

(e) (b) Fees are payable to the ~~clerk~~ administrator in advance.

(c) Judgments will be entered only upon written application.

(d) The following fees shall be taxed in all cases where applicable: (a) The state of Minnesota and any governmental subdivision within the jurisdictional area of any municipal court herein established may present cases for hearing before said municipal court; (b) In the event the court takes jurisdiction of a prosecution for the violation of a statute or ordinance by the state or a governmental subdivision other than a city or town in Hennepin county, all fines, penalties, and forfeitures collected shall be paid over to the treasurer of the governmental subdivision which submitted a case for prosecution under ordinance violation and to the county treasurer in all other cases except where a different disposition is provided by law, in which case, payment shall be made to the public official entitled thereto. The following fees shall be taxed to the county or to the state or governmental subdivision which would be entitled to payment of the fines, forfeiture or penalties in any case, and shall be paid to the clerk of the court for disposing of the matter:

(1) In all cases where the defendant is brought into court and pleads guilty and is sentenced, or the matter is otherwise disposed of without trial \$5.

(2) In arraignments where the defendant waives a preliminary examination \$10.

(3) In all other cases where the defendant stands trial or has a preliminary examination by the court \$15.

(4) In all cases where a defendant was issued a statute, traffic or ordinance violation tag and a fine is paid or the case is otherwise disposed of in a violations bureau \$1.

Sec. 3. EFFECTIVE DATE. This act is effective the day following its final enactment. Section 1 expires March 1, 1980.

Approved June 5, 1979.

CHAPTER 319—H.F.No.218

An act relating to telephone companies; requiring telephone cooperatives and municipals to obtain prior approval of rates only if they elect to be so regulated by the public service commission; giving the public service commission the power to investigate and determine cases upon complaint against telephone cooperatives and municipals; amending Minnesota Statutes 1978, Sections 237.075, by adding a subdivision; and 237.081, Subdivision 4, and by adding a subdivision.

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

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Section 1. Minnesota Statutes 1978, Section 237.075, is amended by adding a subdivision to read:

Subd. 9. For the purposes of this section, "telephone company" shall not include a cooperative telephone association organized under the provisions of chapter 308, or a municipal, unless the cooperative telephone association or municipal makes the election provided in this subdivision.

A cooperative telephone association may elect to become subject to rate regulation by the commission pursuant to this section. The election shall be (a) approved by the board of directors of the association in accordance with the procedures for amending the articles of incorporation contained in section 308.15, subdivision 1, excluding the filing requirements; or (b) approved by a majority of members or stockholders voting by mail ballot initiated by petition of no fewer than five percent of the members or stockholders of the association. The ballot to be used for the election shall be approved by the board of directors and the department of public service. The department shall mail the ballots to the association's members who shall return the ballots to the department. The department will keep the ballots sealed until a date agreed upon by the department and the board of directors. On this date, representatives of the department and the association shall count the ballots. If a majority of the association's members who vote elect to become subject to rate regulation by the commission, the election shall be effective 30 days after the date the ballots are counted.

A municipal may elect to become subject to rate regulation by the commission pursuant to this section. The election shall be (a) approved by resolution of the governing body of the municipality; or (b) approved by a majority of the customers of the municipal voting by mail ballot initiated by petition of no fewer than 20 percent of the customers of the municipal. The ballot to be used for the election shall be approved by the governing body of the municipality and the department of public service. The department shall mail the ballots to the municipal's customers who shall return the ballots to the department. The department will keep the ballots sealed until a date agreed upon by the department and the governing body of the municipality. On this date, representatives of the department and the municipal shall count the ballots. If a majority of the customers of the municipal who vote elect to become subject to rate regulation by the commission, the election shall be effective 30 days after the date the ballots are counted.

Sec. 2. Minnesota Statutes 1978, Section 237.081, is amended by adding a subdivision to read:

Subd. 1a. Upon a complaint made against any cooperative telephone association or a municipal telephone utility by the governing body of any political subdivision, or by no fewer than five percent of the consumers of the particular cooperative telephone association or municipal telephone utility, that any of the rates, tolls, tariffs, charges or schedules or any regulation, measurement, practice, act or omission affecting or relating to the production, transmission, delivery or furnishing of telephone service or any service in connection therewith is in any respect unreasonable, insufficient or unjustly discriminatory, or that any service is inadequate or cannot be obtained, the commission shall proceed to make an investigation as it may deem necessary. The commission may

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dismiss any complaint without a hearing if in its opinion a hearing is not in the public interest.

Sec. 3. Minnesota Statutes 1978, Section 237.081, Subdivision 4, is amended to read:

Subd. 4. Whenever the commission shall find that any service which can be reasonably demanded cannot be obtained, or that any of the rates, tolls, tariffs, charges or schedules or any regulation, measurement, practice, act or omission affecting or relating to the production, transmission, delivery or furnishing of telephone service or any service in connection therewith is in any respect unreasonable, insufficient or unjustly discriminatory, or that any service is inadequate, the commission shall determine and by order fix reasonable regulations, acts, practices or service to be furnished, imposed, observed and followed in the future in lieu of those found to be unreasonable, inadequate or otherwise unlawful, and shall make such other an order respecting such the rates, tolls, tariffs, regulation, act, omission, practice or service as shall be that is just and reasonable.

Sec. 4. **EFFECTIVE DATE.** This act is effective on the day following final enactment. This act is effective in respect to applications for cooperative telephone association or municipal rate changes pending before the commission on the effective date of this act and no refunds of increased cooperative telephone association or municipal rates ordered after the effective date of this act shall be necessary, unless the cooperative telephone association or municipal elects to be subject to rate regulation on or before 60 days after the effective date of this act.

Approved June 5, 1979.

CHAPTER 320—H.F.No.235

An act relating to state parks; removing certain lands from within the boundaries of Split Rock Lighthouse State Park and Judge C. R. Magney State Park; adding lands to the boundaries of Split Rock Lighthouse State Park and Afton State Park; expanding the boundaries of Lake Bemidji State Park; conveying the state's interests in certain lands.

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

Section 1. The following described land in Lake County is deleted from Split Rock Lighthouse State Park.

That part of the northwest quarter of the southeast quarter of section 32, township 55 North, Range 8 West, lying northwesterly of U.S. Highway 61.

Sec. 2. Subdivision 1. The following described land in Lake County is added to Split Rock Lighthouse State Park:

The Northwest Quarter of Section 6, Township 54 North, Range 8 West. All of
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