocation, or delegation or other administrative change or transfer does not diminish, prohibit or avoid those specific duties required by statute to be performed by those officials whose office is now made appointive.

(c) The elected county auditor, county treasurer, court commissioner, and county recorder shall serve as the head of a department created by Ramsey county to perform the functions performed by his office and shall serve until his term of office expires; or upon the expiration of his term until his successor is appointed and duly qualifies; and shall not prior to age 70 be disqualified from reappointment by reason of age.

**Subd. 3. Group insurance for retired employees.** (a) **Medical and hospitalization insurance.** Ramsey county shall provide to each employee, including an elected official, who retires, during retirement or to the surviving spouse of the employee, insurance protection in the amount that the county considers proper, providing medical, surgical and hospitalization benefits for the employee and dependent spouse. These benefits may not exceed benefits of similar nature existent and authorized for employees of the county. For these benefits for each retired employee, the average monthly premium cost is limited to \$14 and for the spouse of the employee the monthly premium cost is limited to \$10. If the revised consumers' price index, as published by the United States department of labor, bureau of labor statistics, for the city of Minneapolis, Minnesota (or if no index is published for the city of Minneapolis, for the nearest city to Minneapolis for which an index is published), as of January 15th of each year (or for the date nearest to January 15th if no index is published as of January 15th), shall be above 119 (using the average for the year 1967 as a base), the total maximum amounts for average monthly premium cost shall be increased by one percent for each point increase in the index above 119. For purposes of this computation, a fractional point increase shall be disregarded if less than one-half point and treated as one full point if one-half point, or more.

**Subd. 4. Eligibility.** The benefits provided in subdivision 3 are available at normal retirement to each employee or elected official who retires at normal retirement; at age 65 to each employee or elected official who retires after 55 years of age or older and has at least 20 years of county service; and at age 62 to each employee or elected official who retires after 62 years of age or older and has at least 30 years of county service.

**Subd. 5. Workers' compensation for sheriff's personnel.** Ramsey county may insure with an insurance carrier its liability to pay workers' compensation with respect to personnel subject to the authority of its sheriff who are engaged in the furnishing of police service to a city or town pursuant to the provisions of Minnesota Statutes, Section 436.05. This insurance shall be governed by the provisions of Minnesota Statutes, Chapter 176. The failure of the county of Ramsey to insure with an insurance carrier its liability to pay workers' compensation to any other employee or group of employees shall not preclude exercise of the authority conferred by this subdivision.

**Subd. 6. Fidelity bonds; blanket bond.** In Ramsey county, the county, or an agency supported in whole or in part by county funds, may secure, and pay for a corporate surety bond covering all county employees or employees of the

agency, who are not required by law to furnish an individual bond to qualify for office, for an aggregate sum to be determined by the county or the body governing the agency in lieu of individual or other bonds.

This bond shall be conditioned that each employee shall in all things during his continuance in office, faithfully and impartially perform the duties thereof without fraud, deceit or oppression, and pay over without delay to the officer entitled by law thereto, all money which comes into his hands by virtue thereof.

The attorney general shall prescribe the form of the bond; it shall be approved by the county or the governing body of the agency, recorded with the county recorder and filed with the secretary of state.

**Subd. 7. Premiums.** (a) In Ramsey county when a corporate surety bond is furnished by a county officer or employee pursuant to statute or resolution of the county board, the county shall pay the premium if the county may designate the surety.

(b) The county shall have a notice for bids for the furnishing of these bonds published in its official publication, and shall award a contract to the lowest responsible bidder.

(c) In lieu of the individual bonds required to be furnished by employees, a schedule or position bond or undertaking may be given by the employees of each county office or department, or a single corporate surety fidelity, schedule or position bond or undertaking covering all the employees of the county may be furnished, in the respective amounts fixed by law, or by the person or board authorized by law to fix the same, conditioned substantially as provided in Minnesota Statutes, Section 574.13, and upon a form to be prescribed by the commissioner of administration.

**Subd. 8. County commissioners' bond.** In Ramsey county, each county commissioner, before he enters upon his duties, shall give bond to the state in the sum of \$10,000 with a legally-authorized surety company as surety conditioned upon the faithful performance of his official duties. A judge of the district court shall approve the bond. The bond and the commissioner's oath of office and certificate of election shall be filed with the secretary of state. The county shall pay the bond premium which may not exceed that prescribed by law for county treasurers.

**Subd. 9. Treasurer's bond.** (a) **Amount and conditions.** In Ramsey county, before the county treasurer enters upon the duties of his office, he, every deputy county treasurer and every employee of the office of the county treasurer, shall give bond, to be approved by the county board, and in the sum that the board directs. The bond of the county treasurer shall not be less than \$500,000, unless the surety is a corporation duly authorized by law to be surety, in which case it shall be not less than \$250,000. The bond shall be payable to the state, conditioned that he shall faithfully execute the duties of his office, and for the safekeeping and paying over according to law of all moneys which come into his hands for state, county, town, school, road, bridge, poor and all other purposes.

(b) **Blanket bond.** In lieu of the individual bonds required for deputies and employees in the office of the county treasurer, a schedule or position bond or undertaking may be given in the respective amounts so required, conditioned as above and upon a form to be prescribed by the commissioner of taxation.

(c) **Premiums.** The county board shall pay the premiums upon these bonds or undertakings out of the treasury of the county in cases where the surety is a corporation duly authorized by law to be surety.

**Subd. 10. Automobile mileage.** (a) **Generally.** Ramsey county may provide for the payment of an automobile allowance to a county officer or employee who officially uses his own automobile in the performance of his public duties. The

authorization shall include any limitations as to amount and persons qualified for the automobile allowance, the formula to be used for the allowance, and other limitations or safeguards that the county considers to be expedient in the public interest.

(b) **Definition.** Automobile allowance is defined as the payment of compensation or reimbursement made by the county, through the use of a formula decided upon by the county, to an officer or employee for the use of his own automobile in the performance of his public duty.

(c) **Limitations.** Ramsey county shall have full authority and control, free from other limitations except as provided in this subdivision, to provide the method of payment, the formula for payment and the amount of the automobile allowance to be paid. This subdivision, insofar as the county of Ramsey is concerned, is paramount to any other statute of the state of Minnesota now existing.

Subd. 11. **Office space.** (a) **Abstract clerk.** Ramsey county shall provide the necessary office and vault space for the county abstract clerk in the court house of the county, with suitable furniture therefor, and shall provide heating, lighting and maintenance of these offices. The county shall furnish the abstract clerk with the books, stationery, letterheads, envelopes, telephone service, office equipment and supplies necessary for the discharge of his duties.

(b) **Court commissioner.** Ramsey county shall supply the court commissioner with a suitable office and the clerical help that the county considers necessary.

(c) **Legislative research committee.** Ramsey county shall provide suitable quarters in Ramsey county for the use of the Ramsey county legislative research committee.

Subd. 12. **Cash over and short account of imprest cash fund.** The county may establish a cash over and short account within each of its imprest cash funds and cash receipt accounts. This account shall be used to record on a daily basis overages and shortages of cash receipts.

At the end of each fiscal year, the county shall credit or debit the overage or shortage from each imprest cash fund and cash receipt account to the county revenue fund.

In the instance of a debit balance remaining in the cash over or short account, the county may transfer money sufficient to offset the debit balance from any available fund.

The county budget director shall make the appropriate adjustments and entries on the general books of the county.

**History:** 1974 c 435 s 1.0214; 1978 c 743 s 6

### **383A.21 FEES OF THE CLERK OF DISTRICT COURT, CORONER AND COUNTY RECORDER.**

The board of county commissioners shall set the fees to be charged and collected for the services of the clerk of district court, coroner and county recorder. Each of these officers shall file a schedule of the fees in his office.

**History:** 1978 c 743 s 7

### **383A.22 FEE SYSTEM.**

Subdivision 1. The board of county commissioners, after a public hearing, may establish a system of fees or charges for recording, filing, certification or providing copies of an instrument, document or other paper, or for the services of a county office, official, department, or employee thereof, or a court system located entirely inside the county.

Subd. 2. Subdivision 1 does not apply to a fee or charge concerning a service, license, permit or document established by law as uniformly applicable to all counties of the state. Subdivision 1 does not amend any law that provides that a charge or fee is returnable in whole or part to the state, or any of its subdivisions or any other agency.

Subd. 3. When a service is requested of a county office or agent, beyond that which would normally be provided in the ordinary course of business of the office or agent, the board of county commissioners, after a public hearing, may establish a fee or charge for it based upon the cost of providing the service.

**History:** 1978 c 743 s 8

### 383A.23 COMMISSIONERS; COMPOSITION; REDISTRICTING.

Subdivision 1. **Composition.** The Ramsey county board of commissioners shall consist of seven members.

Subd. 2. **Current commissioner districts.** Before May 1, 1974, the Ramsey county board of commissioners shall redistrict commissioner district boundaries to establish seven districts for the county. The county board shall file the plan establishing the district boundaries with the department of property taxation and the chief judge of the district court for the second judicial district and shall publish it as provided in this section.

Subd. 3. **Failure to redistrict; redistricting commission.** If the county commissioners do not file a redistricting plan with the department of property taxation before May 1, 1974, the district court shall appoint a redistricting commission on a bipartisan or nonpartisan basis, to establish the districts for the county in accordance with the standards prescribed in this section. The commission is to be composed of not less than five, nor more than nine residents of the county. No officer or employee of county or local government is eligible for membership on the commission. No member of the commission is eligible for election to the county board until two years after the determination of the district boundaries under this section. Members of the commission are to serve without pay, but may be reimbursed for their necessary expenses in the conduct of the business of the commission. The county board shall provide for the necessary expenses of the commission. The commission shall complete its work within 45 days after its appointment.

Subd. 4. **Standards.** At least three of the districts are to be composed entirely of area inside the city of Saint Paul and two of the districts are to be composed entirely of area outside the city of Saint Paul. Each district is to be composed of contiguous territory, as regular and compact in form, and as nearly equal in population, as practicable. Except where necessary to comply with the standards set forth in this subdivision, the districts are to be bounded by city, town, ward or precinct lines. The commission shall file the plan establishing the district boundaries in the department of property taxation, and after filing the plan, the commission shall cause notice that the plan is on file to be published in the newspaper having the contract for publishing the board's proceedings for the current year. The plan shall become effective upon the filing of the plan with the department of property taxation and shall be effective as to the election of county commissioners in 1976.

Subd. 5. **Future redistricting.** Beginning with the 1980 federal census, the redistricting of Ramsey county is governed by Minnesota Statutes, Section 375.025.

**History:** 1977 c 291 s 1

**383A.24 TERMS.**

In Ramsey county, each county commissioner shall be elected at the general election for a term of four years.

**History:** 1977 c 291 s 2

**383A.25 COMPENSATION.**

(a) Each member of the board of county commissioners of Ramsey county shall receive an annual salary as fixed by the county board by resolution.

(b) The resolution shall not be effective until the first business day of January next following and if a petition asking for an election on the proposition signed by voters equal to five percent of the number of voters at the last regular election is filed with the county auditor within 30 days following its publication, the resolution shall not be effective until it has been approved by a majority of the votes cast on the question at a regular or special election.

(c) Salaries thus fixed by resolution shall remain in effect until changed by similar action, except that the board may by resolution fix such salaries in a smaller amount for any year.

**History:** 1974 c 435 s 2.03

**383A.26 ORGANIZATION.**

In addition to the election of a vice-chairman as prescribed by the general laws of this state, the county board shall elect a second vice-chairman, who shall perform the duties of the chairman and vice-chairman in their absence.

**History:** 1974 c 435 s 2.04

**383A.27 PROCEDURE.**

Subdivision 1. **Meetings.** In addition to meeting on the days prescribed by the general laws of this state, the board of county commissioners of Ramsey county shall meet at least twice each month at the times and dates established by the board at its first meeting in January of each year to transact any business that may properly come before the board.

Subd. 2. **Rules; journal.** The board shall determine its own rules and order of business and shall provide for keeping a journal of its official proceedings. This journal shall be a public record and shall be published according to Minnesota Statutes, Section 375.12, in a newspaper having in the county its own office of issue, as this term is defined in Minnesota Statutes, Section 331.02, and doing its typographic composition and presswork in the county.

**History:** 1974 c 435 s 2.05; 1977 c 291 s 3; 1979 c 313 s 1

**383A.28 SALARIES OF OFFICERS AND EMPLOYEES.**

Subdivision 1. **Salaries of officials.** The Ramsey county board may fix the amount of the annual salary of the county assessor, attorney, auditor, sheriff, register of deeds, clerk of district court, treasurer, coroner, and court commissioner.

Subd. 2. **Number and compensation of employees.** Subject to the Ramsey county civil service laws, the Ramsey county board of commissioners shall determine the number of employees and their compensation in each office or department in the county government except the abstract clerk, district court reporters, county home school employees, the examiner of title and his deputies, the public defender and his assistants, the director of court services and his principal assistants, welfare department employees and officers and employees of

an agency supported by money provided by Ramsey county and by the city of Saint Paul.

Subd. 3. **Fees paid to county treasurer.** In Ramsey county, all fees collected by elected county officers, other than the abstract clerk, shall be paid to the county treasurer within the first ten days of the following month.

**History:** 1974 c 435 s 3.01

### 383A.29 CIVIL SERVICE.

Subdivision 1. **Civil service commission for county employees.** There is created and maintained in Ramsey county a civil service commission for county employees and employees of certain county agencies and joint city and county agencies supported in whole or in part by taxation upon the property inside the county.

Subd. 2. **Appointment of civil service commission, terms.** (a) The board of county commissioners of Ramsey county shall by majority vote, appoint three persons as the first members of a civil service commission to serve for terms of two, four and six years. On or before August 1, 1981, the board shall appoint two additional members to serve on the civil service commission, making a total of five commission members. One new member shall serve for a term of five years and the other for three. As the term of each commissioner expires, the board of county commissioners shall fill the vacancy for a term of six years.

(b) No person may act as a member of the civil service commission while holding a public office, or while holding office in a political party above the state legislative district level, nor for two years after having held this kind of public or political office.

(c) Each member of the commission must be a resident of the county.

(d) The board of county commissioners shall fill a vacancy occurring within a term for the unexpired portion of the term.

(e) Each commissioner shall hold office until his successor has been appointed and has qualified.

(f) The commission shall organize by electing one of its members as chairman and one as secretary. The commission shall hold regular meetings at least once a month and may hold the additional meetings that may be necessary to discharge the duties of the commission. Twenty-four hours notice of special meetings shall be given members.

Subd. 3. **Civil service administrator.** The county civil service commission shall, subject to approval by the board of county commissioners, appoint a civil service administrator to be the personnel director of the commission, and other assistants. The administrator and his assistants are to be selected on the basis of merit and fitness after competitive examination and are to receive the salaries that the board of county commissioners determines. The personnel director or chief examiner is referred to as the civil service administrator; he is a member of the classified service.

Subd. 4. **Duties of commission.** The county civil service commission, as a body, shall:

(a) Frame rules for the classified service with the assistance of the civil service administrator and submit them to the board of county commissioners for approval. The approval shall be given by resolution. When so approved, these rules have the force and effect of law. The rules may be amended and repealed with the consent of the board of county commissioners in the same manner as provided for original adoption. Among other things, the rules shall provide for:

# MINNESOTA STATUTES 1982

7197

RAMSEY COUNTY 383A.29

(1) The giving of at least ten days public notice of examinations to be held, this notice to be published in at least one daily newspaper of general circulation in the county, and be posted in the county court house.

(2) The rejection of an otherwise eligible candidate who fails to comply with the reasonable requirements of the commission with regard to age, qualifications, residence, sex or physical condition, or who has attempted deception or fraud in connection with an application or examination, or who has been dismissed from the public service for delinquency or misconduct, or who has directly or indirectly given or promised to give money, service, or other valuable thing to a person for or on account of, his examination, appoint or proposed appointment.

(3) A competitive examination to test the relative fitness of each eligible candidate for a position in the classified service except one otherwise specifically provided for in this section.

(4) The creation of an eligible list upon which is entered the name of each successful candidate in the order of his rating in the examination. The list shall, however, remain in force not less than one year and not more than three years.

(5) For the certification procedure resulting in the appointment of one of five persons who are rated highest on the appropriate eligible list to fill a vacancy if the vacancy is not filled by reduction, transfer or reinstatement.

(6) A probation period not less than three months nor more than one year determined by rule for each class or group of classes after an appointment or promotion, during which period the probationer may be discharged or reduced with the consent of the commission, and have no right of further appeal.

(7) Temporary employment without examination, with the consent of the administrator, in cases of emergency and pending appointment from an eligible list; no temporary employment shall continue longer than 60 days unless there is no appropriate eligible list in effect from which the appointment can be made.

(8) Transfers, including transfers from another merit system, from a position to a similar position in the same or similar class or grade and for reinstatement within one year of a person who without fault or delinquency on his part is separated from the service or reduced.

(9) Promotion based upon competitive examination and upon a record of efficiency, character, and seniority.

(10) Suspensions for not longer than 30 days for disciplinary purposes; leaves of absence with or without pay; lay-offs based upon seniority; vacations and sick leaves; hours of employment; and a classification of each office in the classified service on the basis of duties and responsibilities.

(11) Discharge or reduction in rank after permanent appointment or promotion only when the person to be discharged or reduced is presented with written charges specifically stated in writing and is allowed either a hearing thereon before the commission, or if he waives the hearing, is allowed a reasonable time to reply to the charges in writing. Records of the charges, reply or hearing shall be filed in the office of the civil service administrator.

(12) The appointment in accordance with subdivision 11 of unskilled laborers in the order or priority of application after the tests of physical and mental fitness that the commission shall prescribe. The tests for laborers need not be competitive.

(13) The reinstatement or employment, without competitive examination, to a position in the classified service, of a person holding an exempt position on the effective date of Laws 1941, Chapter 513, when this person ends his exempt employment, but this person must have previously served the county or county agency for a period of eight years or more.

(14) The reinstatement to the classified service of an employee who has taken a leave of absence therefrom for the purpose of accepting an exempt position in the service of the county or county agency.

(b) Hear cases involving: the rejection of an applicant for examination; the removal of an eligible from a list; the complaint of a citizen against an employee in the classified service for his removal or reduction.

(c) Make investigations, on the request of the board of county commissioners, or on its own motion, concerning the enforcement and effect of this section and require observance of its provisions and the rules and regulations established thereunder, and hear other matters that the board of county commissioners or the civil service administrator may refer to it.

(d) Make a study of service ratings and of salaries paid by the county and its several agencies and classify each position in the graded division in this service on the basis of equal pay for equal work for each class of position and, if an ungraded division is established, determine the prevailing wage being paid in the area for work comparable to that being performed by employees in the division and report the results of the study, together with the recommendations of the commission to the board of county commissioners.

Subd. 5. **Duties of civil service administrator.** The civil service administrator shall be the executive and administrative head of the county civil service commission and he shall:

(a) Attend the regular and special meetings of the commission.

(b) Supervise and direct the work of the employees of the civil service department.

(c) Prepare and recommend rules for the administration of this section, which shall become effective after approval by the commission and the county board, as provided in this section; administer these rules; propose amendments thereto.

(d) Establish and maintain a roster of officers and employees in the service of the county and its agencies affected by this section.

(e) Ascertain and record the duties and responsibilities of each position in the classified service and classify each position in the graded division.

(f) Make a study of service ratings with the commission, of rates of compensation paid the various classes of positions and prepare a report to the county commissioners setting out a recommended minimum and maximum rate of salary for each class of position in the graded division and, if an ungraded division is established, a recommended prevailing wage for each position therein.

(g) Provide for and hold competitive tests to determine the qualifications of persons seeking employment in a class of position and establish employment lists of those passing the test.

(h) When a vacancy is to be filled, certify to the appointing officer, on written request, the name of the person highest on the reinstatement list for the class. If there is no reinstatement list, he shall certify from the eligible list for the class in accordance with civil service rules. If there is no list of this kind, he shall authorize temporary appointments pending establishment of an employment list for the class.

(i) Keep the records that are necessary for the proper administration of this section.

(j) Provide a system for checking payrolls and accounts for the payment of salaries or wages to employees in the classified service so as to enable him upon evidence thereof, to certify or have certified that the person whose name appears thereon has been regularly appointed and employed or is on authorized leave before payment may be lawfully made to him.



(k) Make investigations concerning the administration and effect of this section and the rules made thereunder and report his findings and recommendations to the commission.

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

**Subd. 6. Classification of service.** (a) **Definition of coverage.** The officers and employees of Ramsey county and of a county or joint county and city agency, board, commission or committee supported in whole or in part by taxation upon the taxable property of the county, or appointed by the judges of the district court or probate court for the county, or by a board or agency composed of representatives of the county and a city in the county and employees employed in hospitals, preventoria, county nursing homes, and the welfare department are divided into the unclassified and classified service.

(b) **Unclassified service.** The unclassified service comprises:

(1) An officer elected by popular vote or a person appointed to fill a vacancy in such an office.

(2) The head or principal administrative officer of a separate department of county government or agency created by law, the director of the welfare department.

(3) A chief deputy or principal assistant for each elected public official and for the county engineer and veterans' service officer.

(4) Each doctor, intern, student nurse and intern dietician employed by the county or a county agency.

(5) Each member of the teaching staff, supervisor and principal in the employ of the county, actually engaged in teaching or the supervision of teaching.

(6) A member of a board or commission appointed by the county, or the county and the city, or acting in an advisory capacity.

(7) A weed inspector, election judge, election clerk or other employee employed by the county for a limited period of time.

(8) A special police officer or special deputy sheriff serving without pay.

(9) A judge, court administrator, court reporter, receiver, referee, examiner or assistant examiner of titles, public defender, arbiter, juror, clerk of probate court or a person appointed by the district or probate courts to make or conduct a special inquiry of a judicial and temporary character.

(10) The director of court services and three principal assistants or division supervisors.

(11) The employees of the municipal court of Ramsey county and the judicial district administrator's office.

(12) The principal administrative officer of the detention and corrections department, his first assistant, the superintendent of each departmental facility and his first assistant or chief deputy.

(13) The chief executive officer of St. Paul-Ramsey Hospital and seven principal assistants.

(14) The executive secretary or the principal administrative officer of the county and seven principal assistants, appointed and terminated by the executive secretary or the principal administrative officer, except that until January 1, 1980 such appointments and terms shall be submitted to the Ramsey county government study commission. Such consideration shall be advisory only.

(15) The Ramsey county sheriff, his chief deputy, three principal assistants and a personal secretary.

(16) The Ramsey county attorney, his first assistant, one principal assistant, and a personal secretary.

(c) **Classified service.** (1) The classified service includes all other offices or employments in the county and county agencies, and all officers and employees not expressly placed in the unclassified service.

(2) Each employee in the classified service is placed in a graded division except an employee whose position is in a certified bargaining unit as defined under the public employment labor relations act and an employee in an ungraded division established by the county board. The ungraded division, if one is established, includes each employee in a construction trade who is engaged in the work of repair, alteration or construction of buildings for which trade there is a generally established and recognized scale of wages inside the county.

(3) (A) The superintendent and assistant superintendent of the Ramsey county nursing home are in the classified service.

(B) The provisions of Minnesota Statutes, Section 393.07, Subdivision 5, are hereby superseded insofar as they may be inconsistent with this section.

Subd. 7. **Certain employees to be protected.** If a joint county or city agency, including a board, commission or committee is established by statute or created pursuant to statute, which would eliminate the position or employment of a person employed under civil service by either the city or the county, the employee shall become an employee of the newly created agency and within the classified service of the county. The compensation, seniority, vacation or sick-leave rights or other rights of the employee are not diminished thereby.

Subd. 8. **May create new classifications.** The civil service commission, with the consent of the board of county commissioners, may create titles within the classified service where considered necessary if the action is not prohibited by the provisions of existing law authorizing and establishing stated titles at stated salaries.

Subd. 9. **Administrator must approve payrolls.** No auditor, treasurer or other disbursing officer of the county or a county agency, may pay salary or compensation for service to a person holding a position in the classified service unless the payroll or account for the salary or compensation bears the certificate of the civil service administrator that the person named therein has been appointed in accordance with the provisions of this section. The administrator shall not certify a payroll item for payment unless the person, claimed to be entitled to the payment, has been appointed and employed in accordance with the provisions of this section, and the rules of the civil service commission.

Subd. 10. **Litigation.** In litigation arising out of the provisions of this section or in relation thereto, the civil service commission is a proper party, plaintiff or defendant, and may sue or be sued as such. The county attorney of Ramsey county shall represent the commission in such an action. A taxpayer of the county may maintain an action in the district court, to enjoin a person from authorizing or making payment in violation of this section or the rules enacted hereunder.

Subd. 11. **Laborers.** The rules of the civil service commission shall provide eligible lists in the classified service for hourly or day laborers, in the classes that are necessary and upon the tests of fitness that the commission prescribes. Appointments to work for hourly or day laborers shall be made upon certification from these eligible lists, under the rules of the commission, which take account of priority of application, location of work and the factor of convenience arising therefrom.

Subd. 12. **May issue subpoenas.** In an investigation conducted by the county civil service commission or civil service administrator, they may subpoena and require the attendance of witnesses and the production of books and papers pertinent to the investigation and administer oaths to witnesses. Failure to obey

such a subpoena is a misdemeanor. Commission hearings are to be conducted informally and impartially and in the manner that it deems best calculated to arrive at the correctness of the charges preferred, and without regard to technical rules of procedure or evidence. The accused employee or officer has the right to be represented by counsel and may demand that a record of the hearing be made at the expense of the county or county agency.

Subd. 13. **Not to influence applicants.** No person may deceive or obstruct a person in respect to his right of test under the provisions of this section, or falsely mark, grade, estimate or report upon the test or standing of a person tested, or aid in so doing, or furnish to a person, except in answer to inquiries of the civil service commission, special information for the purpose of either improving or injuring the rating of such a person for appointment or employment. No applicant may deceive the commission for the purpose of improving his prospects for appointment. No person may solicit, orally or by letter, and no public officer or employee may receive or be concerned in the receiving or soliciting of, money or a valuable thing from an officer or employee holding a position in the classified service for a political party or any purpose whatsoever. No person may, by threats or coercion, induce or attempt to induce a person holding a position in the classified service to resign his position or to take a leave of absence from duty nor to waive any of his rights. A resignation executed previous to appointment is of no effect.

Subd. 14. **Not required to contribute to political campaigns.** No person holding an office, place or position of employment in the classified service is under an obligation to contribute to a political service or fund to any person or body whatever, and no person may be removed, reduced or otherwise prejudiced for refusal to do so. A person holding an office, place or position in the classified service shall resign from the service upon being elected to a public office.

Subd. 15. **Removals and demotions.** (a) No person in the classified service, who is permanently appointed or inducted into the service, may be removed, demoted or discharged except for cause. Removal, reduction or suspension for religious or political reasons is not considered "cause". If an appointing officer desires to demote or discharge an employee he shall present the employee with the charges against him in writing, and file a copy of the charges with the administrator. The accused employee may, within ten days from the date the charges are served upon him, file with the administrator a written demand for a hearing, whereupon the commission shall conduct a hearing without unnecessary delay. After the hearing the commission may, if it considers the evidence to so warrant, affirm the action of the appointing officer, or, if the commission determines the action of the appointing officer to be without just cause, order the reinstatement of the employee, or the commission may, in its judgment, reduce the punishment sought to be applied by the appointing officer to a reduction or suspension. If the commission determines that the action of the appointing officer is without cause, it may order the accused employee to be paid his salary during the period he was off duty because of removal without cause. All hearings of these charges by the commission shall be public, and the accused is entitled to be present in person and present his defense. An officer or employee may appeal from the decision of the commission to the district court of Ramsey county, which court shall determine whether the record of the hearing contains evidence upon which the commission could have reached its decision and whether the commission abused the discretion granted it. There is no appeal from the determination of the district court in the matter.

(b) A member of the commission may withdraw from a hearing if he considers himself disqualified for good cause. The senior judge of the district court of the county of Ramsey shall fill each vacancy on the hearing board created

by the above reason by appointing a person, who must be a citizen of the United States and a resident of the county of Ramsey, for the sole purpose of participating in the hearing. Each person so appointed is allowed the per diem paid members of the commission for each day actually devoted to duties as a member of the hearing board.

**Subd. 16. Annual reports.** The civil service commission shall report annually to the county board concerning the administrative needs of the service, the personnel and the positions in the service and the compensation paid. The report shall detail the number of examinations held, number of applicants, appointments made, removals, etc. The commission shall recommend amendments in the rules, plans for promoting efficiency and progress, and the county board shall have the right to require reports from the commission at any time respecting any matter within the scope of the duties of the commission hereunder.

**Subd. 17. Source of commission's compensation and expenses.** All compensation, salaries and other expenses of the civil service commission and its employees shall be paid out of the county funds.

**Subd. 18. Violation a misdemeanor.** Whoever wilfully or through culpable negligence violates a provision of this section, or the rules of the commission, is guilty of a misdemeanor.

**History:** 1974 c 435 s 3.02; 1978 c 745 s 1; 1979 c 313 s 2; 1981 c 52 s 1; 1981 c 301 s 1,2

### 383A.30 RETIREMENT.

Each employee of the county of Ramsey, except an elected official, who is 70 years of age, shall retire from employment by Ramsey county on the first day of the month after the month in which the employee becomes 70.

**History:** 1974 c 435 s 3.03; 1981 c 68 s 38

### 383A.31 UNIFORM PAYROLL PERIODS.

The Ramsey county civil service commission shall, by rule, establish a payroll period for each appointed or elected official, who receives all or part of his income from the county of Ramsey, to coincide with the payroll period of other county employees as established by the Ramsey county civil service commission. The payroll period shall be at least semi-monthly and shall provide for the total annual salary of the position as established by law or resolution of the county board.

**History:** 1974 c 435 s 3.04

### 383A.32 PURCHASING.

**Subdivision 1. Joint city-county purchasing.** (a) **Joint program.** Notwithstanding a charter provision, city ordinance, or prior law to the contrary pertaining to buying by the city of Saint Paul or the county of Ramsey, and to promote competitive bidding, effect economies in volume buying, and provide better service, the city of Saint Paul and the county of Ramsey shall establish a joint buying program.

(b) **Saint Paul purchasing department to be used.** The county of Ramsey shall buy, or contract for, the supplies, materials, equipment and contractual services required by each department or agency of the county government through the facilities of the city of Saint Paul purchasing department and, for this service, shall pay to the city the cost incurred in providing the service. The cost is determined through an analysis and evaluation of all purchases processed through December 31, 1959, and thereafter through each succeeding year. The manner and method of computing this cost is the joint responsibility of the county and the city.

(c) **Saint Paul city charter provisions reserved.** All of the charter provisions of the city of Saint Paul pertaining to the procedures, rules, and regulations in the field of buying goods, wares, and merchandise are in their entirety reserved in full.

(d) **Standardization committee.** A permanent committee on standardization of purchases for the city of Saint Paul and the county of Ramsey is established, to be composed, on an equal basis, of representatives of the city of Saint Paul, the county of Ramsey, and other governmental units permitted to buy through the city purchasing department. The city council shall choose the members of the committee on standardization for the city, and the board of county commissioners, for the county. The committee shall agree on single specifications for each item commonly used in each of the governmental units to combine their purchasing power.

(e) **Central stock room.** As soon as practical after the establishment of the central purchasing program, the city of Saint Paul and the county of Ramsey shall establish a central office supply stock room. The permanent committee on standardization of purchases shall provide for inventory control procedures and the method and manner of distribution of supplies and materials from the central stock room. Each of the governmental units participating in the central buying program shall contribute the amount that is jointly agreed upon into a revolving fund established for the operation of the central stock room, and shall pay, from time to time, into the revolving fund the money required to cover overhead, in addition to the cost of materials and supplies obtained therefrom. The city of Saint Paul and its purchasing department shall administer and account for the revolving fund.

(f) **Warehouse.** The city of Saint Paul and the county of Ramsey shall provide adequate warehouse and storage space for each item that is practical to store and the buying of which, in quantities greater than current needs, will secure a distinct financial advantage to these governmental subdivisions.

Subd. 2. **Patented article.** (a) Ramsey county may buy articles or supplies that are sold at a uniform price, by reason of a patent, copyright, or exclusive franchise, without advertisement and competitive bids, where no advantage can be secured by advertisement and competitive bidding.

(b) Before making such a purchase, the county board shall adopt a finding to the effect that the particular purchase is made pursuant to this subdivision.

Subd. 3. **Waiver of performance bonds.** Notwithstanding the charter of the city of Saint Paul or prior statutory enactments relating to buying by the city of Saint Paul and the county of Ramsey to the contrary, the council of the city of Saint Paul, the Ramsey county board of commissioners, and the governing body of any municipal subdivision governed by this section may waive the requirements for a performance bond on each purchase of materials and supplies. Performance bonds are required to be furnished in all bids requiring labor and material, or labor alone, where the contract exceeds \$2,000.

**History:** 1974 c 435 s 3.05; 1978 c 743 s 4

### 383A.321 DEFINITIONS.

Subdivision 1. For purposes of this section, the following terms have the meanings given them, unless the language or context clearly indicates that a different meaning is intended.

Subd. 2. "Small business" means a business entity organized for profit, including an individual, partnership, corporation, joint venture, association or cooperative which has its principal place of business in Minnesota, and which

(a) Is not dominant in its field of operation, and

(b) Is not an affiliate or subsidiary of a business dominant in its field of operations.

If a federal or state program prohibits any geographical limitation on the principal place of business of an eligible business in order for the county to be eligible for funds, the federal or state requirement shall prevail.

Subd. 3. "Dominant in its field of operation" means exercising a controlling or major influence in a business activity in which a number of businesses are engaged. In determining whether a business is dominant, the following criteria, among others, shall be considered: number of employees; volume of business; financial resources; competitive status or position; ownership or control of materials, processes, patents, license agreements and facilities; sales territory; and nature of business activity. The following businesses shall be deemed dominant in their field of operation:

(a) Manufacturing businesses which employ more than 100 persons and have in the preceding three fiscal years exceeded a total of \$15,000,000 in gross receipts for the three year period;

(b) General construction businesses which in the preceding three fiscal years have exceeded a total of \$6,000,000 in gross receipts for the three year period;

(c) Specialty construction businesses which in the preceding three fiscal years have exceeded a total of \$3,000,000 in gross receipts for the three year period; and

(d) Nonmanufacturing businesses which employ more than 25 persons and have in the preceding three fiscal years exceeded a total of \$3,000,000 in gross receipts for the three year period.

Subd. 4. "Affiliate or subsidiary of a business dominant in its field of operation" means a business which is at least 20 percent owned by a business dominant in that field of operation, or by partners, officers, directors, majority stockholders, or their equivalent, of a business dominant in that field of operation.

**History:** 1982 c 626 s 1

### 383A.322 SMALL BUSINESS SET-ASIDE.

Nothing in Minnesota Statutes, Section 471.345 shall be construed to prohibit Ramsey County from adopting a resolution, rule, regulation or ordinance which on an annual basis sets aside for awarding to small businesses a percentage of the value of the county's anticipated total procurement of goods and services, including construction, otherwise subject to that section, and which uses either a negotiated price or bid contract procedure to award a procurement contract under a set-aside program allowed in this section. Any award based on a negotiated price shall not exceed by more than five percent the county's estimated price for the goods and services if they were purchased in the open market and not under the set-aside program.

**History:** 1982 c 626 s 2

### 383A.33 ASSESSOR.

Subdivision 1. **Appointment.** The board of Ramsey county commissioners shall appoint the county assessor. He shall be selected and appointed under Minnesota Statutes, Section 273.061, Subdivision 1.

Subd. 2. **Term.** The first county assessor so appointed starts his term of office on March 10, 1973, and he shall hold office for a term of four years, and until his successor is appointed and qualifies. The next term begins on March 10, 1977, and ends on December 31, 1980. Each succeeding term is four years.

Subd. 3. **Vacancy.** The board of Ramsey county commissioners may fill each vacancy in the office of county assessor occasioned by death, or otherwise and remove the assessor from office at any time, on proven charges of inefficiency, or neglect of his duty by the commissioner of taxation, affirmed by the board of Ramsey county commissioners after hearing.

Subd. 4. **Powers and duties.** The assessor, by himself, or with the aid of his assistant assessors, shall assess all property subject to taxation under the general laws of this state, inside Ramsey county, including the city of Saint Paul, and has, inside Ramsey county, including the city of Saint Paul, all the powers, rights and privileges allowed, and all the duties of assessors required by the general laws of this state, relative to taxes or otherwise, whether for state, county, city, town or other taxes, assessable under the general laws of this state, and shall proceed in the manner prescribed by the general laws of this state, relative to assessments.

**History:** 1974 c 435 s 3.06

### 383A.34 AUDITOR.

Subdivision 1. Upon a judgment being entered for personal property taxes in the district court for Ramsey county, the clerk of the district court shall certify a list of judgments to the county auditor, who shall indicate in the personal property tax duplicate book containing the tax that it has been reduced to judgment, the district court file number, and the date of judgment.

Subd. 2. At the end of 20 years from the date of judgment, the county auditor shall cancel from the personal property tax duplicate book each tax for which judgment is entered which has not been paid or otherwise satisfied; at the same time he shall cancel in the tax duplicate book for the same year each delinquent tax contained therein for which no judgment was entered.

Subd. 3. All taxes on which judgment was entered in the district court for Ramsey county more than 20 years before December 31, 1959, which are unpaid, together with all delinquent personal property taxes not reduced to judgment covering the same year or years, shall be canceled from the tax duplicate book.

**History:** 1974 c 435 s 3.07

### 383A.35 COURT COMMISSIONER.

The Ramsey county court commissioner may take acknowledgments of deeds and other written instruments and has the powers conferred upon a court commissioner by Minnesota Statutes 1969, Section 253A.21.

Except as provided above, the Ramsey county court commissioner shall not have any of the powers provided in Minnesota Statutes 1969, Section 489.02.

**History:** 1974 c 435 s 3.08

### 383A.36 CORONER.

In Ramsey county, the coroner must be a duly licensed and practicing physician and surgeon.

**History:** 1974 c 435 s 3.09

### 383A.37 SHERIFF; FEES.

Subdivision 1. **Schedule.** The fees charged and collected for the services listed by the sheriff of Ramsey county shall be set by the Ramsey county board and a schedule of those fees shall be filed with the sheriff's office.

Subd. 2. **Additional fee; summons and complaint.** In Ramsey county, the sheriff shall charge an additional fee to be set by the county board for receiving, indexing and putting in line for service each summons and complaint left with him for service. This fee is in addition to other fees now provided by law, and is to be absorbed by the plaintiff in the action. It is not to be charged to the defendant nor taxed as costs against him in the action or any proceedings ancillary thereto.

**History:** 1974 c 435 s 3.10; 1976 c 13 s 1

**383A.38 ABSTRACT CLERK.**

Subdivision 1. **Term.** In Ramsey county an abstract clerk shall be elected at the general election for county officers and his term of office is for four years and until his successor is elected and qualified.

Subd. 2. **Duties.** The abstract clerk of Ramsey county has the sole and exclusive power, and it is his official duty to make out all official abstracts of title affecting real property inside the county, as an official thereof, and the register of deeds shall have no power or authority in the premises whatsoever.

The duties of the Ramsey county abstract clerk do not impair the power of any private person, company or corporation to make out abstracts of title as provided by the general laws of this state.

Subd. 3. **Duties and fees.** The records and indices in the office of county abstract clerk are public records, open to inspection, but only to the extent in this section provided.

Subd. 4. Each record, index, abstract, copy, plat, bookkeeping record, or paper of any type whatsoever, prepared in the office, is the property of the county for the use of the county abstract clerk and his successors in office, and, at the end of the term of an abstract clerk, shall be turned over to his successor in office.

Subd. 5. The county abstract clerk shall permit, without fee and within reasonable business hours as not to interfere with the conduct of the work of the office, and under supervision to assure the safety of the records, inspection of the tract index as hereinafter defined, by a party interested in the ownership of a particular parcel of land, or his agent or attorney. There is no right on the part of anyone to make general or indiscriminate searches of the records or to copy a part thereof to make abstracts of title or abstract books or in any manner to deprive the abstract clerk of the fees provided by law for his official duties.

Subd. 6. Whoever destroys, attempts to destroy, deface, or alter any record in the office of the county abstract clerk is guilty of a gross misdemeanor.

Subd. 7. The county abstract clerk shall maintain, current as of 8 o'clock a.m. each business day, abstract indices to the land of the county, including a tract and miscellaneous system of indices, correctly indexing each instrument filed of record in the office of the register of deeds in the county which in any manner affects the title to real property inside the county. He shall maintain currently correct as of each day, indices to all judgments in any court which are a lien on real property inside the county and all federal tax liens. He shall maintain the other and further abstract records and indices that the board of county commissioners of the county directs.

Subd. 8. The county abstract clerk shall furnish, within ten days, upon demand of anyone and proffer of his fees, a complete, true and perfect abstract of title to a parcel of land in the county.

Subd. 9. The county abstract clerk shall, without fee and within reasonable hours as not to interfere with the conduct of his office and under reasonable supervision to assure the safety of the public records, permit the use of records in the office by duly authorized representatives of other state, county, municipal or federal governmental agencies for public purposes.

Subd. 10. The county abstract clerk shall furnish to anyone, within 48 hours of demand, and without fee, an oral report of the apparent ownership and apparent unsatisfied encumbrance as to a parcel of land inside the county, but he shall not be responsible under the bond herein required, for the correctness of a report furnished without fee.

Subd. 11. The county abstract clerk shall not be required, without demand and proffer of fees as herein set forth, to furnish a report of personal judgments in a court against a person, firm or corporation.



Subd. 12. The county abstract clerk and his deputies and employees shall not be permitted to practice law, or demand or receive a fee for an opinion as to the condition of the title to a parcel of real estate, save as to reports of the apparent record ownership, nor to prepare or execute papers incident to the transfer of title to real property or in any manner act as advisor or counsellor at law or as agent for the sale of real property or in any manner assume the function of lawyer, real estate broker or advisor.

Subd. 13. The county abstract clerk may appoint a deputy county abstract clerk to act in his stead and behalf, and for whose acts the county abstract clerk is responsible.

Subd. 14. The board of county commissioners in Ramsey county shall appoint each year a committee to inspect the records and the conduct of the office of the county abstract clerk, the committee to consist of an accountant representing the office of the county auditor, a representative of the county attorney's office and one member of the board, each of whom will serve without further compensation than provided by law for their respective positions. The committee shall inspect the records of the office of county abstract clerk at least once each year and report to the board of county commissioners on the fees collected, the public service rendered, the condition of the public records therein contained and the general conduct of the office. The committee shall before January 1, 1982 complete a comprehensive audit of the records of the office of the abstract clerk for calendar years 1980 and 1981. The county abstract clerk shall permit the committee to inspect each record of whatsoever nature having to do with his conduct of the office upon demand at any time.

Subd. 15. The county abstract clerk shall charge, collect and retain for the use of the county, fees for his services which shall be set by the county board. The county board shall also set the compensation of the abstract clerk, the deputy and employees and appropriately incorporate them into the Ramsey county civil service system.

Subd. 16. Before the county abstract clerk enters upon his duties, he shall give bond to the county, at county expense, in the penal sum of \$5,000, to be approved by the county board, conditioned that he will faithfully discharge the duties of his office, and shall give bond to the public, in the penal sum of \$10,000, at his own expense, to be approved by the county board, conditioned that he shall pay all damages suffered by anyone through any error deficiency in any abstract of title or registered property report issued by his office.

Subd. 17. The board of county commissioners of Ramsey county shall fill each vacancy in the office of county abstract clerk, for whatever cause, by appointment. The person so appointed shall give the bond and take the oath required by law, and shall hold for the remainder of the unexpired term, and until his successor qualifies.

Subd. 18. The office of county abstract clerk is an agency of Ramsey county for the purposes of the Ramsey county civil service statute and the public employment labor relations act and for all other purposes provided by law.

**History:** 1974 c 435 s 3.11; 1981 c 301 s 3

### **383A.39 COURT HOUSE AND CITY HALL.**

Subdivision 1. **Court house and city hall administration.** Notwithstanding the provisions of Minnesota Statutes, Chapter 374, the Saint Paul city hall and Ramsey county court house building shall be administered and operated by the Ramsey county board of commissioners. The board shall set terms and conditions for the occupancy of the building by the city of Saint Paul, provided that Saint Paul shall be entitled to continued occupancy of the areas which it occupied

as of January 1, 1981, unless both parties otherwise agree. The city of Saint Paul shall pay rent to Ramsey county in an amount equal to its proportional square foot exclusive usage or occupancy of the building, multiplied by the total expenses of maintaining, heating and operating the building. No later than April 1 of each year, the board of county commissioners shall determine the proportional square foot usage or occupancy of the city and county, respectively, and shall notify the city council of its rent, based upon the projected expenses for maintaining, heating and operating the building in the next year. Costs of improvements to exclusive space shall be borne by the occupant. Costs of improvements to nonexclusive space shall be shared and apportioned in the same manner as the annual rental payments. The rent shall be payable in equal monthly installments, and any shortfall or overpayment of rent, based upon actual expenses shall be paid by the city or refunded by the county by March 1 of the succeeding year.

**Subd. 2. Saturday closing.** (a) **Authority.** Ramsey county and the city of Saint Paul may jointly, by resolution adopted by both the board of commissioners and the city council, close the building containing the principal offices of the city and the county, known as the city hall and court house, on Saturday.

(b) **Effect of closing.** An act authorized, required or permitted by law or contract to be performed at or in the city hall and court house on Saturday may be performed on the next succeeding regular business day and no liability or loss of rights on the part of any person shall result from the closing.

(c) **Open, additional hours.** The city hall and court house may be kept open for the transaction of business on the next business day following each Saturday until 9:00 p.m.

**Subd. 3. Rooms for law library.** In Ramsey county, the board of county commissioners may provide rooms in the court house and city hall for the use of a law library and the board may install its library therein by purchase, leasing or securing it from an individual or association upon the terms and conditions that to it is for the interest of the people.

**History:** 1974 c 435 s 3.12; 1981 c 292 s 1

### 383A.40 WELFARE DEPARTMENT; WELFARE BOARD.

In the county of Ramsey, the board of county commissioners is the county welfare board.

**History:** 1974 c 435 s 3.13; 1978 c 743 s 9

### 383A.41 SAINT PAUL-RAMSEY MEDICAL CENTER.

**Subdivision 1. Saint Paul-Ramsey medical center commission.** There is created a commission to be known as the "Saint Paul-Ramsey Medical Center commission", whose duty is the operation, administration and management of the Saint Paul-Ramsey Medical Center facilities.

**Subd. 2. Membership.** The Saint Paul-Ramsey Medical Center commission shall consist of 13 members appointed as follows:

(1) Four members from the board of Ramsey county commissioners, including one residing outside the city of Saint Paul, and

(2) Nine citizen members, each of whom must be a resident of Ramsey county, all of whom shall be appointed by the board of county commissioners and there shall be one resident of each of the following Minnesota senate districts, as defined for the 1972 general election, appointed as a citizen member of the commission: Districts 48, 49 and 46 considered for the purposes of this section as one district, 50, 62, 63, 64, 65, 66 and 67. The state senator and representatives whose constituency resides within one of those senate districts shall nominate for

commission membership up to three persons residing within such district and Ramsey county and shall submit such nominations to the Ramsey county board of commissioners. The Ramsey county board may appoint citizen members to the commission from the nominations received by senators and representatives, and in any event shall make all initial appointments. The same procedure shall be followed upon expiration of a citizen member's term. Vacancies shall be filled by the appointing authority in the same manner as regular appointments are made, within 30 days after the office is vacated. Nominations by legislators shall be submitted to the county board within 30 days after the office is vacated.

Subd. 3. **Term.** The four members appointed from the membership of the Ramsey county board of commissioners each serve for a term coinciding with his term as a county commissioner. Each of the other nine members hold office for three years and until his successor is appointed, except that for the first appointments, members appointed from senate districts 48, 62 and 65 shall hold office for one year. Members appointed from senate districts 49 and 46 combined, 63 and 66, shall hold office for two years and members appointed from senate districts 50, 64 and 67 shall hold office for three years. Vacancies on the board are filled by appointment in accordance with the provisions of clause (b)(2) for the unexpired term of the position which is being filled. A member of the commission whose term expires, may be reappointed to the board if otherwise qualified. Citizen members may be compensated at the rate of \$35 per day for services actually and necessarily rendered not to exceed \$1,000 per year and all members shall be compensated for expenses incurred in the performance of their duties.

Subd. 4. **Procedure and organization.** The commission may adopt bylaws. All meetings of the commission are meetings of a public body and open to the public; the minutes thereof are a matter of public record. The commission shall elect from its membership, for one year terms, a chairman, a vice-chairman and a secretary, and other officers as they deem necessary, who have the usual and customary duties, obligations and responsibilities of these offices, and who are required to be bonded at the discretion of the commission as the occasion requires. Seven members of the commission constitute a quorum.

Subd. 5. **Powers and duties of commission.** The commission is responsible for the operation, administration, management and control of the Saint Paul-Ramsey Medical Center, may carry malpractice insurance for the medical center medical and nonmedical staff and pay the premiums therefor. The commission may appoint and, at its pleasure, remove a chief executive officer of the medical center and seven principal assistants. The commission may employ other personnel it determines are necessary for the performance of its duties. The commission's employees are subject to the Ramsey county civil service law and the rules related to it. The commission shall reimburse the county civil service department for its services for the commission's classified employees and the reimbursement is to be credited to the civil service department budget.

Subd. 6. The commission shall submit annually to the Ramsey county board of commissioners for approval of that body a budget that shows the estimated amount of money required for the operation and conduct of the affairs of the public medical center and sanitarium under control of the commission during the next ensuing year. The budget shall be submitted not later than November 1 of each year and shall include all money needed for the next ensuing year except funds for the construction of additional facilities. The budget, as submitted and approved or as revised by the Ramsey county board of commissioners and approved, is the budget of the commission for the next ensuing year. The Ramsey county board of commissioners shall consult with the commission before approval. When funds for the construction of additional facilities are needed, the commission shall make requests for funds to the city of Saint Paul and county of Ramsey

jointly. The commission is to receive and be responsible for all funds from whatever source derived, and these funds are public funds.

Subd. 7. The commission has jurisdiction over its accounts and payrolls and shall establish and maintain a public depository. The depository shall be subject to Minnesota Statutes, Chapter 118, except that the commission shall determine the appropriate security.

It shall establish and maintain all necessary accounts. The commission may establish reserve accounts, depreciation accounts and working capital funds in order to operate on an accrual basis.

Subd. 8. The commission may, with the prior approval of the Ramsey county board of commissioners, obtain funds necessary for the operation and maintenance of the medical center under its jurisdiction by borrowing from funds under the jurisdiction of the Ramsey county board of commissioners or from a lending agency chartered by the United States or a state and authorized to do business in Minnesota. The contract may provide for the borrowing of money in an amount not to exceed a total at any one time outstanding of \$4,000,000. The commission shall determine the terms and conditions of the borrowing that are in the best interests of the commission and the county. The contract may provide that the security for the loan may be evidenced by the notes of the commission and the accounts receivable, or any part thereof, available to the commission from the operation of the medical center.

Neither the medical center nor any physical asset thereof, nor the full faith and credit of Ramsey county, may be pledged or available as security for its borrowing.

Subd. 9. The Ramsey county board of commissioners upon request of the commission may issue and sell revenue bonds to finance betterment of the medical center and acquisition and betterment of additional facilities for it located within or without Ramsey county, including without limitation payment of principal and interest on the revenue bonds during construction and for a reasonable period thereafter and establishment of reserves for them. The revenue bonds shall be payable solely from all or a portion of the revenues of the commission and may be secured by a mortgage of the site and facilities, or any part of it, financed by the revenue bonds. The revenue bonds shall be in an amount and shall mature as provided by resolution of the county board and approved by the commission and may be issued in one or more series and shall bear a date or dates, bear interest at a rate or rates, be in a denomination or denominations, be in the form either coupon or registered, carry the conversion or registration privileges, have rank or priority, be executed in the manner, be payable in medium of payment at the place or places, and be subject to the terms of redemption with or without premium, as the resolution may provide. The revenue bonds may be sold at public or private sale at a price or prices determined by the resolution. Notwithstanding any law to the contrary, the revenue bonds shall be fully negotiable. The commission may enter into the covenants the county board and commission by resolution shall deem necessary and proper to secure payment of the revenue bonds, except that neither the medical center nor any physical assets of it other than the site and facilities being financed may be pledged or available as security for any revenue bonds issued under this paragraph. The revenue bonds, and they shall so state on their face, shall not be payable from nor be a charge upon any funds other than the revenues and property pledged or mortgaged for their payment, nor shall the county board or commission be subject to any liability on them or have the power to obligate themselves to pay or pay the revenue bonds from funds other than the revenues and property pledged and mortgaged and no holder or holders of the revenue bonds shall ever have the right to compel any exercise of any taxing power of Ramsey county or any other public body to pay the principal of or interest on

any of them, nor to enforce payment of them against any property of Ramsey county, the commission, or any other public body other than that expressly pledged or mortgaged for their payment. The commission shall provide hospital and medical services for the indigent of Ramsey county, the contagiously ill, and catastrophically injured and city and county prisoners, and maintain the hospital as a research and teaching institution. It may provide hospital and medical services for the general public. To those ends and to effectuate its authority to operate, administer, manage, and control the medical center, the commission may enter into the agreements it determines necessary.

The commission shall have all the powers necessary and convenient for the operation, administration, management and control of the medical center. The enumeration of specific powers in this law is not intended to restrict the power of the commission to take any action which in the exercise of its discretion is necessary or convenient for the furtherance of the purpose for which the commission exists, and which is not otherwise prohibited by law, whether or not the power to take the action is necessarily implied from any of the powers expressly granted.

**Subd. 10. Purchasing.** Notwithstanding any law to the contrary, the Saint Paul-Ramsey Medical Center commission may purchase directly or utilize the services of a nonprofit cooperative hospital service organization, the city of Saint Paul, the state, the university of Minnesota, or any other political subdivision or agency of the state in the purchase of all goods, materials and services that the commission may require. These purchases shall be made in compliance with laws of the state, except that purchase through a nonprofit cooperative hospital service organization is not subject to Minnesota Statutes, Sections 471.345 to 471.37.

**Subd. 11. County attorney.** The commission may sue and be sued. The Ramsey county attorney is the attorney and legal advisor of the commission. The commission shall reimburse Ramsey county for his services and the reimbursement is to be credited to the budget of the Ramsey county attorney.

**Subd. 12. Certain agreements prohibited.** Notwithstanding any law to the contrary, the commission may not enter into an exclusive agreement with a medical school which would preclude the use of Saint Paul-Ramsey Medical Center in the training of medical students of another medical school. Notwithstanding any law to the contrary, the commission may not enter into an agreement with another hospital which would relieve the other hospital of responsibility to a patient of the other hospital for the furnishing of hospital services obtainable at that hospital.

**Subd. 13. Financing.** Indebtedness for construction of existing facilities is to be retired as provided in Laws 1957, Chapter 938, and to be jointly financed by the city of Saint Paul and Ramsey county in accordance with the applicable provisions of law. If the hospital revenues justify they shall be applied to the retirement of the indebtedness.

**Subd. 14.** The commission may accept from the United States, the state of Minnesota or another agency or local subdivision of government and from private sources land, money or other assistance for the purposes of carrying out the provisions of this section.

**Subd. 15. Transfer of control.** (a) The operation, management and control of the Saint Paul-Ramsey Medical Center and the Ramsey county tuberculosis sanitarium are transferred from the county welfare board of the city of Saint Paul and county of Ramsey to the Saint Paul-Ramsey Medical Center commission. The commission may purchase, hold and convey personal property and hold and convey real property in its own name. With the prior approval of the Ramsey county board of commissioners, the commission may purchase real property in its own name.

(b) All the powers and duties concerning institutional care of the sick or injured indigent, the contagiously ill, the catastrophically injured, and the city and county prisoners at Saint Paul-Ramsey Medical Center and the Ramsey county sanitarium vested in or imposed upon the Ramsey county welfare board of the city of Saint Paul and county of Ramsey and the Ramsey county sanitarium commission are transferred to, vested in, and imposed upon the Saint Paul-Ramsey Medical Center commission.

(c) This section supersedes all laws inconsistent herewith.

**Subd. 16. Construction of Saint Paul-Ramsey medical center.** (a) **Authorization.** Ramsey county and the city of Saint Paul may acquire land for, erect, equip and furnish a hospital and nurses' home.

(b) **Division of costs between county and city.** The cost and expense of acquiring land for, erecting, equipping and furnishing the hospital and nurses' home is to be borne by the county and city in the following proportion: the county shall pay 72-1/2 percent of the cost and expense, and the city shall pay 27-1/2 percent of the cost and expense.

(c) **Bonds, issuance by county.** The county may borrow a sum not to exceed \$11,600,000, or so much thereof as the board of county commissioners of Ramsey county considers necessary, to defray the county's share of the cost and expense of the acquisition of land for, the erection, equipping and furnishing of the hospital and nurses' home. The board of county commissioners may issue and sell, from time to time, and without submitting the question of the issuance of the bonds to a vote of the people, the bonds of the county in the sum and amount of \$11,600,000, or the part thereof that the county board considers necessary, the proceeds of the sale of the bonds to be used for the purposes specified herein, and may secure the payment of the bonds by pledging the full faith and credit of the county therefor. The bonds shall be in the form and bear interest at the rate that the county may prescribe and the county through its board of county commissioners shall sell them to the highest bidder therefor, after notice of the time and the place for the receiving of the bids is published according to law. The bonds are to be issued to mature serially, the first installment of which becoming due and payable in not more than three years and the last of which becoming due and payable in not more than 30 years from their date. The county shall deposit the proceeds received from the sale of the bonds in a fund to be designated as hospital facility fund; the money shall be disbursed therefrom in the same manner as other funds of the county are disbursed, but only for the purposes herein expressed, and according to such other procedural requirements in reference thereto as are set out specifically in this subdivision.

(d) **Bonds, issuance by city.** The city of Saint Paul may borrow a sum not to exceed \$4,400,000, or so much thereof as the governing body of the city considers necessary, to defray its share of the expense of the acquisition of land, the erection, equipping and furnishing of the hospital and nurses' home. The governing body of the city may issue and sell, from time to time and without submitting the question of the issuance of the bonds to a vote of the people, the bonds of the city in the sum and amount of \$4,400,000 or the part thereof that the city council considers necessary, the proceeds of the sale of the bonds to be used for the purposes specified herein, and may secure the payment of the bonds by pledging the full faith and credit of the city therefor. The bonds shall be in the form and bear interest at the rate as the city prescribes and the city through its governing body shall sell them to the highest bidder therefor, after notice of the time and the place for the receiving of the bids is published according to law. The bonds are issued to mature serially, the first installment of which becoming due and payable in not more than three years and the last of which becoming due and payable in not more than 30 years from their date. The city shall deposit the proceeds

received from the sale of the bonds in a fund to be designated as hospital facility fund, and the moneys shall be disbursed therefrom in the same manner as other funds of the city are disbursed, but only for the purposes herein expressed, and according to such other procedural requirements in reference thereto as are set out specifically in this subdivision. These bids shall not be included in computing the net indebtedness of the city under an applicable law or charter.

(e) **Tax levy by city for payment of bonds.** The city may levy annually upon the taxable property in the city, without limitation as to rate or amount, the ad valorem tax that is necessary to pay for the interest on the bonds as it accrues and to pay for the principal thereof in full at maturity. The levy of the tax for this purpose is granted to the city to levy taxes for the payment of the principal and interest of the bonds is in addition to all other taxing powers of the city, and exists independently of any restrictions upon the power of the city to levy taxes for other purposes.

(f) **County auditor, duties.** If the board of county commissioners or the governing body of the city fails to make provision in their annual tax levies for the payment and redemption of the bonds with the interest thereon as they become due and payable, the county auditor of Ramsey county shall add to the amount of taxes to be raised by the county or city an amount sufficient to provide for the payment and redemption of the bonds with interest due thereon.

(g) **Bonds; chapter 475, applicable.** Except as otherwise provided in this subdivision, the issuance of the bonds herein authorized by the city or county shall be governed by the provisions of Minnesota Statutes, Chapter 475.

**History:** 1974 c 435 s 3.14; 1978 c 545 s 1; 1982 c 418 s 1

### **383A.411 RAMSEY COUNTY MEDICAL FACILITY WATER SYSTEM.**

Subdivision 1. Ramsey County may issue and sell from time to time general obligation bonds of the county in an aggregate principal amount not to exceed \$5,000,000 to finance the construction, installation, modification or improvement of heating, cooling and domestic hot water systems serving buildings owned in whole or part, operated or maintained by the county or the Ramsey County medical center commission. The county shall pledge its full faith and credit and taxing powers for the payment of the bonds. Except as provided in this section, the bonds shall be issued in accordance with Minnesota Statutes, Chapter 475. The bonds may be issued and sold without submitting the question of the issuance of the bonds to a vote by the people. The bonds shall be in a form and bear interest at the rate that the county prescribes and shall be sold by the county to the bidder with the most favorable bid, after notice of the time and place for the receiving of the bids has been published according to law. The bonds shall not be included in computing the net debt of the county under any law, and the taxes required for payment of the bonds and interest on them shall not be subject to any limitation provided by other law.

Subd. 2. In substitution of, but not in addition to, powers granted to Ramsey County in subdivision 1, Ramsey County may levy and collect a tax, not to exceed the lesser of \$5,000,000 or two mills, upon all taxable property in Ramsey County to finance the construction, installation, modification or improvement of heating, cooling and domestic hot water systems serving buildings owned in whole or part, operated or maintained by the county or Ramsey County medical center commission. A levy made pursuant to this subdivision shall not be subject to any limitation provided by other law.

Subd. 3. The bonds described in subdivision 1 may not be issued and the tax described in subdivision 2 may not be levied until construction is commenced on a district heating system in St. Paul which is designed for heating or cooling or

domestic hot water service to one or more buildings owned in whole or part, operated or maintained by the county or the Ramsey county medical center commission.

**History:** 1982 c 626 s 4

### 383A.42 COUNTY SURVEYOR; APPROVAL OF PLAT.

Subdivision 1. **Appointment.** The Ramsey county board of county commissioners shall appoint a county surveyor.

Subd. 2. **Duties.** In addition to the county surveyor's duties provided by general law, he shall approve each tentative plat, subdivision plat and registered land survey before recording.

Subd. 3. **Fees.** The board of county commissioners shall establish the fees, to be paid by the proprietor of a plat or survey, for the approval of the plat or survey by the county surveyor.

**History:** 1976 c 7 s 1

### 383A.43 LEGISLATIVE RESEARCH COMMITTEE.

Subdivision 1. **Research committee.** In Ramsey county, there is created a legislative research committee. The committee consists of all the legislative members in the county.

Subd. 2. **Powers, duties.** The committee may investigate and study, accumulate, compile, analyze and report on information concerning policies, plans, programs and procedures relating to or affecting the fiscal and legislative needs of the county and the governmental or political subdivisions therein, including school districts and any metropolitan or district authority having jurisdiction in an area of the county. The prime motive of the committee is to gather information and provide material to be used by the delegation in the legislature from the county in its work while the legislature is in session and in connection with legislative proposals affecting the county and local subdivisions.

Subd. 3. **Cooperate with other agencies.** The committee may assign the research director and staff to the house and senate delegations from the county in the legislature during each regular legislative session to explain the work of the committee and develop additional data with reference thereto. Each department, board, commission, agency, officer and employee in the county government and those in local government in the county, including school districts and metropolitan or district authorities having jurisdiction over an area of the county shall furnish the information and render the assistance to the committee that it, from time to time, requests.

Subd. 4. **Meetings.** The committee or a subcommittee that it appoints may sit at the time and place as it considers advisable but the committee shall meet at least once in each quarter and shall meet at any time upon the call of the chairman. At a meeting of the committee eight members constitute a quorum and a majority of the quorum may act in a matter falling within the jurisdiction of the committee.

Subd. 5. **Organization.** The committee shall select a chairman and a vice-chairman from its own members and may prescribe its own rules of procedure. It may appoint a secretary who need not be a member. The committee may employ the other persons and obtain the assistance of research agencies that it considers necessary.

Subd. 6. **Reports to legislature.** The committee shall keep minutes of its meetings which are open to the public. It shall make a periodic report to members of the delegation from the county in the legislature and shall keep them



fully informed on each matter that comes before the committee, the action taken thereon, and the progress made in relation thereto. At least 30 days before each biennial legislative session, the committee shall make a written report summarizing its activities, investigations, surveys and findings of facts to the members of the legislature from the county and to the public.

Subd. 7. **Proposed legislation.** The committee may require that suggested legislation to be presented by a department, board, commission, agency, officer, official or employee of the county and its local subdivisions, desiring the consideration of the committee, be presented to it at least 60 days before a regular session.

Subd. 8. **Expenses, compensation.** The members of the committee and the members of a committee appointed as a subcommittee are entitled to be compensated for their expenses necessarily incurred in attending meetings and in the performance of their official duties and shall be paid mileage at the rate of ten cents for each mile necessarily travelled in attending meetings and in the performance of these duties.

Subd. 9. **Appropriations.** The county shall appropriate \$5,000 each year from the county general revenue fund for the use of the committee. For the payment of the expenses of the committee, it shall draw its warrants upon the county treasurer. These warrants shall be signed by the chairman and one other member of the committee and approved by the county auditor. The county treasurer shall pay them as and when presented but not exceeding in the aggregate the amount herein provided in any one year.

**History:** 1974 c 435 s 3.16

### **383A.44 LOCAL GOVERNMENT STUDY COMMISSION OF RAMSEY COUNTY.**

Subdivision 1. **Commission established; named.** There is created in Ramsey county a commission to study the structure, functions and operations of all governmental units and bodies located within the said county including the county government, the municipal governments, public bodies corporate, and all offices, agencies, commissions, boards, authorities and other subdivisions thereof. Such commission shall be known as the "Local government study commission of Ramsey county," and shall be hereinafter referred to as "the commission."

Subd. 2. **Duties.** The commission shall conduct research and study to determine the need, if any, for the consolidation, separation, addition, removal or other revision of the aforementioned local governmental structures, functions and operations, and to determine whether moneys can be saved and whether efficiency can be gained through revision of such structures, functions and operations.

It shall be the further function and duty of the commission to draft a plan or plans for the solution of any problem disclosed as a result of such research and study, which it deems to be feasible and desirable and to submit such plan or plans to the members of the Ramsey county delegation of the Minnesota legislature.

Subd. 3. **Members.** The commission shall be composed of 38 members appointed by the Ramsey county delegation of the Minnesota legislature.

A senator, whose district is situated such that a portion of Ramsey county comprises 50 percent or more of that district, shall appoint from among the residents of his district two members.

A senator, whose district is situated such that a portion of Ramsey county comprises less than 50 percent of that district, shall appoint from among the residents of his district one member.

A representative, whose district is situated such that a portion of Ramsey county comprises 50 percent or more of that district, shall appoint from among the residents of his district one member.

A representative, whose district is situated such that a portion of Ramsey county comprises less than 50 percent of that district, shall appoint from among the residents of his district one member.

Commission members shall be residents of Ramsey county.

Commission members shall not be elected officials.

When a vacancy shall occur on the commission, a person shall be appointed by the senator or representative who appointed that person's predecessor to fill the vacancy until such time as the duty of the commission shall terminate.

A temporary chairman shall be appointed by the chairman of the Ramsey county delegation of the Minnesota legislature.

**Subd. 4. Directives to commission.** The commission as constituted shall meet and organize within 30 days of the effective date of this act. The commission shall elect from among its members a permanent chairman and shall adopt rules.

The commission shall file an interim report on its activities on January 15, 1974, and its final report on November 15, 1974. Such reports and the plan or plans resulting from the commission's research and study shall, when signed by a majority of the commission, be filed with the members of the Ramsey county delegation of the Minnesota legislature. This authorization of the commission shall expire on January 31, 1975.

**Subd. 5. Assistance provided.** In making its study, the commission is authorized to call upon the state of Minnesota or any of its agencies or institutions for any aid or assistance which can be rendered it and to call upon the various departments and subdivisions of Ramsey county and the municipalities therein for assistance.

Public officials of the county, cities and towns located within Ramsey county are directed to cooperate with the commission by making available to the commission any public records which it requires.

The commission may make such investigations, conduct such hearing, and employ such special, technical, clerical and legal assistance as may be necessary to assemble the required data and information upon which to base its opinions, to analyze the same, and to draft a plan or plans for the commission.

**Subd. 6. Appropriation.** The board of commissioners of Ramsey county shall appropriate \$20,000 from the general fund for use by the commission in carrying out the purposes of this act.

**History:** 1974 c 435 s 3.17

### 383A.45 BUDGET.

Subdivision 1. Each year the board of commissioners of Ramsey county shall prepare a budget for the ensuing fiscal year. The budget is to provide a complete financial plan of all county funds and activities for the ensuing fiscal year and be in the form that the county board considers desirable. In organizing the budget, the board is to utilize the most feasible combination of expenditure classification by fund, including a contingent fund, organization unit, program, purpose or activity, and object. The budget is to begin with a clear general summary of its contents; show, in detail, all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and be arranged so as to show comparative figures for actual and estimated income and expenditures. It is to indicate in separate sections:

(a) Proposed expenditures for current operations during the ensuing fiscal year, detailed by offices, departments and agencies in terms of their respective work programs;

(b) Proposed capital expenditures during the ensuing fiscal year, detailed by offices, departments and agencies when practicable, and the proposed method of financing each such capital expenditure.

Subd. 2. The board of commissioners may create a tort liability fund by carrying forward any unexpended liability appropriation balance from one fiscal year to the next.

Subd. 3. The total of proposed expenditures shall not exceed the total of estimated income.

**History:** 1974 c 435 s 4.01

### **383A.46 CAPITAL PROGRAM.**

The board of commissioners may also prepare a five year capital program to include:

- (1) A clear, general summary of its contents;
- (2) A list of all capital improvements which are proposed to be undertaken during the next five fiscal years next ensuing, with appropriate supporting information as to the necessity for these improvements;
- (3) Cost estimates, method of financing and recommended time schedules for each of these improvements; and
- (4) The estimated cost of operating and maintaining the facilities to be constructed or acquired.

The above information may be revised and extended each year with regard to capital improvements still pending or in the process of construction or acquisition.

**History:** 1974 c 435 s 4.02

### **383A.47 REDUCTION OF APPROPRIATIONS.**

If the maximum rate of taxation for the various purposes mentioned in the budget, for which the county may levy taxes, together with the estimated amount of the revenues of the county for the ensuing year, exclusive of those derived from taxation does not equal the total amount mentioned in the budget, or amendment thereof, the county shall reduce, proportionately, the several funds mentioned in the budget, except that the items for bonds, interest on bonds, salaries, and other items, the charges for which are fixed by law, shall remain at the full amount that the law requires.

**History:** 1974 c 435 s 4.03

### **383A.48 APPROPRIATIONS AND TAX LEVY.**

Adoption of the budget by the county board constitutes appropriations of the amounts specified therein as expenditures from the funds indicated and constitutes a levy of the tax therein proposed.

**History:** 1974 c 435 s 4.04

### **383A.49 AMENDMENTS AFTER ADOPTION.**

Subdivision 1. **Supplemental appropriations.** The board of county commissioners of Ramsey county upon recommendation of the Ramsey county auditor may make a supplemental appropriation of funds to a county departmental budget during the course of a budget year. This appropriation shall authorize the use and expenditure of funds accruing to the county of Ramsey which were not derived from taxation by the county board and not anticipated in the budget as estimated receipts.

Subd. 2. **Emergency appropriations.** To meet a public emergency affecting life, health, property or the public peace, and to the extent that there are no available unappropriated revenues to meet the emergency, the board may, by unanimous vote, authorize the issuance of emergency notes. These notes may be renewed from time to time but the emergency notes and renewals in a fiscal year shall be paid not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made. The issuance and payment of these notes is subject to the mill limits on taxing power established by law for Ramsey county.

Subd. 3. **Emergency borrowing; bonds.** Ramsey county may borrow funds and pledge the credit of the county to meet an emergency arising inside the county and may make these loans either from the state of Minnesota, the federal government, or from private sources in an amount not exceeding \$1,000,000.

Bonds or other evidences of indebtedness may be issued pursuant to the authority granted to the county and for the purposes specified herein. If the county is required by statute to submit the question of the issuance of bonds or other evidences of indebtedness to a referendum vote, it may issue and sell these bonds or other evidences of indebtedness without submitting the question of the issue to a referendum vote, by the following procedure:

(i) **Procedure.** Before any bonds or other evidences of indebtedness may be issued hereunder by Ramsey county without submitting the proposal to make the issue to a referendum vote of the electors of the county, the board of county commissioners of Ramsey county shall first adopt a resolution, by unanimous vote of all of its members, declaring an emergency to exist making it necessary to borrow in the specified amount without submitting the question of issuance of bonds or other evidences of indebtedness to a vote of the electors of the county.

(ii) **Sale.** Upon the passage of this resolution, the board of commissioners of the county may proceed to issue and sell its bonds or other evidences of indebtedness covering these loans, in the manner prescribed by Minnesota Statutes 1971, Section 475.60, Subdivisions 1, 2, 3, 5 and 6, and they shall be valid legal obligations of the county without the referendum vote of the electors. These bonds or evidences of indebtedness shall become due and payable in not more than five years from the date of issue.

These bonds or other evidences of indebtedness are subject to the provisions of the laws of the state that govern the county in making loans in regard to the levy of a tax for interest and principal and for the payment thereof. No provisions of an act passed during the 1953 session of the legislature, limiting the tax which may be levied in the county, may in any way limit the tax to be levied for the payment of the principal or interest of these bonds.

All laws or parts of law inconsistent herewith are suspended, but this action does not repeal or suspend any other law authorizing Ramsey county to issue bonds.

Subd. 4. **Transfer of appropriation.** The Ramsey county board may, by resolution, transfer part of all of any unencumbered appropriation balance or unappropriated funds from one department, office or fund to another department, office or fund.

**History:** 1974 c 435 s 4.05

### 383A.50 ADMINISTRATION OF BUDGET.

Subdivision 1. **Payment of obligations.** Ramsey county shall pay for obligations in accordance with appropriations duly made and payment shall be made in accordance with methods and procedures that the county board sets up and approves.

Subd. 2. **Warrant-check.** (a) On each warrant that Ramsey county draws on the county treasury, the county shall state the purpose for which it is issued. The warrant may be so designed that it becomes a check on the county depository and may be known as a "warrant-check".

(b) The warrant-check need not show the fund from which drawn.

Subd. 3. **Payments and obligations prohibited.** (a) No payment shall be made or obligation incurred against an allotment or appropriation except in accordance with appropriations duly made and unless the county budget director first certifies that there is a sufficient unencumbered balance in the allotment or appropriation and that sufficient funds therefrom are or will be available to cover the claim or meet the obligation when it becomes due and payable.

(b) An authorization of payment or incurring of obligation in violation of the provisions of this article is void and a payment so made illegal.

Subd. 4. **Illegal expenditure; gross misdemeanor.** A county commissioner who knowingly authorizes or makes a payment or incurs an obligation in violation of the provisions of sections 383A.45 to 383A.50 is guilty of a gross misdemeanor.

Subd. 5. **Lapse of appropriations.** (a) Each appropriation, except an appropriation for a capital expenditure, lapses at the close of the fiscal year to the extent that it has not been expended or encumbered.

(b) An appropriation for a capital expenditure continues in force until the purpose for which it was made has been accomplished or abandoned; the purpose of appropriation of this kind is abandoned if three years pass without a disbursement from or encumbrance of the appropriation.

Subd. 6. **Joint city-county liabilities.** The city of Saint Paul and the county of Ramsey may agree to provide for a mutually satisfactory method of paying for services, materials or supplies for which they are jointly charged under law. Either the city or the county may pay for these services made from a joint fund established under the exclusive control of either the city or the county. If the agreement provides that one subdivision of government shall pay a joint obligation in full, it may provide that the other subdivision shall discharge its part of the joint obligation by paying its share of the obligation to the subdivision first paying the obligation in full.

**History:** 1974 c 435 s 4.06