

not less than the prevailing Minnesota minimum wage for each hour spent carrying out their duties at the polling places. An election judge who travels to pick up election supplies or to deliver election returns to the county auditor shall receive, in addition to other compensation authorized by this section, a sum not less than the prevailing Minnesota minimum wage for each hour spent performing these duties, plus mileage in the same amount as allowed for state employees pursuant to section 471.665, subdivision 1; and

(e) To special peace officers, an amount for each hour of service rendered by direction of the judges, to be fixed as in the case of judges of election.

Approved May 27, 1981

CHAPTER 272 — H.F.No. 515

An act relating to judicial procedures; eliminating the requirement of filing a certificate of no inquest; prescribing the duties of court referees; continuing and abolishing certain referee positions; amending Minnesota Statutes 1980, Sections 260.031, Subdivision 1; 390.17; 484.70, Subdivision 1 and by adding subdivisions; and 525.10; repealing Minnesota Statutes 1980, Sections 484.67; and 484.70, Subdivisions 2, 3, 4 and 5.

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

Section 1. Minnesota Statutes 1980, Section 260.031, Subdivision 1, is amended to read:

Subdivision 1. The judge of the juvenile court may appoint one or more suitable persons to act as referees ~~office of referee is abolished.~~ No vacancy in the office of referee shall be filled, nor new office created. Persons holding the office of referee on June 30, 1980, in the second and June 30, 1977, in the fourth judicial district may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to juvenile court. ~~These~~ Referees shall be qualified for their duties by their previous training and experience and ~~shall~~ hold office at the pleasure of the judge. The compensation of a referee shall be fixed by the judge ~~and~~, approved by the county board and ~~shall be~~ payable from the general revenue funds of the county not otherwise appropriated. Part time

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referees holding office in the second judicial district pursuant to this subdivision shall cease to hold office on July 31, 1984.

Sec. 2. Minnesota Statutes 1980, Section 390.17, is amended to read:

390.17 TESTIMONY; FILING; CERTIFICATE OF NO INQUEST.

The testimony of all witnesses examined at an inquest shall be reduced to writing by the coroner or under his direction and be subscribed by the witnesses respectively. The coroner shall forthwith file such testimony, together with a record of all proceedings had before him, in the office of the clerk of the district court of the county. ~~In all cases brought to the attention of the coroner wherein he does not deem it necessary to hold an inquest, he shall forthwith file with such clerk a certificate setting forth the facts in relation thereto. The clerk of the district court shall forthwith duly file and index such case or proceeding.~~

Sec. 3. Minnesota Statutes 1980, Section 484.70, Subdivision 1, is amended to read:

Subdivision 1. The office of referee is abolished. No vacancy in the office of referee, including family, juvenile, probate, and special term referees, shall be filled, nor new office created. Persons holding the office of referee full time on June 30, 1977 1980, in the second, and June 30, 1978, in the fourth and sixth judicial districts district may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to family or, probate, juvenile or special term court. Part time referees holding office in the second judicial district pursuant to this subdivision shall cease to hold office on July 31, 1984.

Sec. 4. Minnesota Statutes 1980, Section 484.70, is amended by adding a subdivision to read:

Subd. 6. No referee may hear a contested trial, hearing, motion or petition if a party or attorney for a party objects in writing to the assignment of a referee to hear the matter. The court shall by rule, specify the time within which an objection must be filed.

Sec. 5. Minnesota Statutes 1980, Section 484.70, is amended by adding a subdivision to read:

Subd. 7. The duties and powers of referees shall be as follows:

(a) Hear and report all matters assigned by the chief judge.

(b) Recommend findings of fact, conclusions of law, temporary and interim orders, and final orders for judgment.

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(c) All recommended orders and findings of a referee shall be subject to confirmation by a judge. Review of any recommended order or finding of a referee by a judge may be by notice served and filed within ten days of effective notice of the recommended order or finding. The notice of review shall specify the grounds for review and the specific provisions of the recommended findings or orders disputed, and the court, upon receipt of a notice of review, shall set a time and place for a review hearing.

(d) Upon the conclusion of the hearing in each case, the referee shall transmit to a judge the court file together with recommended findings and orders in writing. The recommended findings and orders of a referee become the findings and orders of the court when confirmed by a judge. The order of the court shall be proof of such confirmation, and also of the fact that the matter was duly referred to the referees.

Sec. 6. Minnesota Statutes 1980, Section 525.10, is amended to read:

525.10 REFEREE; APPOINTMENT; BOND; OFFICE ABOLISHED.

Subdivision 1. OFFICE ABOLISHED. The office of referee is abolished. No vacancy in the office of referee shall be filled, nor new office created.

Subd. 2. INCUMBENTS. Persons holding the office of referee on June 30, 1980, in the second and August 15, 1980, in the fourth judicial district may continue to serve at the pleasure of the chief judge of the district under the terms and conditions of their appointment. All referees are subject to the administrative authority and assignment power of the chief judge of the district as provided in section 484.69, subdivision 3, and are not limited to assignment to probate court. All referees are subject to the provisions of section 484.70. Part time referees holding office in the second judicial district pursuant to this subdivision shall cease to hold office on July 31, 1984.

Subd. 3. REFEREES. The judges of the probate court in Hennepin and Ramsey counties may appoint one or more referees. Each referee in probate who court shall be a resident of such county and an attorney at law duly admitted in this state. He shall hold office during the pleasure of the judge appointing him. Such The appointment shall be in writing and filed in such the court. Before entering 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 bond with the oath of the appointee shall be recorded in the office of the county recorder. The premiums on such bond and the expenses of such recording and filing shall be paid by the county. An action may be maintained on such bond by any

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person aggrieved by the violation of the conditions thereof. The referee has the power to take acknowledgments and administer oaths.

Sec. 7. REPEALER.

Minnesota Statutes 1980, Sections 484.67; and 484.70, Subdivisions 2, 3, 4 and 5; are repealed.

Approved May 28, 1981

CHAPTER 273 — H.F.No. 586

An act relating to crimes; authorizing courts to order certain persons to participate in counseling in domestic abuse cases; creating the crime of intrafamilial sexual abuse; prescribing penalties; amending Minnesota Statutes 1980, Sections 15.1695, Subdivision 1; 518B.01, Subdivision 6; 595.02; 609.346; 609.348; 609.35; 626.556, Subdivision 2; and 629.341, Subdivision 1; proposing new law coded in Minnesota Statutes, Chapter 609.

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

Section 1. Minnesota Statutes 1980, Section 15.1695, Subdivision 1, is amended to read:

Subdivision 1. When collected, created, or maintained by law enforcement agencies including municipal police departments, county sheriff departments, the bureau of criminal apprehension, the Minnesota state patrol, the peace officers standards and training board, or public prosecutors or defenders:

(a) Data on participants in crime prevention programs including lists of property with identification numbers or evaluations or recommendations related to structural security against unauthorized entry is private; and

(b) Data contained on incident complaint reports, variously called logs or dockets, comprising a chronological record of events, shall be public; provided that data on individuals which could reasonably be used to determine the identity of an undercover agent, informant, or victim of criminal sexual conduct or intrafamilial sexual abuse shall be private data on individuals; provided further that any other data classified by law as private or confidential contained in incident complaint reports shall remain private or confidential data.

Sec. 2. Minnesota Statutes 1980, Section 518B.01, Subdivision 6, is amended to read:

Subd. 6. **RELIEF BY THE COURT.** Upon notice and hearing, the court may provide relief as follows:

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