



*Resolution
of the
Board of County Commissioners
St. Louis County, Minnesota*

Adopted on: February 28, 2006

Resolution No. 143

Offered by Commissioner: Fink

WHEREAS, on behalf of the taxpayers of St. Louis County, the St. Louis County Board of Commissioners continually seeks ways to keep the cost of county government as cost effective as possible; and

WHEREAS, the cost of St. Louis County government is significantly affected by mandates from the State of Minnesota; and

WHEREAS, the Minnesota State Legislature in 2005 passed legislation (M.S. 6.79) which allows local governments to file resolutions with the State Auditor which either object to particular state mandates or make recommendations for reforming particular state mandates; and

WHEREAS, the State Auditor has encouraged local governments to submit mandate reform proposals to her office and has expressed a willingness to partner with local governments in achieving those reforms;

WHEREAS, the State of Minnesota has been involved in the systematic shifting of costs to County property taxpayers for obligations which are rightly the responsibility of the State.

NOW, THEREFORE, BE IT RESOLVED, that the St. Louis County Board of Commissioners hereby submits to the State Auditor a certified copy of this resolution and the list of mandates, along with statute citations and comments, as candidates for repeal;

RESOLVED FURTHER, that the St. Louis County Board of Commissioners requests that the State Auditor take any measures available to aid the repeal of these mandates.

Commissioner Fink moved the adoption of the Resolution and it was declared adopted upon the following vote:

Yeas - Commissioners Fink, O'Neil, Kron, Forsman, Raukar, and Chair Nelson - 6

Nays - None

Out of Room - Commissioner Sweeney - 1

STATE OF MINNESOTA

Office of County Auditor, ss.
County of St. Louis

I, **DONALD DICKLICH**, Auditor of the County of St. Louis, do hereby certify that I have compared the foregoing with the original resolution filed in my office on the 28th day of February, A.D. 2006, and that this is a true and correct copy.

WITNESS MY HAND AND SEAL OF OFFICE at Duluth, Minnesota, this 28th day of February, A.D., 2006

DONALD DICKLICH, COUNTY AUDITOR

By

Deputy Auditor/Clerk of County Board

Examiner of Titles – MS 508.12

The state is responsible, through its court system, to appoint an attorney as the examiner of titles whose compensation is fixed and determined by the court, but mandated to be paid by the County. This creates a situation where a state appointee is neither paid by, nor supervised by County staff, but the County has the entire cost of compensation for the position. This position should be fully funded by the state to provide services throughout each judicial district.

508.12 Examiners of titles.

Subdivision 1. **Examiner and deputy examiner.** The judges of the district court shall appoint a competent attorney in each county within their respective districts to be an examiner of titles and legal adviser to the registrar in said county, to which examiner all applications to register title to land are referred without further order, and may appoint attorneys to serve as deputy examiners who shall act in the name of the examiner and under the examiner's supervision and control, and the deputy's acts shall be the acts of the examiners. The examiner of titles and deputy examiners shall hold office subject to the will and discretion of the district court by whom appointed. The examiner's compensation and that of the examiner's deputies shall be fixed and determined by the court and paid in the same manner as the compensation of other county employees is paid except that in all counties having fewer than 75,000 inhabitants, and in Stearns, Dakota, Scott, Wright, and Olmsted Counties the fees and compensation of the examiners for services as legal adviser to the registrar shall be determined by the judges of the district court and paid in the same manner as the compensation of other county employees is paid, but in every other instance shall be paid by the person applying to have the person's title registered or for other action or relief which requires the services, certification or approval of the examiner.

There are other mandated services in which the county receives funding for the direct client costs but there are no funds to cover the county's costs of administering those services. We do not have specific statutes to cite.