

MINNESOTA STATUTES 1977 SUPPLEMENT

RETIREMENT SYSTEMS, GENERALLY 356.34

welfare may so provide, but only if prior to such modification the individual occupying such position files with the state agency a written request for such transfer.

[1977 c 399 s 5]

355.307 Certification by governor.

If the governor receives satisfactory evidence that the conditions specified in section 218 (d) (7) of the social security act have been met with respect to the Minneapolis municipal employees retirement fund, he shall so certify to the secretary of health, education, and welfare.

[1977 c 399 s 6]

355.308 Agreements with federal agency.

Upon the governor's certification pursuant to section 355.307, the state agency, with the approval of the governor, shall be authorized after June 30, 1978, to enter into an agreement with the secretary of health, education, and welfare, or modify any such agreement previously made with respect to municipal employees. The agreement or modification shall contain such terms and provisions authorized by the social security act and the enabling act as the state agency finds proper.

[1977 c 399 s 7]

355.309 Contributions.

Subdivision 1. **Employer contributions.** Contributions required under the agreement or modification entered into pursuant to section 355.308 to be made by political subdivisions employing municipal employees, and payments required by section 355.49, which shall apply to political subdivisions employing municipal employees, shall be paid by the applicable political subdivision.

Subd. 2. **Employee contributions; deduction from wages.** After the date the agreement or modification is entered into pursuant to section 355.308, there shall be paid as a deduction from wages an employee contribution in an amount equal to the tax that would be imposed by the Federal Insurance Contribution Act if such service constituted employment within the meaning of that act. Contributions so made shall be paid into the contribution fund in partial discharge of the liability of the state and each political subdivision in respect thereto. Failure to deduct such contribution shall not relieve the employee or the state or the political subdivision of liability therefor.

[1977 c 399 s 8]

355.31 [Repealed, 1977 c 403 s 13]

355.32 [Repealed, 1977 c 403 s 13]

355.33 [Repealed, 1977 c 403 s 13]

355.34 [Repealed, 1977 c 403 s 13]

355.35 [Repealed, 1977 c 403 s 13]

355.36 [Repealed, 1977 c 403 s 13]

355.37 [Repealed, 1977 c 403 s 13]

355.38 [Repealed, 1977 c 403 s 13]

355.39 [Repealed, 1977 c 403 s 13]

CHAPTER 356. RETIREMENT SYSTEMS, GENERALLY

Sec. 356.34	Limitation on average salary for benefits.	Sec. 356.40	Date for payment of annuities and benefits. [New]
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356.34 Limitation on average salary for benefits.

Subdivision 1. Effective for any disability benefit or retirement annuity commencing after June 30, 1978 from a fund enumerated in subdivision 2, which benefit or annuity is based on a final average salary, no year of salary used in

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determining the final average salary as defined by the laws governing the fund shall exceed the salary paid in the previous year by more than 15 percent.

[For text of subd 2, see M.S.1976]

[1977 c 429 s 49]

356.40 Date for payment of annuities and benefits.

Notwithstanding any law to the contrary, all annuities and benefits payable on and after December 1, 1977 by a covered retirement fund, as defined in section 356.30, subdivision 3, shall be paid in advance for each month during the first week of that month. Bylaws of municipal retirement funds shall be amended accordingly. In no event, however, shall this section authorize more than one payment in any one month where the law governing the applicable retirement fund as of June 30, 1977 already provides for the full payment or accrual of annuities and benefits in advance for each month or as of the first day of the month, nor shall it authorize the payment of both a retirement annuity and a surviving spouse's benefit in one month where the law governing the applicable retirement fund provides for the payment of the retired member's retirement annuity to the surviving spouse for the month in which the retired member dies.

[1977 c 388 s 3]

CHAPTER 357. FEES

Sec.	Sec.
357.09 Sheriffs.	357.10 Repealed.
	357.26 Repealed.

357.09 Sheriffs.

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:

- (1) Serving a summons, warrant, writ, subpoena, or any process issued by a court of record, \$6 for each defendant served and mileage;
- (2) Taking and approving a bond, \$2, and for certified copy thereof, \$1 per folio;
- (3) Collection on execution after levy, five percent on the first \$250 and three percent on the next \$1,750;
- (4) Posting three notices of sale, \$6;
- (5) Certificate of sale of real estate, \$6; copy thereof, when requested, \$3;
- (6) Selling land on foreclosure of mortgage, for all services required, including executing certificate of sale, \$10; postponing such sale, \$2;
- (7) Making diligent search and inquiry and returning summons when defendants cannot be found, \$3;
- (8) Returning execution unsatisfied when no service is made, \$6;
- (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 \$20 in any case;
- (10) Securing and safely keeping property in replevin or attachment or on execution, to be computed on the basis of the time spent and hourly rate of pay of the sheriff or deputy executing the process;
- (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.

Subd. 2. When mileage is allowed the sheriff it shall be computed from the place where the court is usually held and shall be at the rate provided pursuant to section 43.327, plus four cents per mile notwithstanding any other provisions of law to the contrary.

[For text of subd 3, see M.S.1976]