

EXTRA SESSION
CHAPTER 9—S.F.No.54

An act relating to the Hennepin county municipal court; amending Minnesota Statutes 1969, Sections 488A.03, Subdivision 11; 488A.12, Subdivisions 3 and 7; 488A.13, Subdivision 1; 488A.14, Subdivision 6 and 488A.16, Subdivision 8.

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

Section 1. Minnesota Statutes 1969, Section 488A.03, Subdivision 11, is amended to read:

Subd. 11. **HENNEPIN COUNTY MUNICIPAL COURT; FEES; JURISDICTION.** (a) The fees payable to the clerk for the following services in civil actions are:

1. \$2 payable by the plaintiff, in addition to any library fee otherwise required, when the action is entered in court or when the first paper on the plaintiff's part is filed.

2. \$2 payable by the defendant or other adverse or intervening party, or any one or more of several defendants, or other adverse or intervening parties appearing separately from the others when his or their appearance is entered in the action or when the first paper on his or their part is filed.

3. No trial fee is payable by any party when trial is by a judge without a jury.

4. ~~\$3~~ \$5 for trial by a jury of six persons, ~~\$5~~ \$10 for trial by a jury of 12 persons. The fee paid for trial by a jury shall be refunded if a jury panel is never sworn for voir dire in the action.

(b) Except as provided in paragraph (a), the fees payable to the clerk for his services are the same in amount as the fees then payable to the clerk of the district court of Hennepin county for like services. The fees payable to the clerk for all other services of himself or the court shall be fixed by rules promulgated by a majority of the judges.

(c) Fees are payable to the clerk in advance.

(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, village, or town in Hennepin county, all

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finer, 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. 2. Minnesota Statutes 1969, Section 488A.12, Subdivision 3, is amended to read:

Subd. 3. **JURISDICTION.** Excepting actions involving title to real estate, the court has jurisdiction to hear, conciliate, try and determine civil actions at law where the amount in controversy does not exceed the sum of ~~\$350~~ \$500. The territorial jurisdiction of the court is coextensive with the geographic boundaries of the county of Hennepin.

Sec. 3. Minnesota Statutes 1969, Section 488A.12, Subdivision 7, is amended to read:

Subd. 7. **COMPUTATION OF TIME.** In computing any period of time prescribed or allowed by this act, the day of the act, event, or default after which the designated period of time begins to run is not to be included. The last day of the period so computed is to be included, unless it is a Saturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is neither a Saturday, Sunday nor a holiday. When the period of time prescribed or allowed is less than seven days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation.

Sec. 4. Minnesota Statutes 1969, Section 488A.13, Subdivision 1, is amended to read:

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488A.13 JUDGES; CLERKS; REPORTERS; SALARIES; QUARTERS. Subdivision 1. JUDGES OF MUNICIPAL COURT SERVE AS JUDGES; REFEREES FOR CONCILIATION COURT.

(a) The judges of the municipal court of the county of Hennepin shall serve as judges of the conciliation court for such periods and in such rotation as the judges may determine. While so serving they shall act and be known as conciliation judges.

(b) The municipal judge who conducts the conciliation court hearing shall act upon any applications to vacate a judgment or an order for judgment whatever the grounds may be and shall sign the certificate upon a removed cause, but any other municipal judge may act upon such an application or sign such a certificate in the event that the judge who conducted the hearing has not previously denied the application promptly or sign the certificate due to expiration of his term, death, disability, absence from the courthouse or any other cause.

(c) A majority of the judges of municipal court may appoint one or more suitable persons to act as referees in conciliation court. A majority of the judges of municipal court shall establish qualifications for the office, specify the duties and length of service of referees, and fix their compensation not to exceed ~~\$45~~ \$50 per day or any part thereof. This compensation shall be payable by the county treasurer at the same time and in the same manner as salaries of the judges of conciliation court.

Sec. 5. Minnesota Statutes 1969, Section 488A.14, Subdivision 6, is amended to read:

Subd. 6. **REPLEVIN.** If the controversy concerns the ownership or possession, or both, of personal property the value of which does not exceed the sum of ~~\$150~~ \$500, the judge in his discretion, may direct an officer of the court to take possession of the property immediately and hold it subject to the further order of the court, without the giving of any bond whatever.

Sec. 6. Minnesota Statutes 1969, Section 488A.16, Subdivision 8, is amended to read:

Subd. 8. **DOCKETING AND ENFORCEMENT IN MUNICIPAL COURT.** When a judgment has become finally effective under subdivision 2 of this section, the judgment creditor may obtain a transcript of the judgment from the clerk of conciliation court on payment of a fee of fifty cents therefor and file it with the clerk of the municipal court of the county of Hennepin ~~without additional fee.~~ After filing of the transcript, the judgment becomes, and is enforceable as, a judgment of the municipal court. A transcript of a judgment payable in installments may not be so obtained and filed until 20 days after default in the payment of an installment. No

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writ of execution or garnishment summons may be issued out of conciliation court.

Approved July 8, 1971.

EXTRA SESSION
CHAPTER 10—S.F.No.55

An act relating to the Minnesota manpower services law; amending Minnesota Statutes 1969, Section 268.07, Subdivision 2, as amended.

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

Section 1. Minnesota Statutes 1969, Section 268.07, Subdivision 2, as amended by Laws 1971, Chapter 408, Section 1, is amended to read:

Subd. 2. MANPOWER SERVICES; BENEFITS; MAXIMUMS.
If the commissioner finds that an individual has earned 18, or more, credit weeks, and \$540 or more in wage credits, within the base period of employment in insured work with one or more employers, benefits shall be payable to such individual during his benefit year as follows:

(1) Weekly benefit amount shall be equal to 50 percent of the average weekly wage of such individual, computed to the nearest whole dollar, subject to a maximum of \$64 per week.

(2) An individual's maximum amount of regular benefits payable in a benefit year shall not exceed the ~~greater~~ lesser of (a) 26 times his weekly benefit amount or (b) 70 percent of the number of credit weeks earned by such an individual computed to the nearest ~~even~~ whole week ~~times~~ his weekly benefit amount.

(3) An individual who has exhausted his entitlement to benefits as determined by sections 268.02 through 268.25 and cannot establish entitlement to unemployment compensation benefits under the law of any other state or the federal government may have his entitlement during his current benefit year extended by three weeks if during the 52 calendar week period immediately preceding his base period he earned 37 credit weeks in employment insured under this law and by three weeks for each such successive previous 52 calendar week period subject to a maximum of nine weeks. Such extended benefits

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