

(1) Recruit and promote financial support for the center from sources such as business, labor, industrial and private foundations, voluntary agencies, and the general public;

(2) Promote and enter into working agreements with other social service and educational agencies, both public and private, which provide service to the mentally retarded and cerebral palsied;

(3) Advise the commissioner of public welfare on the adoption and implementation of policies to stimulate effective community relations;

(4) Review the annual budget and plan of the center and make recommendations thereon;

(5) Review and evaluate periodically the services provided by the center and report thereon to the commissioner of public welfare, and when indicated to the public;

(6) Provide for transportation to and from the center of all persons who fulfill the eligibility requirements of section 252.23, clause (1) and who attend the center, if provision for this transportation is not unreasonably burdensome to the center and if a more efficient, reasonable, alternative means of transportation does not exist.

Sec. 8. [252.261] Any daytime activity center in existence on the effective date of sections 1 to 7 shall be deemed to be a developmental achievement center for the purposes of sections 1 to 7.

Sec. 9. This act is effective September 1, 1977.

Approved May 27, 1977.

CHAPTER 338—H.F.No.324

[Coded in Part]

An act relating to sheriffs; increasing certain fees and mileage allowances; amending Minnesota Statutes 1976, Section 357.09, Subdivisions 1, 2, and 4; repealing Minnesota Statutes 1976, Sections 357.09, Subdivision 5; and 357.10.

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

Section 1. Minnesota Statutes 1976, Section 357.09, Subdivision 1, is amended to read:

357.09 SHERIFFS; FEES AND MILEAGE. Subdivision 1. The fees to be charged and collected by the sheriff shall be as follows, and no other or greater fees shall be charged for:

Changes or additions indicated by underline deletions by ~~strikeout~~

- (1) Serving a summons, warrant, writ, subpoena, or any process issued by a court of record, ~~\$4~~ \$6 for each defendant served and mileage;
- (2) Taking and approving a bond, ~~\$1~~ \$2, and for certified copy thereof, 25 cents \$1 per folio;
- (3) Copy of any paper served by him, when copy is made by him, 25 cents per folio;
- (4) (3) Collection on execution after levy, ~~four~~ five percent on the first \$250 and ~~two~~ three percent on the excess thereof next \$1,750;
- (5) Advertising sale, ~~\$1~~ and reasonable printer's fee paid by the sheriff for such advertisement;
- (6) (4) Posting three notices of sale, \$6;
- (7) (5) Certificate of sale of real estate, ~~\$4~~ \$6; copy thereof, when requested, ~~\$1.50~~ \$3;
- (8) Serving a writ of restitution, removing occupants, and putting the person entitled thereto into possession, \$10 and mileage;
- (9) Summoning a jury upon a writ of inquiry, attending such jury, and returning the inquisition, ~~\$2.25~~;
- (10) Summoning a jury in obedience to the precept of an officer in special proceedings, ~~\$3~~ and mileage for necessary travel in summoning the panel; attending such jury when requested, ~~\$1.50~~; attending court, ~~\$4.50~~ per day;
- (11) Summoning a grand jury or a petit jury, 50 cents for each juror and mileage at ~~15~~ cents a mile for travel necessary in summoning the panel;
- (12) Producing a person upon a writ of habeas corpus or a warrant of arrest, surrendering him in exoneration of bail or receiving him into custody for such exoneration, or bringing any prisoner before any court or officer for examination or committing him to jail, ~~\$2~~ and mileage; attendance before such court or officer during such examination, ~~\$2~~;
- (13) Serving attachment on a boat or vessel in proceedings to enforce a lien created by law, ~~\$6~~ and such additional compensation for services and expenses in taking possession of and preserving the same as the officer issuing the process may allow; selling such boat or vessel or the equipment thereof and advertising the sale, the same fees as allowed on execution;
- (14) Making an appraisal in any case, ~~\$2~~ for each day and ~~\$1~~ for each half day for every appraiser necessarily employed;

Changes or additions indicated by underline deletions by ~~strikeout~~

(15) Making an inventory of property levied upon, replevined, or attached; 50 cents for each folio, and for copies 25 cents per folio;

(16) (6) Selling land on foreclosure of mortgage, for all services required, including executing certificate of sale, \$6 \$10; postponing such sale, \$2;

(17) (7) Making diligent search and inquiry and returning summons when defendants cannot be found, \$2 \$3;

(18) (8) Returning execution unsatisfied, ~~\$4~~ when no service is made, \$6;

(19) (9) Receiving and paying over money paid on redemption of property and executing certificate, one percent on the amount so received, to be collected from the person redeeming, such fee not to exceed ~~\$10~~ \$20 in any case;

(20) (10) Securing and safely keeping property in replevin or attachment or on execution, such sum as the court may allow to be computed on the basis of the time spent and hourly rate of pay of the sheriff or deputy executing the process;

(21) Serving order or citation of probate court, or apprehending an alleged insane person by order thereof, \$2 and mileage; conveying insane person to hospital; \$6 per day and his expenses; including food and necessary assistance and the amount of the expenses and transportation charges for any insane person whom he may have in custody; necessarily incurred in the performance of any duty relative to such person; all such bills to be audited by the probate judge and paid out of the general fund of the county;

(22) For services in attempting the collection of personal tax warrants; such reasonable compensation as the county board shall allow; from such allowance the county attorney; or any five taxpayers of the county; may appeal to the district court; which may summarily determine the amount equitably due;

(23) (11) For services not herein enumerated, the sheriff shall be entitled to the same fees as for similar duties;

(12) For all process when no charge is made for service of a return of not found or unsatisfied, \$2.

Sec. 2. Minnesota Statutes 1976, Section 357.09, Subdivision 2, is amended to read:

Subd. 2. When mileage is allowed the sheriff it shall be computed from the place where the court is usually held and; ~~except as otherwise specially fixed~~; shall be at the rate of ~~45~~ provided pursuant to section 43.327, plus four cents per mile ~~notwithstanding any other provisions of law to the contrary~~. When two or more witnesses subpoenaed in the same action live in the same general direction; mileage shall be charged only for the subpoenaing the most remote. When court is usually held at one or more places, other than the county seat of a county; such mileage shall be computed from the place from which the sheriff or deputy sheriff travels in performing any service.

Changes or additions indicated by underline deletions by ~~strikeout~~

Sec. 3. Minnesota Statutes 1976, Section 357.09, Subdivision 4, is amended to read:

Subd. 4. The fees allowed for the service of an execution, for advertising thereon, and for filing certificate with the county recorder shall be collected by virtue thereof and in the same manner as the sum therein directed to be levied; ~~but when there are several executions in the sheriff's hands against the same defendant at the time of advertising, there shall be only one advertising fee charged, and the sheriff shall elect on which execution he will receive the fee.~~

Sec. 4. **REPEALER.** Minnesota Statutes 1976, Sections 357.09, Subdivision 5; and 357.10; are repealed.

Sec. 5. [357.09] [Subd. 6.] Section 357.09 shall not relate to or affect the fees of the sheriff of Ramsey county.

Sec. 6. [357.09] [Subd. 7.] SPECIAL LAWS SUPERCEDED. All special laws relating to sheriffs' fees and mileage allowance which are inconsistent with the provisions of this act are superceded to the extent of the inconsistency.

Approved May 27, 1977.

CHAPTER 339—H.F.No.769

[Coded]

An act relating to taxation; providing an exemption from the gasoline and special fuels tax for certain municipal transit systems; amending Minnesota Statutes 1976, Sections 296.02 and 296.025, by adding subdivisions.

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

Section 1. Minnesota Statutes 1976, Section 296.02, is amended by adding a subdivision to read:

Subd. 1a. TAXATION; GAS TAX; TRANSIT SYSTEMS; EXCEPTION. The provisions of subdivision 1 do not apply to gasoline purchased by a transit system owned by one or more statutory or home rule charter cities or towns.

Sec. 2. Minnesota Statutes 1976, Section 296.025, is amended by adding a subdivision to read:

Subd. 1a. EXCEPTION. The provisions of subdivision 1 do not apply to special fuel purchased by a transit system owned by one or more statutory or home rule charter cities or towns.

Sec. 3. **EFFECTIVE DATE.** This act is effective for gasoline and special fuel purchased by a transit system after July 31, 1977.

Approved May 27, 1977.

Changes or additions indicated by underline deletions by ~~strikeout~~