

MINNESOTA STATUTES 1975 SUPPLEMENT

JUDGES, RETIREMENT, JUDICIAL STANDARDS 490.106

Subd. 6. Forcible entry and unlawful detainer or unlawful removal or exclusion. Whether or not the title to real estate is involved, the court has jurisdiction of actions of forcible entry and unlawful detainer or actions for unlawful removal or exclusion pursuant to section 504.25, involving land located wholly or in part within Ramsey county and, notwithstanding any provision of subdivision 8 to the contrary, of actions seeking relief for code violations pursuant to sections 566.18 to 566.33 involving premises located wholly or partly within Ramsey county.

[1975 c 410 s 8]

[For text of subds 7 to 13, see M.S.1974]

488A.30 Judges; administrator; salaries; quarters.

[For text of subds 1 to 3, see M.S.1974]

Subd. 4. Quarters for court, supplies. The county of Ramsey shall provide suitable quarters for the court at such places within the county as may be designated by a majority of the judges, and court shall be held at such places. In addition to the regular places and times of holding court, the county board may direct conciliation court sessions to be held at specified times during the evening and on Saturday, and at specified locations throughout the county. The administrator shall procure and furnish all necessary blanks, stationery, books, furniture, furnishings and other supplies for the use of the court and the officers thereof at the expense of the county, under the supervision and approval of a majority of the judges, with the consent of the county board.

[1975 c 269 s 3]

CHAPTER 489. COURT COMMISSIONERS

Sec.
489.04 Records; clerks.

489.04 Records; clerks.

The court commissioner shall keep a record of all proceedings had before him in books procured at the expense of the county, and shall be supplied with necessary stationery, which books and unused stationery shall be delivered to his successor.

[1975 c 258 s 4]

CHAPTER 490. JUDGES, RETIREMENT, JUDICIAL STANDARDS

Sec.
490.106 Agreement to accept benefits, effect.
[New]

Sec.
490.124 Maturity of benefits; retirement and survivors' annuities.

490.106 Agreement to accept benefits, effect.

(1) Upon submission of an agreement to the director of the Minnesota state retirement system prior to July 1, 1975, signed by a retired district or supreme court judge whereby such judge who is entitled to receive benefits computed under laws in effect on or prior to December 31, 1973 shall agree to accept as of July 1, 1975, and thereafter, a benefit based on the salary allotted his former office at the salary level in effect on January 1, 1975, and in the same proportion of such salary as the proportion to which he was entitled upon retirement; the state shall agree to accept the liability for payment of his retirement benefit for life and upon his death the payment of the benefit of the surviving spouse, if any and provided spouse is otherwise entitled thereto, with such adjustments in the benefit amount only as may be provided under the provisions of the Minnesota adjustable fixed benefit fund after January 1, 1976, and to pay to such judge any accrued benefits due him

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as a result of the nonpayment of benefits since January 1, 1975, or as a result of any deficiency in benefits paid him from and after November 1971.

Upon receipt of such agreements, for each such judge who signed an agreement, the director shall make the appropriate transfer of funds to the judges' retirement fund from the assets, if any, in the account for payment of retirement benefits to such retired district or supreme court judges. The benefit shall be paid from the judges' retirement fund but shall be adjusted in the same manner at the same time as other benefits payable from the Minnesota adjustable fixed benefit fund to state employees.

(2) Upon submission of agreements to the director of the Minnesota state retirement system by each district court judge who elected to continue contributions to the survivors' account as provided by section 490.124, subdivision 10, wherein each such judge shall agree to accept at time of retirement and for life a benefit based on a salary not greater than the salary allotted his office at the date of retirement and agreements signed by surviving spouses of deceased district and supreme court judges who served as a judge between May 1961 and July 1967 wherein each such surviving spouse shall agree to accept as of July 1, 1975, and thereafter, a benefit based on the salary of such deceased judge's former office at the salary level in effect on January 1, 1975; the contributions to the survivors' account made by such district court judges, notwithstanding the provisions of section 490.102, subdivision 8, shall not be required and upon retirement of such judge, his benefit and in the event of his death, his spouse's benefit, if any and provided the spouse is otherwise entitled thereto, shall be paid from the judges' retirement fund but such benefits shall be adjusted at the same time and in the same manner as the benefits payable from the Minnesota adjustable fixed benefit fund to state employees; the liability for payment of the benefits payable on July 1, 1975, from the special supreme and district court survivors' account shall be transferred to the judges retirement fund and such benefits shall be adjusted in the same manner at the same time as benefits payable from the Minnesota adjustable fixed benefit fund; and the director shall pay to each such surviving spouse any deficiency in the amount of the benefit due the spouse since November, 1971.

Upon receipt of the agreements provided in clause 2 the director shall commence payment from the judges' retirement fund of the benefits payable as of July 1, 1975, from the special district and supreme court survivor's account. If such agreements are not submitted, the contribution rate to the survivors' account shall be as required by section 490.102, subdivision 8, and such benefits shall not be payable from the judges' retirement fund.

District and supreme court judges not referenced in this subdivision may, prior to their retirement, submit comparable agreements to the director and thus be afforded the same benefits. The contributions to the survivors' account by any supreme court judge who makes such agreement shall not be waived but shall be thereafter paid to the judges' retirement fund.

(3) Notwithstanding any law to the contrary, except as provided by Laws 1975, Chapter 418, the reserve to pay a retirement benefit of a judge who served as a district or supreme court judge prior to July 1, 1967, and who elected or elects to have his benefit computed under laws in effect on December 31, 1973, shall not remain or be transferred to nor shall the benefit be payable from the adjustable fixed benefit fund.

[1975 c 418 s 2]

490.124 Maturity of benefits; retirement and survivors' annuities.

[For text of subd 1, see M.S.1974]

Subd. 2. Years of service. No judge shall be eligible for an annuity at normal or early retirement date if he has less than ten years of service. A judge who shall retire on or, as permitted under sections 490.121 to 490.132, after mandatory retirement date, shall be entitled to a proportionate annuity based upon his service at date of retirement.

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CONCILIATION COURTS 491.02

A judge who was in office on December 31, 1973 and thereafter and who, by the date on which his term expires, would not be eligible to retire with full benefits under statutes in effect on December 31, 1973, may apply to the governor for an extension to serve up to three additional years, stating his intention to retire upon such eligibility. Notwithstanding section 490.125 hereof, the governor shall forthwith make a written order accepting such retirement application, and extending the term of office of such judge for such period of time, not exceeding three years, as may be necessary to make such judge eligible for such retirement, solely for purposes of computing benefits hereunder.

[For text of subs 3 to 8, see M.S.1974]

Subd. 9. Survivors' annuity. Upon the death of a judge prior to retirement, his surviving spouse or, if there be no surviving spouse, his dependent children, shall receive an annuity, payable monthly, equal to 60 percent of the normal retirement annuity which would have been payable to the judge had the date of his death been the normal retirement date, provided that the surviving spouse or dependent children shall receive an annuity of not less than 25 percent of the judge's final average compensation.

If a judge, whose surviving spouse was not entitled to survivors benefits provided solely for judges under statutes in effect prior to January 1, 1974, shall have died prior to retirement on or after May 23, 1973 and before January 1, 1974, his surviving spouse and dependent children, if any, shall be entitled to survivors benefits as provided hereunder as if such judge had died on January 1, 1974.

(NOTE: Subdivision 9 is effective retroactively to January 1, 1974, pursuant to Laws 1975, Chapter 419, Section 7.)

[1975 c 418 s 3,4]

[For text of subs 10 to 12, see M.S.1974]

CHAPTER 491. CONCILIATION COURTS

Sec.
491.02 Duties; powers.

Sec.
491.03 Procedure.
491.04 Jurisdiction, judgment.

491.02 Duties; powers.

The conciliation judge shall have all powers of a court of conciliation and shall exercise all the special powers conferred by this chapter. The conciliation court shall be open at such times as shall be fixed by rule of the municipal court for the hearing and determining of controversies submitted to such court in accordance with the provisions of this chapter and at evening and Saturday sessions as the county board may direct as hereinafter provided.

The county board may direct conciliation court sessions to be held at specified times during the evening and on Saturday and at specified locations throughout the municipality. When such judge is not acting as such conciliation court, under this chapter, he shall act as a regular judge of the municipal court. No costs shall be taxed to either party in this court except that the plaintiff, upon commencing any action in such court, shall pay to the clerk thereof the sum of \$3 as a filing fee which may be included in any judgment in favor of the plaintiff, but the judge may include in the settlement and judgement such actual disbursements of the prevailing party as are now allowed by law in civil actions, and as may seem to him just and proper, or he may refuse to include any disbursements if same shall appear just and proper, under the circumstances. The clerk and court officers of the municipal court shall be, respectively, ex officio clerk and court officers of the conciliation court, but neither the clerk nor any of these officers shall charge any fee for filing or serving any paper in any case brought under the terms of this chapter,