

Sec. 6. *All laws relating to the salary, fees and clerk hire for the county auditor inconsistent herewith are superseded.*

Approved May 26, 1965.

CHAPTER 842—S. F. No. 1469

[Coded]

An act relating to salary, fees and budget of register of deeds; amending Minnesota Statutes 1961, Chapter 386, by adding a section.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1961, Chapter 386, is amended by adding a new section as follows:

[386.015] Register of deeds, salaries, fees, and budget; counties under 75,000 inhabitants. *Subdivision 1. The register of deeds in all counties of the state with less than 75,000 inhabitants according to the 1960 federal census shall receive as full compensation for services rendered by them as register of deeds and registrar of titles for their respective counties annual salaries not less than the following amounts based on the population according to the then last preceding federal census:*

- (a) *In counties with less than 10,000 inhabitants, \$6,000;*
- (b) *In counties with 10,000 but less than 20,000 inhabitants, \$6,500;*
- (c) *In counties with 20,000 but less than 30,000 inhabitants, \$7,000;*
- (d) *In counties with 30,000 but less than 40,000 inhabitants, \$7,500;*
- (e) *In counties with 40,000 or more inhabitants, \$8,000.*

Subd. 2. The county board of each of the counties specified in subdivision 1 annually shall set by resolution the salary of the register of deeds which shall be paid to the register of deeds at such intervals as the board shall determine but not less often than once each month. At the January meeting prior to the first date on which applicants may file for the office of register of deeds the board shall set by resolution the minimum salary to be paid register of deeds for

Changes or additions indicated by italics, deletions by ~~strikeout~~.

the term next following. In the event a vacancy occurs in the office of the register of deeds the board may set the annual salary for the remainder of the calendar year at an amount less than was set for that year. The board in any case specified in this subdivision may not set the annual salary at an amount less than the minimum provided in subdivision 1 but it may set the salary in excess of such minimums. The salary of the register of deeds shall not be reduced during the term for which he is elected or appointed.

Subd. 3. The salary of the register of deeds when set pursuant to the provisions of subdivisions 1 and 2 shall constitute a base salary and the register of deeds shall be subject to any cost of living adjustment hereafter made pursuant to the provisions of Minnesota Statutes 375.43 and acts amendatory thereof or supplemental thereto.

Subd. 4. This section shall not be construed as repealing any existing law which provides for a higher minimum salary in any county than the amount provided in subdivision 1, but shall be deemed to supersede the provisions of any act setting a maximum salary for the register of deeds in any of the counties specified in subdivision 1.

Subd. 5. The register of deeds shall charge and collect all fees as prescribed by law and all such fees collected by him as register of deeds shall be paid to the county in the manner and at the time prescribed by the county board, but not less often than once each month. This subdivision shall apply to the fees collected by the register of deeds in performing the duties of the registrar of titles and all such fees shall be paid to the county as herein provided except that money paid to the registrar of titles for the assurance fund as provided in Minnesota Statutes 1961, Section 508.74, shall be paid to the county as provided in Minnesota Statutes 1961, Section 508.75. A register of deeds may retain as personal compensation any fees he is permitted to charge by law for services he renders in his private capacity as a registered abstractor as defined in Minnesota Statutes 1961, Section 386.61, Subdivision 2, Clause (2).

Subd. 6. The county board by resolution shall provide the budget for (1) the salaries of deputies, clerks and other employees in the office of the register of deeds; (2) other expenses necessary in the performance of the duties of said office; and (3) the payment of premiums of any bonds required of any deputy, clerk or employee in said office and the board is authorized to appropriate funds therefor and for the salary of the register of deeds. Nothing in this subdivision shall limit the right of the register of deeds to appoint depu-

Changes or additions indicated by italics, deletions by ~~strikeout~~.

ties for said office as provided in Minnesota Statutes 1961, Section 386.33.

Subd. 7. The register of deeds if dissatisfied with the action of the county board in setting the amount of his salary or the amount of the budget for the office of register of deeds, may appeal to the district court on the grounds that the determination of the county board in setting such salary or budget was arbitrary, capricious, oppressive or in unreasonable disregard for the responsibilities and duties of said office. The appeal shall be taken within 15 days after the date of the resolution setting such salary or budget by serving a notice of appeal on the county auditor and filing same with the clerk of the district court. The court either in term or vacation and upon 10 days notice to the chairman of the board shall hear such appeal. On the hearing of the appeal the court shall review the decision or resolution of the board in like manner as though reviewed by certiorari, except new or additional evidence may be taken. The court may order the officer appealing and the board to submit briefs or other memoranda and may dispose of the appeal on such writings. If the court shall find that the board acted in an arbitrary, capricious, oppressive or unreasonable manner it shall remand the matter to the county board for further action consistent with the court's finding.

Subd. 8. The provisions of subdivisions 1 through 7 shall take effect in the respective counties specified in subdivision 1 as follows: (1) Upon the expiration of the term of the incumbent holding the office on July 1, 1965, or (2) upon the occurrence prior thereto of a vacancy in the office of register of deeds or (3) subsequent to July 1, 1965, and upon not less than 30 days written notice by the register of deeds, the county board shall make the provisions of subdivisions 1 through 7 effective on the first day of the month following the expiration of the notice period.

Sec. 2. All laws relating to the compensation, fees and clerk hire for the register of deeds and registrar of titles if one office inconsistent herewith are superseded.

Approved May 26, 1965.

CHAPTER 843—S. F. No. 1514

[Not Coded]

An act relating to the salaries of the county commissioners of St. Louis county.

Changes or additions indicated by italics, deletions by ~~strikeout~~.