

356.34 RETIREMENT SYSTEMS, GENERALLY

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.
357.09 Sheriffs.

Sec.
357.10 Repealed.
357.26 Repealed.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]

MINNESOTA STATUTES 1977 SUPPLEMENT

AERONAUTICS 360.067

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.

Subd. 5. [Repealed, 1977 c 338 s 4]

Subd. 6. This section shall not relate to or affect the fees of the sheriff of Ramsey county.

Subd. 7. All special laws relating to sheriffs' fees and mileage allowance which are inconsistent with the provisions of Laws 1977, Chapter 338 are superceded to the extent of the inconsistency.

[1977 c 338 s 1-3,5,6]

357.10 [Repealed, 1977 c 338 s 4]

357.26 [Repealed, 1977 c 286 s 21]

CHAPTER 360. AERONAUTICS

Sec.
360.042 Joint operations.
360.063 Zoning regulations.

Sec.
360.067 Permits, variances.
360.072 Judicial review.
360.59 Registration and listing.

360.042 Joint operations.

[For text of subds 1 to 13, see M.S.1976]

Subd. 14. **Out of state airports; application of state law.** Any airport located outside this state shall be treated under this chapter as an airport located within this state if that airport is acquired, constructed, operated or maintained pursuant to a joint agreement between a municipality in this state and an adjoining state or municipality therein. The commissioner shall not expend state money to pay the cost of any project at any such airport except to assist a municipality in this state to pay its share of the costs of the project as set forth in a joint agreement.

[1977 c 211 s 1]

360.063 Zoning regulations.

[For text of subds 1 to 6, see M.S.1976]

Subd. 6a. **Review of variances granted when board of adjustment fails to act.** When the commissioner receives notice that an airport zoning variance has been granted by reason of the failure of a board of adjustment to act on the variance as provided in section 360.067, subdivision 2, he shall review the application and may amend or rescind the variance if he finds that this action is required to protect the public safety. No action of the commissioner pursuant to this subdivision shall be effective unless the commissioner notifies the applicant of that action within 60 days after receiving notice that the variance was granted. Any action taken by the commissioner pursuant to this subdivision shall be subject to review by the courts as provided in section 360.072.

[For text of subds 7 and 8, see M.S.1976]

[1977 c 236 s 1]

360.067 Permits, variances.

[For text of subd 1, see M.S.1976]