

examiners. Any person violating any of the provisions of this section as it relates to advertising shall be guilty of a misdemeanor.

Approved April 29, 1957.

CHAPTER 926—H. F. No. 2097

[Coded]

An act relating to the appointment of advisory members to certain port authorities; amending Laws 1957, Chapter 812, Section 2.

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

Section 1. Laws 1957, Chapter 812, Section 2, is amended by adding a subdivision to read:

[Subd. 5] There shall also be appointed to serve in an advisory capacity only to such port authority one member of the Minnesota State Senate who represents such county in the Senate and one member of the Minnesota House of Representatives who represents such county in the House of Representatives. If such county is represented in the Minnesota Legislature by only one senator and one representative, these members of the legislature shall serve on such commission. If the county is represented by more than one senator and more than one representative in the legislature, the members of that county's Minnesota Senate delegation representing such county shall choose and appoint such senator so to serve, and the members of the House delegation representing such county shall choose and appoint such representative so to serve. Such appointed senator and representative, serving on such commission, shall serve only in a consultant and advisory capacity, and shall receive no pay nor emoluments of any kind for such service.

Approved April 29, 1957.

CHAPTER 927—H. F. No. 2096

[Not Coded]

An act relating to the conciliation and municipal courts of the City of Saint Paul; increasing the jurisdiction thereof; increasing the number of judges thereof; fixing the salaries of the judges, clerks, deputy and assistant clerks and sten-

ographer reporter thereof; amending *Special Laws 1889, Chapter 351, Section 1, as amended; Section 4, as amended; Section 22, as amended; Section 47, as amended; amending Laws 1921, Chapter 525, Section 1; and repealing Special Laws 1889, Chapter 351, Section 50 and Laws 1921, Chapter 525, Sections 2 and 8.*

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

Section 1. Special Laws 1889, Chapter 351, Section 1, as amended by Laws 1921, Chapter 362, Section 1; Laws 1929, Chapter 423; Laws 1945, Chapter 458, Section 1; and Laws 1949, Chapter 548, Section 1; is amended to read:

Section 1. **Court established, jurisdiction.** The municipal court now existing in the City of Saint Paul, in the county of Ramsey and State of Minnesota is hereby confirmed, continued and established as a court for the transmission of all judicial business which may lawfully come before it.

Said court shall be a court of record and shall have a clerk and a seal and shall have jurisdiction to hear, try and determine civil actions at law where the amount in controversy does not exceed \$2,500, and interest and costs, except as hereinafter provided.

The jurisdiction of the court shall not extend to any civil action involving the title to real estate, save and except an action brought under and pursuant to *Minnesota Statutes 1953, Sections 566.01 through 566.17*, relating to forcible entry and unlawful detainer, nor to any action for divorce, nor to any action wherein the relief demanded in the complaint is equitable in its nature.

That said court shall have exclusive jurisdiction to hear all complaints and conduct all examinations and trials in criminal cases arising or triable within the City of Saint Paul heretofore cognizable before a justice of the peace or arising under the charter, ordinances, laws, regulations or by-laws of said City of Saint Paul, and shall also have concurrent jurisdiction with the justice courts to hear all complaints and conduct all examinations and trials for crimes committed outside of the corporate limits of the City of Saint Paul, but within the limits of the County of Ramsey.

Sec. 2. Special Laws 1889, Chapter 351, Section 4, as amended by Laws 1921, Chapter 362, Section 2, is amended to read:

Sec. 4. **Judges.** There shall be *four* judges of the court, each of whom shall be a resident of the city of Saint

Paul, a person learned in the law and duly admitted to practice as an attorney in the courts of this state, and before entering upon the duties of his office he shall take and subscribe an oath as prescribed by the General Statutes for judicial officers, which oath shall be filed in the office of the city clerk of the city of Saint Paul. The term of office of the judges of the court shall be four years. The present judges shall continue in office during the term for which they were elected and until their respective successors are elected and qualify, and any vacancy in such office shall be filled by appointment of the governor.

Upon the passage of this act, the governor shall appoint a competent person to be judge of the municipal court for the additional office established by this act. Such judge shall be in addition to the present municipal judges, including that person now designated as conciliation judge. The person so appointed shall immediately thereafter qualify and enter upon the duties of the office and hold the office until his successor is elected and qualified. The successor shall be elected at the first general election concurring thereafter.

Sec. 3. Special Laws 1889, Chapter 351, Section 22, as amended by Laws 1949, Chapter 548, Section 4, is amended to read:

Sec. 22. **Counter-claims in excess of jurisdiction, equitable defenses.** Whenever a counter claim in excess of \$2,500, or where any equitable defense or ground for equitable relief is interposed; or where it appears that the title to real estate is involved save and except an action brought under and pursuant to Minnesota Statutes 1953, Sections 566.01 through 566.17, relating to forcible entry and unlawful detainer, said court shall immediately cause an entry of the fact to be made of record and cease all further proceedings in the case, and within 20 days thereafter certify and return to the district court of said county of Ramsey a transcript of all entries made in the record relating to the case, together with all process and other papers relating to the suit; and thereupon said district court shall proceed in the cause to the final judgment and execution according to law, the same as if the said suit had been originally commenced in the district court, and the costs shall abide the event of the suit.

Sec. 4. Special Laws 1889, Chapter 351, Section 47, as amended by Laws 1907, Chapter 302; Laws 1913, Chapter 430; Laws 1919, Chapter 308, Section 2; Laws 1921, Chapter 362, Section 4; Laws 1925, Chapter 371; Laws 1945, Chapter 458, Section 2; Laws 1947, Chapter 520, Section 1; Laws 1949, Chapter 548, Section 6; Laws 1951, Chapter 604, Section 1;

Laws 1953, Chapter 658, Section 1; and Laws 1955, Chapter 709; is amended to read:

Sec. 47. Police officers and bailiff. It shall be the duty of the mayor, or other legally constituted officer or body having supervision and control of the police department and officers of said City, to see that a sufficient number of police officers, including an officer in command, are always in attendance upon said court at its criminal sessions, and such other times and places as the court may direct, in readiness to obey its mandates and preserve order during its proceedings. And said mayor or other legally constituted officer or body, having supervision and control of said police department and police officers of said city, shall have the power, in his or its discretion, to appoint not exceeding three persons approved by the judges of said municipal court, as policemen for special attendance and duty in said court irrespective of the general rule or legal regulations or enactments relative to the qualifications of policemen, but such persons shall receive the same, but no greater compensation unless the common council directs greater compensation than ordinary police, and they shall be known as bailiffs and such bailiffs and policemen attending said court may be required to give bond to said city in such sums as the council shall direct for the faithful performance of their duties; such bond to be for the use of all persons interested, provided, however, that nothing herein contained shall affect the powers and duties of the general police in said court. And such police officers, bailiffs, and commanding officers, and all other policemen, police officers and bailiffs, shall at all times when in attendance upon said court be subject to the orders and authority and control of said court, irrespective of the authority or orders of any other official body.

The clerk of said municipal court shall have power with the consent of the judges to appoint, in addition to the deputy clerk in this act provided for, two assistant clerks to be known as assistant clerks, who shall have like powers as said deputy clerks, but shall act under the authority of said clerk. Said clerk, deputy clerk, and assistant clerks shall have full power and authority to administer oaths, swear witnesses and jurors and take acknowledgments, and said clerk, deputy clerk, assistant clerks and bailiffs shall perform such duties as the clerk or judges shall direct in completing the work of the office, and shall have power to serve all process of said court, whether civil or criminal, when directed by the court, and all other powers and authority in this act provided for either thereof, and are hereby vested with the usual powers of constables at common law and authority and powers of police of-

ficers of the said city of Saint Paul. If the judges of said court shall so direct one of said assistant clerks shall have the qualifications of a stenographer, and shall perform such duties in that regard as the judges prescribe. Such direction or qualification, however, shall not in any way affect the provisions of this act in reference to the official stenographer.

Each of said assistant clerks before entering upon the performance of the duties of his office shall first take and subscribe an oath in form as prescribed in Section 10 of this act, and execute to the city of Saint Paul for the use and benefit of all persons injured by failure to observe its conditions a penal bond in the sum of \$1,000, with such sureties as the common council may approve, conditioned that he will account to and pay over to the clerk or deputy clerk of said court on each day all moneys belonging to or to go to said city, and that he will at all times pay over to said clerk or deputy clerk of said court on demand all moneys to which any person may be entitled which may have come into his hands in virtue or by reason of his office. Such bonds shall be filed with the same officer as the bond of the clerk.

The judges of said court shall each receive a salary of \$11,000 per year; the clerk of said court a salary of \$8,000 per year; the deputy clerk of said court a salary of \$6,500 per year; one assistant clerk a salary of \$4,500 per year; and one assistant clerk a salary of \$4,500 per year; and the stenographer reporter shall receive a salary of \$6,250 per year; such salaries being payable in each case out of the city treasury of the city of Saint Paul in equal monthly installments.

In addition to the clerks heretofore provided for under Section 47 of the Laws of 1921, the clerk of the said municipal court shall have power with the consent of the judges, to appoint two or more assistant clerks when authorized to do so by the council of the city of Saint Paul, and at such compensation as may be ordered by said council of the city of Saint Paul, said additional clerks shall perform such duties as the clerk or judges shall direct in completing the work of the office and all other powers and authority in this act provided for. Each of the said additional assistant clerks before entering on the performance of the duties of his office shall first take and subscribe an oath in form as prescribed in Section 10 of the act and execute to the city of Saint Paul for the use and benefit of all persons injured by failure to observe its conditions, a penal bond in the sum of \$1,000 with such sureties as the common council may approve, conditioned that said clerks will account to and pay over to the clerk or deputy clerk of said court on each day all moneys belonging to or to go to

said city, and that they will at all times pay over to said clerk or deputy clerk of said court on demand all moneys to which any person may be entitled which may have come into his hands in virtue or by reason of his office. Such bond shall be filed with the same officer as the bond of the clerk.

Sec. 5. Laws 1921, Chapter 525, Section 1, is amended to read:

Section 1. **Additional municipal judge for St. Paul to be termed conciliation judge.** *One or more judges of the municipal court of the city of Saint Paul shall serve as conciliation judge of such court for such periods and in such order of rotation as the judges may determine. The person who holds the office of conciliation judge of the City of Saint Paul at the time this act takes effect shall hold the office of municipal judge until the expiration of his present term and the election and qualification of his successor.*

Sec. 6. **Repealer.** Special Laws 1889, Chapter 351, Section 50, and Laws 1921, Chapter 525, Sections 2 and 8 are repealed.

Approved April 29, 1957.

CHAPTER 928—H. F. No. 1444

[Coded in Part]

An act relating to the state employee retirement association; and appropriating money therefor, amending Minnesota Statutes 1953, Sections 352.01, 352.04 Subdivision 1, as amended, 352.05, 352.103 Subdivision 2, 352.113 as amended, 352.12 as amended, 352.14; repealing Minnesota Statutes 1953, 352.01, Subdivisions 8, 9 as amended, 352.015 as amended, 352.02 as amended, 352.04 Subdivision 5, as amended, 352.09 as amended, 352.11 as amended, 352.21.

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

Section 1. Minnesota Statutes 1953, Section 352.01, Subdivision 2, is amended to read:

Subd. 2. **State employee.** (1) "State Employee" means any employee or officer in the classified and unclassified services of the state except any employee designated by the civil service board as a labor service employee who is paid on an hourly basis. The term also includes the special classes of persons listed in paragraph 2 of this subdivision but excludes the special classes of persons listed in paragraph 3.