

Sec. 5. This act is effective upon approval by the governing body of the city of Duluth and compliance with Minnesota Statutes, Section 645.021.

Approved May 14, 1979.

CHAPTER 88—S.F.No.345

An act relating to certain political subdivisions; regulating fees charged by law libraries; amending Laws 1933, Chapter 291, Section 4, as amended; and Laws 1967, Chapter 223, Section 1.

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

Section 1. Laws 1933, Chapter 291, Section 4, as amended by Laws 1949, Chapter 568, Section 2; Laws 1957, Chapter 224, Section 2; Laws 1969, Chapter 861, Section 2; and Laws 1971, Chapter 610, Section 1, is amended to read:

Sec. 4. Subdivision 1. After the filing of ~~such the~~ certificate with the clerk of the ~~district court~~, it shall be the duty of the ~~clerk administrator of the fourth judicial district~~ to collect in each civil suit, action or proceeding filed in ~~such the district, municipal and probate courts of the district court~~, in the manner in which other fees are collected therein; and in addition thereto, as law library fees, the sum of \$4 a law library fee from the plaintiff, petitioner or person instituting ~~such the~~ suit, action or proceeding, at the time of filing of the first paper therein, and the sum of \$4 from each defendant, respondent, intervenor or other party who shall appear therein, either separately or jointly, to be collected at the time of the filing of the first paper by ~~such the~~ defendant, respondent, intervenor or other party or at the time when his or their appearance is entered in the case. Such law library fees shall be costs in the case and taxable as such.

Subd. 2. After the filing of a certified copy of such certificate with the clerk of any municipal court in such county, it shall be the duty of such clerk to collect in each civil suit, action or proceeding filed in such court, in the manner in which other fees are collected therein; and in addition thereto, as library fees, the sum of \$4 from the plaintiff or person instituting such suit, action or proceeding at the time of the filing of the first paper therein. Such law library fees shall be costs in the case and taxable as such. The law library board of trustees shall, with the approval of the Hennepin County board of commissioners, set the amount of the law library fee in the district, municipal and probate courts of the fourth judicial district.

Subd. 3. After the filing of a certified copy of such certificate with the clerk of the probate court of such county, it shall be the duty of such clerk to collect from the person filing in such court a petition for the general or special administration of an estate; a petition for a decree of descent; a petition for the appointment of a guardian; a petition for the probate of a will; or a petition for summary assignment or distribution; at the time of the filing of any such petition, the sum of \$2 as a law library fee; which fee shall be allowed as part of the cost of administration of any such estate. The law library fee is a

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taxable cost in the action.

Sec. 2. Laws 1967, Chapter 223, Section 1, is amended to read:

Section 1. **POLK COUNTY; LAW LIBRARY.** Notwithstanding any provisions to the contrary of Laws 1939, Chapter 325, or any act amendatory thereof, each of the law library fees prescribed in sections 4, 5, and 6 of Laws 1939, Chapter 325, for the acquisition and maintenance of a county law library established pursuant to said act shall be \$2 ~~\$5~~ rather than \$1 in Polk County, if and so long as a county law library established pursuant to said act is maintained in said county.

Sec. 3. Section 2 of this act is effective upon approval by the board of county commissioners of Polk County and compliance with Minnesota Statutes, Section 645.021.

Approved May 15, 1979.

CHAPTER 89—S.F.No.444

An act relating to fences; providing for the compensation of fence viewers; amending Minnesota Statutes 1978, Section 344.18.

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

Section 1. Minnesota Statutes 1978, Section 344.18, is amended to read:

344.18 **COMPENSATION OF VIEWERS.** ~~Each Fence viewer~~ viewers shall be paid for his their services by the person employing ~~him~~ them at the rate of ~~\$5~~ \$15 each for each day's employment and the sum of ~~\$5~~ for each fence viewer \$60 shall be deposited with the town treasurer before ~~such~~ the service is performed. Upon completion of the service, any portion of the \$60 not expended for compensation of the fence viewers shall be returned to the depositor.

Sec. 2. **EFFECTIVE DATE.** This act is effective the day following final enactment.

Approved May 15, 1979.

CHAPTER 90—S.F.No.484

An act relating to elections; requiring recounts in county, municipal and school district elections under certain circumstances; setting a time limit for appeal of a district court determination in a school district election contest; clarifying provisions concerning return of absentee ballots; regulating elections in the city of Duluth and Independent School District No. 709; amending Minnesota Statutes 1978, Chapter 204A, by adding a section; Sections 123.32; Subdivision 25, and by adding a subdivision; 205.11, by adding a subdivision; 205.14,

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