

Range Forty-seven (47) lying south of Highway No. 7 and west of the following described line:

Commencing at a point on the Westerly boundary line of Government Lot Two (2), Section Ten (10), Township One Hundred Twenty-two (122), Range Forty-seven (47) which is 189.75 feet due South of the intersection of the Westerly boundary line of said Government Lot 2 and the Southerly right of way line of Trunk Highway No. 7; thence due East 853.3 feet to an iron stake; thence deflect to the left at a delta angle of 71 degrees 41 minutes 371.9 feet to the intersection of said line with the Southerly right of way line of said Trunk Highway No. 7 which is the starting point of said line above referred to; thence in a Southwesterly direction back along said line just described for a distance of 1081.4 feet to the shores of Big Stone Lake.

Sec. 3. **STATE PARKS; NOTICE OF ADDITIONS TO AND DELETIONS FROM.** The commissioner of natural resources shall publish a notice and description of proposed additions to and deletions from legislatively designated boundaries of state parks in a legal newspaper of general circulation in each county that is affected, and shall mail a copy of such notice and description to the chairman of the affected county board or boards and to each affected landowner.

Sec. 4. This act is effective the day following final enactment.

Approved June 2, 1977.

#### CHAPTER 432—S.F.No.311

[Coded in Part]

*An act relating to courts; providing for the selection of chief judges; permitting the assignment of judges to serve in other judicial districts; prescribing duties of the chief justice; providing for the rotation of the duties of family court in Hennepin county; prescribing duties of the supreme court administrator; providing continuous terms of court; providing for the payment of judges' salaries and expenses; abolishing de novo jurisdiction of district courts when hearing appeals; creating the office of district administrator; prescribing the duties and salary of the district administrator; abolishing the offices of justice of the peace, judicial officers and referees; providing for appellate panels in district court; appropriating money; amending Minnesota Statutes 1976, Sections 2.722; 2.724; 15A.083, as amended; 43.43, Subdivision 2; 43.47, Subdivision 6; 271.01, Subdivision 1; 480.15, by adding subdivisions; 480.17; 480.18; 484.08; 484.54; 484.62; 484.63; 484.65, Subdivisions 1 and 6; 484.66; 485.01; 485.018; 487.01, Subdivisions 1, 3, 5, as amended, and 6; 487.02, Subdivision 1, as amended; 487.08; 487.25, Subdivision 6; 487.35, Subdivision 1; 487.39; 488A.01, Subdivision 10, and by adding a subdivision; 488A.021, Subdivision 8, as amended; 488A.10, Subdivisions 1 and 6; 488A.111; 488A.12, Subdivision 5; 488A.18, Subdivision 11, and by adding a subdivision; 488A.19, Subdivision 10, as amended; 488A.27, Subdivisions 1 and 6; 488A.281; 488A.29, Subdivision 5; 524.04; and 525.081, Subdivision 7; Chapters 480, by adding a section; 484, by adding a section; repealing Minnesota Statutes 1976, Sections 15A.083, Subdivision 2; 484.05; 484.09; 484.10; 484.11; 484.12; 484.13; 484.14; 484.15; 484.16;*

Changes or additions indicated by underline deletions by ~~strikeout~~

484.17; 484.18; 484.28; 484.29; 484.47; 485.02; 487.03, Subdivision 4; 487.05; 487.10, Subdivision 6; 487.35, Subdivisions 2, 3, 4, 5 and 6; 487.39, Subdivision 3; 487.41; 488A.01, Subdivision 11; 488A.021, Subdivisions 7 and 8; 488A.18, Subdivision 12; 488A.19, Subdivisions 8, 9 and 10; 490.124, Subdivision 7; 525.081, Subdivisions 1, 2, 3, 4, 5, 6, 8 and 9; and Chapters 488; 530; 531; 532; 633; and Extra Session Laws 1971, Chapter 42.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 2.722, is amended to read:

2.722 **COURTS; REVISION; JUDICIAL DISTRICTS.** Subdivision 1. **DESCRIPTION.** Effective July 1, 1959, the state is divided into ten judicial districts composed of the following named counties, respectively, in each of which districts two or more judges shall be chosen as hereinafter specified:

1. Goodhue, Dakota, Carver, LeSueur, McLeod, Scott, and Sibley; five judges; and four permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe and one other shall be maintained at the place designated by the chief judge of the district;

2. Ramsey; 12 judges;

3. Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower, and Fillmore; six judges; and permanent chambers shall be maintained in Faribault, Albert Lea, Austin, Rochester, and Winona;

4. Hennepin; 19 judges;

5. Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood, Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; five judges; and permanent chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;

6. Carlton, St. Louis, Lake, and Cook; six judges;

7. Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and Wadena; four judges; and permanent chambers shall be maintained in Moorhead, Fergus Falls, Little Falls, and St. Cloud;

8. Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big Stone, Grant, Pope, Stevens, Traverse, and Wilkin; three judges; and permanent chambers shall be maintained in Morris, Montevideo, and Willmar;

9. Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahnomon, Pennington, Aitkin, Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and Koochiching; six judges; and permanent chambers shall be maintained in Crookston, Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls;

**Changes or additions indicated by underline deletions by ~~strikeout~~**

10. Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; six judges; and permanent chambers shall be maintained in Anoka, Stillwater, and such other places as may be designated by the chief judge of the district.

Subd. 2. ALTERING BOUNDARIES. The supreme court, with the consent of a majority of the chief judges of the judicial districts, may alter the boundaries or change the number of judicial districts, except the second and fourth judicial districts.

Sec. 2. Minnesota Statutes 1976, Section 2.724, is amended to read:

2.724 CHIEF JUSTICE OF SUPREME COURT, DUTIES. Subdivision 1. When public convenience and necessity require it, the chief justice of the supreme court may assign any judge of the ~~district~~ any court to serve and discharge the duties of judge of any ~~other court in a judicial~~ district not his own at such times as the chief justice may determine. A judge may appeal his assignment to serve on a court in a judicial district not his own to the supreme court and the appeal shall be decided before the assignment is effective. Notwithstanding the provisions of this subdivision, no judge shall be assigned to serve on a court in a judicial district which is located more than 50 miles from the boundary of his judicial district for more than 15 working days in any 12 month period, unless he consents to the assignment.

A transferred judge shall be subject to the assignment powers of the chief judge of the judicial district to which he is transferred.

Subd. 2. To promote and secure more efficient administration of justice, the chief justice of the supreme court of the state shall supervise and coordinate the work of the ~~district~~ courts of the state. The supreme court may provide by rule that the chief justice not be required to write opinions as a member of the supreme court. Its rules may further provide for it to hear and consider cases in divisions, and it may by rule assign temporarily any retired justice of the supreme court or one district ~~court~~ judge at a time to act as a justice of the supreme court. Upon the assignment of a district ~~court~~ judge to act as a justice of the supreme court a district ~~court~~ judge previously acting as a justice may continue to so act to complete his duties. Any number of justices may disqualify themselves from hearing and considering a case, in which event the supreme court may assign temporarily a retired justice of the supreme court or a district ~~court~~ judge to hear and consider the case in place of each disqualified justice. At any time that a retired justice is acting as a justice of the supreme court under this section, he shall receive, in addition to his retirement pay, ~~such a~~ further sum, to be paid out of the general fund of the state, as shall afford him the same salary as an associate justice of the supreme court.

Subd. 3. When public convenience and necessity require it, the chief justice of the supreme court may assign any municipal judge of the state to serve and discharge the duties of a municipal judge in any other municipality not his own; at such times as the chief justice may determine. Any municipality so served by a municipal judge other than its own shall pay such judge all sums for travel, meals, lodging and communications necessarily paid or incurred by him as a result of such assignment together with the per diem payment specified for a special judge of a municipal court by section 488.22, subdivision 1.

Changes or additions indicated by underline deletions by ~~strikeout~~

~~Subd. 4. The chief justice of the supreme court may assign a retired justice of the supreme court to act as a justice of the supreme court pursuant to subdivision 2 or as a judge of any other court. The chief justice may assign a retired judge of the district any court to act as a judge of the district any court in any judicial district or any other court except the supreme court. The chief justice may assign any other retired judge to act as a judge of any court whose jurisdiction is not greater than the jurisdiction of the court from which he retired. Unless otherwise provided by law, A judge acting pursuant to this subdivision shall receive pay and expenses in the amount and manner provided by law for actively serving retired district judges serving on the court to which the retired judge is assigned, less the amount of retirement pay which the judge is receiving. A judge acting pursuant to this subdivision or any other law providing for the service of retired judges shall be paid only his expenses for service performed while still receiving the full pay of the office from which he retired.~~

Subd. 4. The chief justice shall exercise general supervisory powers over the courts in the state. His powers shall include, but not be limited to:

(a) Supervision of the courts' financial affairs, programs of continuing education for judicial and nonjudicial personnel and planning and operations research;

(b) Serving as chief representative of the court system and as liaison with other governmental agencies for the public; and

(c) Supervision of the administrative operations of the courts.

The chief justice may designate other justices or judges to assist him in the performance of his duties.

Sec. 3. Minnesota Statutes 1976, Section 43.43, Subdivision 2, is amended to read:

Subd. 2. "State employee" for the purpose of determining eligibility for the basic life insurance and basic health benefits coverage hereunder means:

(1) An employee in the classified service of the state civil service paid on a state payroll;

(2) An employee in the unclassified service of the state paid on a state payroll who is not excluded from any of the provisions of sections 43.42 to 43.49;

(3) A permanent employee of the legislature or a permanent employee of a permanent study or interim committee or commission;

(4) A judge of the supreme court or an officer or employee of such court; a judge of the district court, a judge of county court, a judge of county municipal court, a judge of probate court;

(5) A salaried employee of the public employees retirement association;

Changes or additions indicated by underline deletions by strikeout

(6) Full time military or civilian personnel in the unclassified service of the department of military affairs whose salary is paid from state funds;

(7) A salaried employee of the Minnesota historical society, whether paid from state funds or otherwise, who is not a member of the governing board;

(8) An employee of the regents of the University of Minnesota, who is a member of the academic staff with the rank of instructor, research fellow, or above, including a lecturer, serving on not less than 75 percent regular appointment;

(9) An employee of the regents of the University of Minnesota and a member of the civil service staff under the civil service plan, adopted by the university of Minnesota, who is employed on a monthly salaried appointment;

(10) An employee of the state university board or the state board for community colleges who is a member of the academic staff, who is employed for not less than a 75 percent time basis, and who is paid on a state salary payroll; or

(11) An employee of the state university board or the state board for community colleges who is either in the classified service or the unclassified service of the state civil service whose salary is paid from the university board of the state of Minnesota, revenue fund or the university activity fund. The required premium payment of such an employee is to be paid, however, from the fund from which the employee's salary is paid.

(12) A member of the state legislature.

(13) A seasonal employee of the waters, soils and minerals division of the state department of natural resources whose duties include the sampling, weighing or grading of iron ore, taconite, or other minerals; provided that the employee shall receive the benefits provided in sections 43.42 to 43.50, at no cost to the employee for the period in each calendar year when the employee is not working at his occupation, and the premiums therefor shall be paid from the same salary fund or account as the salary of the employee.

(14) A person employed in the state service as a pre-service trainee on a full time basis.

Sec. 4. Minnesota Statutes 1976, Section 43.47, Subdivision 6, is amended to read:

Subd. 6. ~~A judge of any court, and~~ An officer or employee thereof of any court except as otherwise provided in section 43.43;

Sec. 5. Minnesota Statutes 1976, Section 271.01, Subdivision 1, is amended to read:

271.01 **CREATION.** Subdivision 1. **MEMBERSHIP, APPOINTMENT, QUALIFICATIONS.** There is hereby created a tax court of appeals, herein called the tax court of appeals, as an independent agency of the executive branch of the government, in the department of revenue, but not in any way subject to the supervision or control of the

Changes or additions indicated by underline deletions by ~~strikeout~~

commissioner of revenue. The tax court of appeals shall consist of three judges, each of whom shall be a citizen of the state, appointed by the governor, by and with the advice and consent of the senate. They shall be selected on the basis of their experience with and knowledge of taxation and tax laws. ~~So far as practicable, they shall be nonpartisan in their political affiliations, and not more than two of them shall be members of or affiliated with the same political party or organization.~~ No judge of the tax court of appeals shall hold any other office under this state or any of its political subdivisions, nor any other office or position the salary for which is paid, in whole or in part, from appropriations from the tax revenues of the state of Minnesota, nor any office under the government of the United States or any other state, nor be a candidate for an elective office under the laws of this state or of the United States or of any other state. No judge of the tax court of appeals shall hold any position of trust or profit or engage in any occupation or business which would conflict with or be inconsistent with his duties as a judge of the tax court of appeals, nor serve on or under any political committee or other organization interested in any election, nor take part, directly or indirectly, in any election campaign in the interest of any political party or other organization or any candidate or measure to be voted upon by the people. No judge of the tax court of appeals shall act as attorney, counselor, or accountant in the matter of any tax, fee, or assessment imposed or levied under authority of this state or any political subdivision thereof.

Sec. 6. Minnesota Statutes 1976, Section 480.15, is amended by adding subdivisions to read:

Subd. 10a. The court administrator shall prepare uniform standards and procedures for the recruitment, evaluation, promotion, in-service training and discipline of all personnel in the court system other than judges, referees, judicial officers, court reporters and court services officers. The court administrator shall file a report on the uniform standards and procedures with the legislature by June 30, 1978.

Subd. 10b. The court administrator shall promulgate and administer uniform requirements for court budget and information systems, the compilation of statistical information, and the collection, storage and use of court records.

Sec. 7. Minnesota Statutes 1976, Section 480.17, is amended to read:

**480.17 JUDGES; CLERKS; OTHER OFFICERS; TO COMPLY WITH REQUESTS OF THE COURT ADMINISTRATOR AND DISTRICT ADMINISTRATORS.** Subdivision 1. The judges and clerks of the courts and all other officers, state and local, shall comply with all requests made by the court administrator after approval by the chief justice, for information and statistical data bearing on the state of the dockets of such courts and such other information as may reflect the business transacted by them and the expenditure of public moneys for the maintenance and operation of the judicial system.

Subd. 2. The failure of a judge or state or local officer to comply with requests made by the court administrator pursuant to subdivision 1 is grounds for removal from office by the appointing authority. Nothing in this subdivision shall be construed to restrict the power of the district court to remove a clerk of court from office.

**Changes or additions indicated by underline deletions by ~~strikeout~~**

Subd. 3. Every clerk of court shall also comply with requests for statistical or other information made by the district administrator of the judicial district in which the clerk serves.

Sec. 8. Minnesota Statutes 1976, Section 480.18, is amended to read:

**480.18 CONFERENCE OF JUDGES; JUDGE'S EXPENSES.** At least once each year the supreme court of this state may provide by rule or special order for the holding in this state of an annual chief justice shall call a conference of the judges of the courts of record of this state; and of members of the respective judiciary committees of the legislature; and of invited members of the bar, for the consideration of matters relating to judicial business, the improvement of the judicial system, and the administration of justice. Each judge attending such the annual judicial conference shall be entitled to be reimbursed for his necessary expenses to be paid from state appropriations made for the purposes of sections 480.13 to 480.20.

Sec. 9. Minnesota Statutes 1976, Chapter 480, is amended by adding a section to read:

**[480.22] LOCATION OF CHAMBERS.** The supreme court shall designate the location of chambers for judges of all courts in the state after consultation with the judges of the affected judicial district. Chambers locations set forth in section 2.722, subdivision 1, shall remain in effect until changed pursuant to this section.

Sec. 10. Minnesota Statutes 1976, Section 484.08, is amended to read:

**484.08 DISTRICT COURTS TO BE OPEN AT ALL TIMES.** The district courts of the state shall be deemed open at all times, except on legal holidays and Sundays, for the transaction of such business as may be presented; including the issuance of writs and processes, the hearing of matters of law in pending actions and proceedings, and the entry of judgments and decrees therein; and, in addition to the general terms appointed by law to be held, which may be adjourned from time to time, the judge of the district court, or one thereof in districts of more than one judge, may by order filed with the clerk, convene the court in actual session during the vacation period on a date named in the order; for the trial of both civil actions involving public interest and criminal actions; whenever in his judgment public interests will thereby be promoted. When so convened, the court may, by order entered in the minutes by the clerk, direct the issuance of special venires for grand and petit juries, returnable on a named date; for the performance of such duties as may be submitted by the court in the usual course of procedure. Civil actions involving public interests may be noticed for trial at an adjourned sitting of such term occurring more than eight days after the date of calling same; and informations by the county attorney charging the commission of crimes within the county may, as authorized by law, be presented at such terms; and any such information then presented and filed and all indictments then returned by the special grand jury shall be proceeded with by the court in all respects in harmony with the law applicable to other cases and other terms of the court. The judge of the district court may also, by order filed with the clerk, appoint special terms in any county of the district for the hearing of matters of law The terms of the district courts shall be continuous.

Changes or additions indicated by underline deletions by ~~strikeout~~

Sec. 11. Minnesota Statutes 1976, Section 484.54, is amended to read:

**484.54 EXPENSES OF JUDGES.** Subdivision 1. ~~The judges of the district court shall be paid; in addition to the amounts now provided by law, all sums they shall hereafter pay out while absent from their places of residence in the discharge of their official duties ; except that a judge shall not be paid such travel expenses for travel from his place of residence to and from his permanent chambers:~~

Except as provided in subdivision 2, judges shall be compensated for travel and subsistence expenses in the same manner and amount as state employees. Additionally, judges of the district court shall be reimbursed for all sums, not reimbursed by counties, they shall necessarily hereafter pay out for only the following purposes: telephone tolls, postage, expressage, stationery, including printed letterheads and envelopes for official business; ~~membership dues in the American bar association and affiliated sections, the state bar association and affiliated local district associations, and state and local district judges association; and~~ registration fees, tuition, travel and subsistence for attending educational programs, attendance at which is approved by the supreme court; ~~and, for delegates as designated by the supreme court, travel and subsistence for attending regular meetings of the American bar association and its affiliated sections. Travel and subsistence expenses shall be paid in the same manner and amount as for state employees.~~

Subd. 2. A judge shall be paid travel expenses for travel from his place of residence to and from his permanent chambers only for a period of two years after the effective date of this section or the date he initially assumes office, whichever is later.

Subd. 3. Each judge claiming reimbursement for allowable expenses may file with the supreme court monthly and shall file not later than 90 days after the expenses are incurred, an itemized statement, verified by the judge, of all allowable expenses actually paid by him. All statements shall be audited by the supreme court and, if approved by the supreme court, shall be paid by the commissioner of finance from appropriations for this purpose.

Sec. 12. Minnesota Statutes 1976, Section 484.62, is amended to read:

**484.62 COMPENSATION AND REPORTER.** When ~~such a~~ retired judge undertakes such service, he shall be provided at the expense of the county in which he is performing ~~such the~~ service with a reporter, selected by ~~such the~~ retired judge, clerk, bailiff, if the judge deems a bailiff necessary, and a courtroom or hearing room for the purpose of holding court or hearings, to be paid for by the county in which ~~such the~~ service is rendered and shall be paid in addition to his retirement compensation and not affecting the amount thereof, the sum of \$50 per diem for such additional service, together with travel pay in the ~~sum of nine cents per mile same amount and manner as~~ other state employees and his actual expenses incurred in ~~such the~~ service, said payment to be made in the same manner as the payment of salaries for ~~district judges of the district court,~~ on certification by the ~~presiding or senior chief~~ judge of the judicial district or by the chief ~~judge justice~~ of the supreme court of the state of Minnesota. A deputy clerk may act as bailiff when called to do so for the purposes of this section.

Changes or additions indicated by underline deletions by ~~strikeout~~

Sec. 13. Minnesota Statutes 1976, Section 484.63, is amended to read:

484.63 **APPEAL.** Subdivision 1. Any person convicted of a petty misdemeanor or a violation of a municipal ordinance punishable by a fine only may appeal from the conviction to the district court upon questions of law only. Any person convicted of a violation of a municipal ordinance for which a sentence of imprisonment is authorized may appeal to the district court in the same manner and with the same effect as provided by chapter 633, except that the appellant shall not have the right to a jury trial unless he was convicted of the violation of a municipal ordinance, charter provision, rule or regulation for which a sentence to imprisonment is authorized and he was not tried by jury in the municipal court. An aggrieved party may appeal to the district court from a determination of a county court or a county municipal court as provided in section 487.39. The appeal shall be heard by a panel of three judges in the district in which the action was first adjudicated. The judges shall be assigned by the chief judge of the judicial district. Upon request by the chief judge of the judicial district the supreme court may temporarily assign a judge from another district to serve on an appellate panel pursuant to section 2.724, subdivision 1.

Subd. 2. The chief judge of the judicial district may schedule appellate terms for the hearing of appeals from lower courts. He shall give three weeks' written notice of every appellate term to the clerks of the district court in the counties in which the appeals arose.

Subd. 3. Pleading, practice, procedure and forms in appellate actions shall be governed by rules of procedure adopted by the supreme court for appeal from county to district court. On appeal to the district court briefs shall be acceptable if reproduced from a typewritten page by any means which produces a clear black on white copy.

Sec. 14. Minnesota Statutes 1976, Section 484.65, Subdivision 1, is amended to read:

484.65 **FAMILY COURT DIVISION; FOURTH JUDICIAL DISTRICT.** Subdivision 1. In the fourth judicial district, a family court division of the district court is hereby created to be presided over by a district court judge appointed by the chief judge of the judicial district to serve for a term not exceeding two years. The judge appointed ~~or elected to said this~~ office shall be designated as the district court judge, family court division. ~~Said district court judge shall be elected or appointed in the manner as provided for the election or appointment of other district court judges, except that he shall be designated district court judge, family court division, and at the primary or general election the office shall be so designated on the ballot. No judge may be appointed to serve consecutive terms as the district court judge, family court division.~~

Sec. 15. Minnesota Statutes 1976, Section 484.65, Subdivision 6, is amended to read:

Subd. 6. Vacancies in the office of district court judge, family court division, shall be filled in the manner prescribed by law for the filling of vacancies in the office of other judges of the district court. A person appointed to fill a vacancy in the office of district

**Changes or additions indicated by underline deletions by strikeout**

court judge, family court division shall serve in that office for the unexpired portion of the term during which the vacancy occurred, but may not be appointed to serve as district court judge, family division during the next consecutive term.

Sec. 16. Minnesota Statutes 1976, Section 484.66, is amended to read:

**484.66 DISTRICT ADMINISTRATOR; FOURTH JUDICIAL DISTRICT.**

Subdivision 1. In the county of Hennepin, the district ~~court~~ administrator shall assume the statutory duties of the clerk of district court.

Subd. 2. The duties, functions and responsibilities which have been heretofore and which may be hereafter required by statute or law to be performed by the clerk of district court shall be performed by the district ~~court~~ administrator, ~~whose office is who shall be appointed by the district court judges of the fourth judicial district pursuant to section 17.~~

The district ~~court~~ administrator, subject to the approval of a majority of the judges of the district court, and a majority of the judges of the county municipal court in the fourth judicial district, shall have the authority to initiate and direct any reorganization, consolidation, reallocation or delegation of such duties, functions or responsibilities for the purpose of promoting efficiency in county government, and may make such other administrative changes as are deemed necessary for this purpose. Such reorganization, reallocation or delegation, or other administrative change or transfer shall not diminish, prohibit or avoid those specific duties required by statute or law to be performed by the clerk of district court.

Sec. 17. Minnesota Statutes 1976, Chapter 484, is amended by adding a section to read:

**[484.68] DISTRICT ADMINISTRATOR. Subdivision 1. APPOINTMENT.** By November 1, 1977, the chief judge of the judicial district in each judicial district shall appoint a single district administrator, subject to the approval of the supreme court, with the advice of the judges of the judicial district.

The district administrator shall serve at the pleasure of a majority of the judges of the judicial district.

**Subd. 2. STAFF.** The district administrator shall have such deputies, assistants and staff as the judges of the judicial district deem necessary to perform the duties of the office.

**Subd. 3. DUTIES.** The district administrator shall:

(a) Assist the chief judge in the performance of his administrative duties;

(b) Manage the administrative affairs of the courts of the judicial district;

(c) Supervise the clerks of court and other support personnel, except court reporters, who serve in the courts of the judicial district;

Changes or additions indicated by underline deletions by ~~strikeout~~

(d) Comply with the requests of the state court administrator for statistical or other information relating to the courts of the judicial district; and

(e) Perform any additional duties that are assigned to him by law or by the rules of court.

Subd. 4. The district administrator shall serve as secretary for meetings of the judges of the judicial district.

Subd. 5. The office budget of the district administrator shall be set by the chief judge of the judicial district and apportioned among the counties of the district.

Subd. 6. The salary of the district administrator shall be set by the state court administrator within the limits provided in section 15A.083, and shall be paid by the state. The salaries of the district administrators of the second and fourth judicial districts may be supplemented by the appropriate county board by an amount not to exceed \$10,000 per year.

Sec. 18. Minnesota Statutes 1976, Section 485.01, is amended to read:

485.01 APPOINTMENT; BOND; DUTIES. There shall be elected in each county A clerk of the district court, who, for each county within the judicial district shall be appointed by a majority of the district court judges in the district, after consultation with the county court judges of the county court district affected. The clerk, before entering upon the duties of his office, shall give bond to the state, to be approved by the county board chief judge of the judicial district, in a penal sum of not less than \$1,000 nor more than \$10,000 conditioned for the faithful discharge of his official duties. In the second judicial district the amount of such bond shall be \$10,000 and in the fourth judicial district the amount of such bond shall be \$25,000, which The bond, with his oath of office, shall be filed for record with the county recorder. Such The clerk shall perform all duties assigned him by law and by the rules of the court. He shall not practice as an attorney in the court of which he is the clerk.

Sec. 19. Minnesota Statutes 1976, Section 485.018, is amended by adding a subdivision to read:

Subd. 2a. Upon certification by the state court administrator that the clerk of district court has failed to perform any of the duties assigned to him by law or by rule of court, the county board shall withhold the salary of the clerk, and shall not pay the salary until receipt of notice from the state court administrator that the clerk has performed the duties assigned to him by law or by rule of court.

Nothing in this subdivision shall be construed to prohibit the judges of the district court from removing a clerk of district court from office.

Sec. 20. Minnesota Statutes 1976, Section 487.01, Subdivision 1, is amended to read:

Changes or additions indicated by underline deletions by strikeout

487.01 **PROBATE AND COUNTY COURTS; PROVISIONS.** Subdivision 1. A probate court, which shall be a court of record having a seal, and, except in the counties of Hennepin and Ramsey shall also be a county court, is established in each county. ~~The court shall be open for the transaction of business at the county seat at all reasonable hours. Hearings may be had at such times and places in the county as the court may deem advisable. The necessary and reasonable traveling expenses of judges, judicial officers, referees, reporters, clerks, and employees in attending hearings in places other than the county seat incident to their duties shall be paid by the county. The county courts of the state shall be in continuous session and shall be deemed open at all times, except on legal holidays and Sundays.~~

Sec. 21. Minnesota Statutes 1976, Section 487.01, Subdivision 3, is amended to read:

Subd. 3. The following combined probate and county court districts are established: Kittson, Roseau and Lake of the Woods; Marshall, Red Lake and Pennington; Norman; ~~Clearwater~~ and Mahnomon; Cass and Hubbard; Wadena and Todd; Mille Lacs and Kanabec; ~~Wilkin~~; Big Stone and Traverse; ~~Swift and Stevens~~; ~~Pope~~; Grant and Douglas; ~~Lac qui Parle~~; ~~Yellow Medicine and Chippewa~~; Lincoln and Lyon; ~~Murray and Pipestone~~; ~~Jackson and Cottonwood~~; Rock and Nobles; Dodge and Olmsted; Lake and Cook; ~~Aitkin and Carlton~~; ~~Sibley~~; ~~Meeker and MeLeod~~; ~~Martin~~; ~~Watonwan and Faribault~~; ~~Houston and Fillmore~~; ~~Nicollet and Le Sueur~~; ~~Winona and Webasha~~; Pine, Isanti and Chisago; Sherburne, Benton and Stearns. Notwithstanding the provisions of this paragraph the separation of combined county court districts by concurrent action of county boards before April 23, 1977, shall continue to be in effect unless the districts are combined pursuant to subdivision 6.

A combined county court district may be separated into single county courts by the concurrence of the county boards of the respective counties affected supreme court. Vacancies in the office of judge created by such a separation shall be filled in the manner herein provided for the selection of other county court judges.

The single county court districts so created by such separation shall each be entitled to one judge, subject to the provisions of subdivision 5, clause (5), provided, however, that if the number of judges of the combined county court district exceeds the number of counties, then, upon separation into single county court districts, the county having the largest population determined by the last United States census shall be entitled to two judges and in the event there are more judges than counties remaining, the county having the next largest population determined by the last United States census shall also be entitled to two judges.

In each other county except Hennepin and Ramsey, the probate court of the single county is also the county court of the county and shall be governed by the provisions of sections 487.01 to 487.39.

Sec. 22. Minnesota Statutes 1976, Section 487.01, Subdivision 5, as amended by Laws 1977, Chapter 35, Section 14, is amended to read:

**Changes or additions indicated by underline deletions by strikeout**

Subd. 5. Each county court district shall elect one county court judge except:

(1) The district consisting of St. Louis county shall elect six judges; two of the county court judges shall reside and serve in and be elected at large by the voters of St. Louis county; two of the county court judges shall reside and serve in and be elected by the voters in that part of St. Louis county south of the following described line: South of the south line of township 55; the area to be known as the south district; one county court judge shall reside and serve in and be elected by the voters of an area to be known as the northwest district, which area lies within the following described lines in St. Louis county: North of the south line of township 55 and west of the west line of range 18 and excluding that part of Portage township west of the west line of range 18; and one county court judge shall reside and serve in and be elected by the voters of an area to be known as the northeast district, which area lies within the following described lines in St. Louis county: North of the south line of township 55 and east of the west line of range 18 and including that part of Portage township west of the west line of range 18.

(2) The district consisting of Dakota county, the district consisting of Anoka county and the district consisting of Stearns, Sherburne and Benton shall each elect five judges;

(3) ~~The district consisting of Olmsted and Dodge counties, the district consisting of Winona and Wabasha counties and the district consisting of Washington county following districts~~ shall each elect three judges;

Olmsted and Dodge counties,

Washington county,

Blue Earth county,

Pine, Isanti and Chisago counties;

(4) ~~The district consisting of Blue Earth county, the district consisting of Clay county, the district consisting of Sibley, Meeker and McLeod counties, the district consisting of Martin, Watonwan and Faribault counties and the district consisting of Pine, Chisago and Isanti counties following districts~~ shall each elect two county court judges;

Clay county,

Carver county,

Cass and Hubbard counties,

Crow Wing county,

Douglas and Grant counties,

Changes or additions indicated by underline deletions by ~~strikeout~~

Freeborn county,

Marshall county,

Red Lake and Pennington counties,

Mower county,

Otter Tail county,

Rice county,

Scott county,

Winona county,

Wright county,

Kandiyohi county.

(5) The number of judges to be elected may be increased by the county board of the affected county or by the concurrence of the county boards of those affected counties combined into districts; provided that no new judge positions authorized pursuant to this section may be created without specific statutory authorization. Notwithstanding the other provisions of this subdivision, county judge positions created by county board action prior to April 23, 1977, shall be continued unless terminated pursuant to subdivision 6.

Sec. 23. Minnesota Statutes 1976, Section 487.01, Subdivision 6, is amended to read:

Subd. 6. For the more effective administration of justice, the supreme court may combine two or more county court districts may combine their respective county court districts into a single county court district by concurrence of the county boards of the respective counties affected. If districts are combined, the office of a judge may be terminated at the expiration of his term and he shall be eligible for retirement compensation under the provisions of ~~section 487.06~~ sections 490.121 to 490.132. If the office of a judge who has not qualified for retirement compensation is terminated he shall upon attaining age 62 or more, be entitled to an annuity or proportionate annuity as computed under the provisions of sections 490.121 to 490.132 based upon his years of service as a judge. A judge whose office is terminated shall continue to receive the insurance coverage provided for a judge of the office but shall pay the premiums himself.

Sec. 24. Minnesota Statutes 1976, Section 487.02, Subdivision 1, as amended by Laws 1977, Chapter 35, Section 15, is amended to read:

**487.02 PAYMENT OF EXPENSES.** Subdivision 1. The salary and traveling expenses of a judge of the county court shall be paid by the state in the amount

Changes or additions indicated by underline deletions by ~~strikeout~~

prescribed by section 15A.083. Expenses shall be paid by the state in the same manner and amount as provided for judges of the district court in section 484.54.

Sec. 25. Minnesota Statutes 1976, Section 487.08, is amended to read:

**487.08 JUDICIAL OFFICERS ABOLISHED.** ~~When the judicial business of a county court requires, the county court may appoint one or more full or part time judicial officers who shall be learned in the law and whose salary shall be fixed by the county court, with the approval of the county board or boards of the counties of the district, and paid by the county. They shall serve at the pleasure of the county court. They shall hear and try such matters as shall be assigned to them by the county court judge. Before entering upon the duties of office each judicial officer shall take and subscribe an oath, in the form provided by law for judicial officers, and a certified copy of the oath shall be filed in the office of each of the county auditors within the county court district. The office of judicial officer is abolished.~~

Sec. 26. Minnesota Statutes 1976, Section 487.25, Subdivision 6, is amended to read:

Subd. 6. **TRIALS BY JURY; ORDINANCES.** ~~In a trial upon a charge of a violation of any municipal ordinance, charter provision, rule or regulation, the defendant shall have a right to a trial by jury. In any prosecution brought in a county court or a county municipal court in which conviction of the defendant for the offense charged could result in imprisonment, the defendant has the right to a jury trial.~~

Sec. 27. Minnesota Statutes 1976, Section 487.35, Subdivision 1, is amended to read:

**487.35 JUSTICES OF THE PEACE.** Subdivision 1. **ABOLISHED.** ~~On the date Laws 1977, Chapter 951 becomes effective in a county court district the office of justice of the peace is abolished within every municipality in which the county court holds regular sessions or establishes an ordinance and traffic violations bureau. For purposes of this subdivision, the term municipality includes any township, part of which is within the boundaries of an affected municipality.~~

Sec. 28. Minnesota Statutes 1976, Section 487.39, is amended to read:

**487.39 APPEALS.** Subdivision 1. An aggrieved party may appeal to a the district court judge from a determination of a county court or a county municipal court. The provisions of this section govern all appeals from the county court and the county municipal court; appeal provisions of all other statutes are inapplicable except as stated in subdivision 3 Minnesota Statutes, Section 484.63.

(a) Except as provided in clause (b), the appeal in a civil case shall be taken by filing written notice thereof with the clerk of court of the county in which the action was heard not more than 30 days after written notice of the court's determination has been served upon the aggrieved party or his attorney, or in any event within three months after the determination in a civil case.

Changes or additions indicated by underline deletions by ~~strikeout~~

(b) In the appeal of petty misdemeanor, ordinance or criminal cases the written notice of appeal shall be filed with the clerk of court of the county in which the action was heard within ten days of the conviction or other determination, and sentencing thereon, appealed from.

(c) A written notice of appeal shall be served by the appellant upon all parties to the original proceedings or their attorneys not more than five days after filing a written notice of appeal and proof of such service shall be filed with the clerk of county court or county municipal court in the county in which the action was heard not more than three days after the service of such notice on the opposite party or his attorney. The appeal shall be heard and determined by a district court judge appellate panel pursuant to section 484.63.

Subd. 2. The appeal shall be confined to the typewritten record. By stipulation of all parties, the record may be shortened. The district court judge shall, upon request, hear oral argument and receive written briefs. The district court judge may affirm, reverse or modify the judgment or order appealed from, or take any other action as the interests of justice may require. On appeal from an order, the district court judge may review any order affecting the order from which the appeal is taken and an appeal from a judgment may review any order involving the merits or affecting the judgment. The supreme court shall formulate rules of appellate procedure applicable to a district court judge panel hearing appeals from a county court or county municipal court. Until otherwise provided, the rules of appellate procedure applicable to appeals to the supreme court shall apply to a the district court judge hearing appeals from a county court or a county municipal court, except as provided in this section. An appeal may be taken from the determination of a district court judge to the supreme court with leave of the supreme court.

~~Subd. 3. Notwithstanding the provisions of subdivisions 1 and 2, an appeal from a determination of the county court in a case in which the presiding judge or judicial officer was not learned in the law shall be to the district court under the provisions of law now governing appeals from probate court and the case shall be heard de novo.~~

Sec. 29. Minnesota Statutes 1976, Section 488A.01, Subdivision 10, is amended to read:

*Subd. 10. CONTINUOUS TERMS. The court shall be open every day, except Sundays and legal holidays. The court shall hold a general term for the trial of civil actions commencing on the first Monday following Labor Day of each year and continuing until the next general term, with such adjournments as the judges may determine to be necessary and proper. The term of the court shall be continuous.*

Sec. 30. Minnesota Statutes 1976, Section 488A.01, is amended by adding a subdivision to read:

Subd. 14. APPEALS. Appeals from the county municipal court to the district court shall be subject to the provisions of Minnesota Statutes, Sections 484.63 and 487.39.

Sec. 31. Minnesota Statutes 1976, Section 488A.021, Subdivision 8, as amended by Changes or additions indicated by underline deletions by strikeout

Laws 1977, Chapter 35, Section 16, is amended to read:

Subd. 8. **SALARIES.** Each judge shall be paid by the state an annual salary in the amount prescribed by section 15A.083. If a judge dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs shall be paid to his estate. Each judge shall be paid expenses by the state in the same manner and amount as provided for judges of the district court in section 484.54.

Sec. 32. Minnesota Statutes 1976, Section 488A.10, Subdivision 1, is amended to read:

**488A.10 PLEADING, PRACTICE, PROCEDURE, AND FORMS IN CRIMINAL PROCEEDINGS.** Subdivision 1. **GENERAL.** Save as otherwise provided in this act ~~chapter~~, pleading, practice, procedure and forms in actions or proceedings charging violation of a criminal law or a municipal ordinance, charter provision, rule or regulation are governed by the statutes and common law rules which govern in a similar action or proceeding in the district court of Hennepin county (other than those applying peculiarly to felony or gross misdemeanor charges) or by statutes which govern in county courts of justices of the peace in chapter 487 in the absence of statutes or common law rules governing in said district court.

Sec. 33. Minnesota Statutes 1976, Section 488A.10, Subdivision 6, is amended to read:

Subd. 6. **TRIALS BY JUDGE WITHOUT JURY.** ~~A charge of a violation of any petty misdemeanor law of this state or municipal ordinance, charter provision, rule or regulation, shall be heard, tried and determined by a judge without a jury, and the defendant shall have no right to a jury trial on such a charge, except as required by section 169.03 or otherwise required by law. In the event of such trial without jury, there shall be a right of appeal as provided in section 488.20~~ In any prosecution brought in a county court or a county municipal court in which conviction of the defendant for the offense charged could result in imprisonment, the defendant has the right to a jury trial.

Sec. 34. Minnesota Statutes 1976, Section 488A.111, is amended to read:

**488A.111 PAYMENT OF COURT EXPENSES.** All salaries of ~~the judges of the municipal court of the county of Hennepin,~~ court reporters, the clerk, deputy clerks and all other employees of ~~said the county municipal court of Hennepin county court,~~ and all expenses of ~~said the court~~ shall be paid from the treasury of Hennepin county. The board of county commissioners of Hennepin county is authorized to levy taxes annually against each dollar of taxable property within the county as may be necessary for the establishment, operation and maintenance of the court.

Sec. 35. Minnesota Statutes 1976, Section 488A.12, Subdivision 5, is amended to read:

Subd. 5. **CONTINUOUS TERM.** The judges shall hold terms of court ~~from time to time as necessary~~ continuously to hear and dispose of all claims as promptly as feasible

Changes or additions indicated by underline deletions by ~~strikeout~~

after filing.

Sec. 36. Minnesota Statutes 1976, Section 488A.18, Subdivision 11, is amended to read:

Subd. 11. **TERMS.** The court shall be ~~open every day, in continuous session and deemed open at all times~~ except Sundays and legal holidays. ~~The court shall hold a general term for the trial of civil actions with such adjournments as the judges may determine to be necessary and proper.~~

Sec. 37. Minnesota Statutes 1976, Section 488A.18, is amended by adding a subdivision to read:

Subd. 14. APPEALS. Appeals from the county municipal court to the district court shall be subject to the provisions of Minnesota Statutes, Sections 484.63 and 487.39.

Sec. 38. Minnesota Statutes 1976, Section 488A.19, Subdivision 10, as amended by Laws 1977, Chapter 35, Section 17, is amended to read:

Subd. 10. **SALARIES.** Each judge shall be paid by the state an annual salary in the amount prescribed by section 15A.083. If a judge dies, the amount of his salary remaining unpaid for the month in which his death occurs shall be paid to his estate. Each judge shall be paid expenses by the state in the same manner and amount as provided for judges of the district court in section 484.54.

Sec. 39. Minnesota Statutes 1976, Section 488A.27, Subdivision 1, is amended to read:

**488A.27 PLEADING, PRACTICE, PROCEDURE, AND FORMS IN CRIMINAL PROCEEDINGS.** Subdivision 1. **GENERAL.** Save as otherwise provided in this ~~act~~ chapter, pleading, practice, procedure and forms in actions or proceedings charging violation of a statute, ordinance, charter provision, rule or regulation shall be governed by the statutes and common law rules which govern in a similar action or proceeding in the district court (other than those applying peculiarly to felony or gross misdemeanor charges) or by statutes which govern in county courts of justices of the peace in chapter 487 in the absence of statutes or common law rules governing in district court.

Sec. 40. Minnesota Statutes 1976, Section 488A.27, Subdivision 6, is amended to read:

Subd. 6. **TRIALS BY JUDGE WITHOUT JURY.** A charge of a violation of any ~~petty misdemeanor law of this state; municipal ordinance, charter provision, rule or regulation; other than a violation dealing with driving while under the influence of an alcoholic beverage or narcotic drug; speeding that is a third or further offense occurring in one year; or careless or reckless driving where a personal injury is involved;~~ shall be heard, tried and determined by a judge without a jury and the defendant shall have no right to a jury trial on such a charge, except as required by section 169.03 or as otherwise required by law. ~~In the event of such trial without jury, there shall be a right of appeal as~~

Changes or additions indicated by underline deletions by ~~strikeout~~

provided in section 488.20, and provided further that where there has been a conviction in a trial without jury as provided above, the commissioner of transportation shall not by reason thereof revoke or suspend the defendant's driver's license In any prosecution brought in a county court or a county municipal court in which conviction of the defendant for the offense charged could result in imprisonment, the defendant has the right to a jury trial.

Sec. 41. Minnesota Statutes 1976, Section 488A.281, is amended to read:

488A.281 **PAYMENT OF COURT EXPENSES.** All salaries of the judges of the ~~municipal court of the county of Ramsey,~~ court reporters, the court administrator, and all other employees of ~~said the county municipal court of Ramsey county court,~~ and all expenses of ~~said the court~~ shall be paid from the treasury of Ramsey county in biweekly installments. The board of county commissioners of Ramsey county is authorized to levy taxes annually against each dollar of taxable property within the county as may be necessary for the establishment, operation and maintenance of the court. ~~Such The~~ tax is not subject to any limitation on taxing power contained in any other law or charter provision and is in addition to any other tax levied by ~~such that~~ body.

Sec. 42. Minnesota Statutes 1976, Section 488A.29, Subdivision 5, is amended to read:

Subd. 5. **TERMS OF COURT.** The judges shall hold terms of court ~~from time to time as necessary~~ continuously to hear and dispose of all claims as promptly as feasible after filing.

Sec. 43. Minnesota Statutes 1976, Section 525.04, is amended to read:

525.04 **JUDGE; ELECTION, QUALIFICATIONS, BOND.** There shall be elected in ~~each county a Hennepin county and Ramsey county probate judge~~ judges who shall be learned in the law; ~~except that probate judges now in office shall be considered learned in the law insofar as being eligible to continue in office and to be re-elected to same.~~ Before ~~he a judge~~ enters upon the duties of his office he shall execute a bond to the state in the amount of \$1,000, approved by the county board and conditioned upon the faithful discharge of his duties. ~~Such The~~ bond with his oath shall be recorded in the office of the county recorder. The premiums on ~~such the~~ bond and the expenses of ~~such the~~ recording and filing shall be paid by the county. An action may be maintained on ~~such the~~ bond by any person aggrieved by the violation of the conditions thereof.

Sec. 44. Minnesota Statutes 1976, Section 525.081, Subdivision 7, is amended to read:

Subd. 7. No judge of the probate court in ~~any county having a population of 25,000 or more,~~ shall practice as an attorney or counselor at law, nor shall he be a partner of any practicing attorney in the business of his profession, ~~nor shall he serve as an appraiser in any estate proceeding .~~

Sec. 45. [484.69] **CHIEF JUDGE.** Subdivision 1. By July 1, 1977, the judges of the  
Changes or additions indicated by underline deletions by ~~strikeout~~

district, county, county municipal and probate courts resident in each of the judicial districts shall meet and elect from among their number a single chief judge and an assistant chief judge. The chief judge and the assistant chief judge shall serve a term of two years beginning July 1 of the year in which they are elected. No judge may serve as chief judge or assistant chief judge for more than two consecutive two year terms.

The seniority of judges and rotation of the position of chief judge or assistant chief judge shall not be criteria for the election of the chief judge or the assistant chief judge.

A chief judge or assistant chief judge may be removed for cause as chief judge or assistant chief judge by the chief justice of the supreme court, or by a majority of the judges of the judicial district.

Subd. 2. LIMITATION. Every chief judge elected prior to July 1, 1981, shall be a judge of the district court. A chief judge elected on or after July 1, 1981 may be a judge of the district, county, county municipal or probate court.

Subd. 3. ADMINISTRATIVE AUTHORITY. In each judicial district, the chief judge, subject to the authority of the chief justice, shall exercise general administrative authority over the courts within the judicial district. The chief judge shall make assignments of judges to serve on the courts within the judicial district, and assignments may be made without the consent of the judges affected. The chief judge may assign any judge of any court within the judicial district to hear any matter in any court of the judicial district. When a judge of a court is assigned to another court he is vested with the powers of a judge of the court to which he is assigned. A judge may not be assigned to hear matters outside his judicial district pursuant to this subdivision.

Subd. 4. SEMI-ANNUAL MEETINGS; JUDICIAL CONFERENCE AGENDA. The chief judges shall meet at least semi-annually to consider problems relating to judicial business and administration. After consultation with the judges of their respective districts the chief judges shall prepare in conference and submit to the chief justice of the supreme court a suggested agenda for the judicial conference held pursuant to section 480.18.

Subd. 5. JUDGES' MEETINGS. The chief judge shall convene a conference at least semi-annually of all judges of the judicial district to consider administrative matters and rules of court and to provide advice and counsel to the chief judge.

Sec. 46. Minnesota Statutes 1976, Section 15A.083, as amended by Laws 1977, Chapter 35, Section 13, is amended to read:

15A.083 SALARIES FOR POSITIONS IN THE JUDICIAL BRANCH. Subdivision 1. ELECTIVE JUDICIAL OFFICERS. The following salaries shall be paid annually to the enumerated elective judicial officers of the state:

(1) Chief justice of the supreme court	\$52,000
(2) Associate justice of the supreme court	49,000
(3) District judge, judge of county court (learned in the law), probate court, and county municipal court	<del>40,000</del> 42,000

Changes or additions indicated by underline deletions by strikeout

- (4) Judge of a county court  
(not learned in the law) 27,000

Subd. 2. COUNTY COURT AND COUNTY MUNICIPAL JUDGES. (1) Notwithstanding any other law to the contrary, the salary paid to a judge of a county court shall also be paid to judges of the probate court of St. Louis county and to judges of the Duluth municipal court.

(2) Judges of the county municipal courts, and county courts in the counties of Hennepin, Ramsey, Washington, Anoka, Scott, St. Louis, Carver and Dakota..... ~~\$40,000~~ \$42,000.

(3) If any judge enumerated in this subdivision dies while in office, the amount of his salary remaining unpaid for the month in which his death occurs, shall be paid to his estate.

Subd. 3. Beginning January 1, 1978, the entire compensation of county, probate and county municipal court judges shall be paid by the state. Beginning on July 1, 1977, the salary increases provided in this act Laws 1977, Chapter 35, Section 13, and this act for county, probate and county municipal judges shall be paid by the state. All payments made pursuant to sections 490.11 and 490.12, subdivision 1, after January 1, 1978, shall be made by the state regardless of whether the payments commenced before or commence after the effective date of this act July 1, 1977.

Notwithstanding any other provision in this section to the contrary, an increase in compensation provided a district or supreme court judge in this act shall not take effect as to any judge of the district court or any justice of the supreme court who served in the district or supreme court prior to July 1, 1967, until that judge submits an executed agreement to the executive director of the Minnesota state retirement system in accord with section 490.106.

Subd. 3 4. RANGES FOR OTHER JUDICIAL POSITIONS. Salaries or salary ranges are provided for the following positions in the judicial branch of government. The appointing authority of positions for which ranges have been provided shall fix individual salaries under the provisions of section 15A.081, subdivision 2.

Public defender		\$35,000	
<u>State court administrator</u>	27,400 -	<del>35,000</del>	<u>37,400</u>
<u>District administrator</u>	<u>25,000</u> -	<u>35,000</u>	
County attorneys			
council executive			
director	20,400 -		29,700

Subd. 4. TAX COURT OF APPEALS. Salaries of judges of the tax court of appeals ..... \$15,000

Subd. 5. REFEREE SALARIES. Notwithstanding any other law or ordinance to the contrary, no referee or hearing examiner employed by a court in this state shall receive a salary which is in excess of 90 percent of the salary paid a judge of the court by

Changes or additions indicated by underline deletions by ~~strikeout~~

which he is employed.

Sec. 47. **APPROPRIATION.** Subdivision 1. There is hereby appropriated from the general fund to the commissioner of finance for the biennium beginning July 1, 1977, the sum of \$300,000 for the purpose of paying the salaries of district administrators.

Subd. 2. There is hereby appropriated from the general fund to the commissioner of finance for the biennium beginning July 1, 1977, the sum of \$1,350,000 for the purposes of paying the compensation increases, reimbursing the expenses, and making other payments to or on behalf of judges which are authorized by this act.

Sec. 48. **[484.70] REFEREES ABOLISHED.** Notwithstanding any other provision of law, the position of referee in the county municipal and district courts of the state is hereby abolished.

Sec. 49. **REPEALER.** Minnesota Statutes 1976, Sections 15A.083, Subdivision 2; 484.05; 484.09; 484.10; 484.11; 484.12; 484.13; 484.14; 484.15; 484.16; 484.17; 484.18; 484.28; 484.29; 484.34; 484.47; 485.02; 487.03, Subdivision 4; 487.05; 487.10, Subdivision 6; 487.35, Subdivisions 2, 3, 4, 5 and 6; 487.39, Subdivision 3; 487.41; 488A.01, Subdivision 11; 488A.021, Subdivisions 7 and 8; 488A.18, Subdivision 12; 488A.19, Subdivisions 8, 9 and 10; 490.124, Subdivision 7; 525.081, Subdivisions 1, 2, 3, 4, 5, 6, 8 and 9; and Chapters 488; 530; 531; 532; 633 and Extra Session Laws 1971, Chapter 42, are repealed.

Sec. 50. **EFFECTIVE DATE.** Subdivision 1. Sections 25 and 48 are effective July 31, 1978.

Subd. 2. Section 45 is effective the day following final enactment.

Subd. 3. The remainder of this act is effective July 1, 1977.

Subd. 4. On July 1, 1977, a person elected to the office of district court judge, family court division, pursuant to Minnesota Statutes 1976, Section 484.65, Subdivision 1, shall no longer be designated as the district court judge, family court division, but he shall serve as a district court judge for the term of office for which he was elected, and shall be assigned the regular or ordinary duties of a judge of district court.

Approved June 2, 1977.

---

#### CHAPTER 433—S.F.No.411

[Coded in Part]

*An act relating to peace officers; providing for training and licensing; renaming the peace officer training board and giving the board additional responsibilities; appropriating money; amending Minnesota Statutes 1976, Sections 214.01, Subdivision 3; 626.841; 626.842; 626.843, Subdivisions 1, 2 and 3; 626.845; 626.846; 626.847; 626.848; 626.85, Subdivision 1;*

**Changes or additions indicated by underline deletions by strikeout**