

CHAPTER 250—S.F.No.306

[Coded]

An act authorizing the supreme court to regulate by rules the pleading, practice and procedure in criminal cases in all courts.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. [480.0591] RULES OF CRIMINAL PROCEDURE; CRIMINAL ACTIONS, PLEADING, PRACTICE AND PROCEDURE. The supreme court shall have the power to regulate the pleadings, practice, procedure, and the forms thereof in criminal actions in all courts of this state, by rules promulgated by it from time to time. Such rules shall not abridge, enlarge, or modify the substantive rights of any person.

Sec. 2. [480.0592] ADVISORY COMMITTEE. Before any such rules are adopted the supreme court shall appoint an advisory committee consisting of eight lawyers licensed to practice law in the state and at least two judges of the district court and one judge of a court exercising municipal court jurisdiction to assist the court in considering and preparing such rules.

Sec. 3. [480.0593] RECOMMENDATIONS BY JUDICIAL COUNCIL. The judicial council, upon the request of the supreme court or upon its own initiative in accordance with the provisions of Minnesota Statutes, Chapter 483, may at any time make recommendations to the court concerning such rules.

Sec. 4. [480.0594] DISTRIBUTION OF PROPOSED RULES; HEARING. Before any such rule is adopted, the supreme court shall distribute copies of the proposed rule to the judiciary and attorneys of the state for their consideration and suggestions and give due consideration to such suggestions as they may submit to the court. The Minnesota state bar association, or a professional judicial organization may file with the court a petition specifying their suggestions concerning any existing or proposed rule and requesting a hearing thereon. The court shall thereupon grant a hearing thereon within six months after the filing of the petition.

Sec. 5. [480.0595] RULES NOT IN CONFLICT. Any court, other than the supreme court, may adopt rules of court governing its practice; but such rules shall not conflict with the rules promulgated by the supreme court.

Sec. 6. [480.0596] PROMULGATION. Subdivision 1. EFFECTIVE DATE OF RULES; PUBLICATION. All rules promulgated under this act shall be effective at a time fixed by the court and shall be published in the appendix to the official reports of the supreme court and shall be bound therewith.

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

Subd. 2. **PRINTING, PUBLISHING AND DISTRIBUTING.** The commissioner of administration shall print, publish and distribute copies thereof to the judiciary and attorneys and as required by law.

Sec. 7. [480.0597] **EFFECT UPON STATUTES.** Nothing herein contained shall be deemed to grant the supreme court power to amend or modify any statute.

Sec. 8. [480.0598] **RIGHT RESERVED.** This act shall not abridge the right of the legislature to enact, modify, or repeal any statute or modify or repeal any rule of the supreme court adopted pursuant thereto.

Approved May 11, 1971.

CHAPTER 251—H.F.No.946

[Coded in Part]

An act relating to the official seal of notaries public; amending Minnesota Statutes 1969, Sections 359.03, by adding a subdivision; and 359.05.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1969, Section 359.03, is amended by adding a subdivision to read:

Subd. 3. NOTARIES; SEAL. The seal of every notary public after January 1, 1972, may be affixed by a stamp that will print a seal which legibly reproduces under photographic methods the seal of the state of Minnesota, the name of the notary, the words "Notary Public", the name of the county for which appointed, and the words "My commission expires", with the expiration date shown thereon. The seal shall be a rectangular form of not more than three fourths of an inch vertically by two and one half inches horizontally, with a serrated or milled edge border, and shall contain the information required by this subdivision.

Sec. 2. Minnesota Statutes 1969, Section 359.05, is amended to read:

359.05 DATE OF EXPIRATION OF COMMISSION AND NAME TO BE ENDORSED. Each notary public so appointed, commissioned, and qualified, shall have power throughout this state to administer all oaths required or authorized to be administered in this state; to take and certify all depositions to be used in any of the courts of this state; to take and certify all acknowledgments of deeds, mortgages, liens, powers of attorney, and other instruments in writing, and to receive, make out, and record notarial protests.

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