

from tax funds levied by the school district; such payment shall not qualify the districts for state or county transportation aids.

Section 3. This act shall become effective only after its approval by the governing body of the district affected and upon compliance with Minnesota Statutes, Section 645.021.

Section 4. In the event of the annexation of Common School District # 1923 by Common School District # 2065, this act shall apply to the latter district after such annexation.

Approved May 26, 1965.

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CHAPTER 858—S. F. No. 1846

[Coded in Part]

*An act relating to the municipal court of Hennepin county; amending Minnesota Statutes 1961, Sections 488A.01, Subdivision 9, as amended; 488A.01, Subdivision 11; 488A.01, Subdivisions 12 and 13, the subdivisions added to said section by Laws 1963, Chapter 877, Sections 5 and 6; 488A.03, Subdivision 13; 488A.06, Subdivision 1, as amended; 488A.06, as amended by adding a new subdivision; 488A.08, Subdivision 1, as amended; 488A.08, Subdivision 3, as amended; 488A.10, Subdivision 6, as amended; 488A.10, as amended by adding a subdivision; and 484.63.*

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

Section 1. Minnesota Statutes 1961, Section 488A.01, Subdivision 9, as amended by Laws 1963, Chapter 877, Section 4, is amended to read:

Subd. 9. **Hennepin county; municipal court; place of holding court.** (a) *The municipal building commission, or the county of Hennepin, or both, shall provide suitable quarters for the holding of regular terms of court in the city of Minneapolis, in each senatorial district lying wholly within the county of Hennepin outside the city of Minneapolis at a place to be determined by a majority of the judges of the court Bloomington, St. Louis Park, Wayzata, and Crystal, and at such other places in the county as may be designated by a majority of the judges of the court. At the places of holding regular terms of court established pursuant to this clause, all functions of the court may be discharged, including both court and jury trials of civil and criminal matters.*

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**

(b) In addition to the regular places of holding court set forth in clause (a) of this subdivision, trials of traffic and criminal violations *before the court without jury* shall be held in the municipalities of ~~Bloomington~~, Golden Valley, Richfield, Excelsior, ~~St. Louis Park~~, Edina, Minnetonka, Hopkins, Mound, Maple Plain, ~~Wayzata~~, Plymouth, ~~Crystal~~, Brooklyn Center, St. Anthony, Osseo, Robbinsdale, Brooklyn Park, Eden Prairie, and Orono, if not so designated in clause (a) above and such additional locations as may be designated by a majority of the judges of the court. The county of Hennepin shall provide suitable quarters for the holding of court in such locations as may be designated under this clause.

Sec. 2. Minnesota Statutes 1961, Section 488A.01, Subdivision 11, is amended to read:

Subd. 11. **Removal of causes to supreme court.** All causes *civil and criminal* ~~may~~ shall be removed from the municipal court to the supreme court of the state of Minnesota in the same manner, upon like proceedings and with like effect as from district courts.

Sec. 3. Minnesota Statutes 1961, Section 488A.01, Subdivision 12, the subdivision added to said section by Laws 1963, Chapter 877, Section 5, is amended to read:

Subd. 12. **Trial of civil actions.** (a) All civil actions brought in the municipal court of Hennepin county shall be tried at the place of holding court specified in writing on the summons issued therein. If no place of trial is specified on the summons by the plaintiff or plaintiffs, the action shall be tried at the Hennepin county courthouse.

(b) A defendant residing in Hennepin county outside of the city of Minneapolis and the village of St. Anthony may change the place of trial of a civil action to the place of holding court ~~in the senatorial district set forth in Minnesota Statutes, Section 488A.01, Subdivision 9, which is nearest the municipality~~ of his residence in the manner provided herein. A defendant residing in Hennepin county within the city of Minneapolis or the village of St. Anthony may change the place of trial of a civil action to the city of Minneapolis in the same manner. If there are several defendants residing in different ~~senatorial districts~~ *municipalities* or in the city of Minneapolis or the village of St. Anthony, the trial shall be held in the city of Minneapolis or in the ~~senatorial district place of holding court set forth in Minnesota Statutes, Section 488A.01, Subdivision 9,~~ upon which a majority of them shall unite in demanding or, if the number be equal, at the city of Minneapolis or in the ~~senatorial district whose place of holding court set forth~~

**Changes or additions indicated by italics, deletions by strikeout.**

*in Minnesota Statutes, Section 488A.01, Subdivision 9, which place of holding court is nearest to the place where such action would have been tried in the absence of such demand.*

(c) If the place of court determined by the summons is not the place of residence of the defendant or defendants, the action may notwithstanding be tried therein unless, within 20 days after the summons is served, the defendant demands in writing that it be tried in the proper place of holding court. This demand shall be accompanied by the affidavit of the defendant, or his agent or attorney, setting forth the municipality ~~or senatorial district~~ of defendant's residence at the time of the commencement of the action. This demand and affidavit, with proof of service thereof upon the plaintiff's attorney, shall be filed with the clerk within 30 days from the date of its service and thereupon the place of trial shall be changed to the proper place of holding court without any other proceedings.

When the place of trial is changed all other proceedings shall be had in the place to which the change is made, unless otherwise provided by consent of the parties filed with the clerk or by order of the court.

(d) For the purpose of determining the place of residence of a domestic corporation, such corporation shall be considered as residing at any place where it has an office, resident agent or business place.

(e) If none of the parties shall reside or be found in the county of Hennepin or the defendant be a foreign corporation, the action may be tried at any place of holding court designated in the summons.

(f) *The provisions of this subdivision 12 shall be subject to the provisions of Minnesota Statutes, Section 488A.01, Subdivision 9.*

Sec. 4. Minnesota Statutes 1961, Section 488A.01, Subdivision 13, the subdivision added to said section by Laws 1963, Chapter 877, Section 6, is amended to read:

Subd. 13. **Trial of criminal actions.** All charges of traffic and ordinance violations shall be tried in the municipality where the alleged violation occurred *subject to provisions of section 488A.01, subdivision 9.* If there is no designated place of holding court *as provided in section 488A.01, subdivision 9,* in such municipality, the alleged violation shall be tried in the *municipality* ~~place of holding court~~ *designated* ~~which is nearest to the place where the alleged violation occurred by rule of the court.~~

**Changes or additions indicated by italics, deletions by strikeout.**

Sec. 5. Minnesota Statutes 1961, Section 488A.03, Subdivision 13, is amended to read:

Subd. 13. **Destruction of records.** (a) Upon order of all the judges the clerk may destroy or dispose of all of the following types of files and records of the court which are more than ten years old:

- (1) Garnishment files, uncontested,
- (2) Motion calendars, special term,
- (3) Unlawful detainer calendars, special term,
- (4) Garnishment calendars, special term,
- (5) General term calendars,
- (6) Court reporters note books,
- (7) Receipt books for prisoners,
- (8) Old receipt books for probation department,
- (9) Criminal and ordinance violations files,
- (10) Cash books,
- (11) Depositions,
- (12) Traffic tags.

(b) Upon order of all the judges and ~~with the consent of~~ *upon ten days written notice to* the president of the Hennepin County Historical Society, the clerk may destroy or dispose of all files of civil or garnishment actions and actions of forcible entry or unlawful detainer which were commenced more than 20 years prior to the judges' order and in which no proceedings have occurred within ten years prior to the judges' order.

Sec. 6. Minnesota Statutes 1961, Section 488A.06, Subdivision 1, as amended by Laws 1963, Chapter 877, Section 23, is amended to read:

488A.06 **Bailiffs.** Subdivision 1. **Appointment; duties.** The sheriff with approval of a majority of the judges shall assign to the court a sufficient number of deputy sheriffs who shall act as bailiffs of the court. A bailiff shall be in attendance at all sessions of the court involving traffic or criminal matters, and serve all process and warrants and perform such other duties as may be directed by the judges of the court. *The county board may with the approval of a majority of the judges contract with any municipality upon such*

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*terms as agreed upon for the services of police officers of the municipality to act as bailiffs at all sessions of the court in the municipality.*

Sec. 7. Minnesota Statutes 1961, Section 488A.06, as amended by Laws 1963, Chapter 877, Sections 23 to 26, is amended by adding a new subdivision to read:

**Subd. 5. Transportation of defendants.** *The sheriff of Hennepin county shall transport defendants pursuant to rules promulgated by the court and orders of the court.*

Sec. 8. Minnesota Statutes 1961, Section 488A.08, Subdivision 1, as amended by Laws 1963, Chapter 877, Section 30, is amended to read:

**488A.08 Traffic and ordinance violations bureau.** Subdivision 1. **Establishment.** Traffic and ordinance violation bureaus shall be established at ~~the locations of court in each senatorial district~~ *Bloomington, St. Louis Park, Wayzata, and Crystal* and at such additional places as a majority of the judges of the court may establish.

Sec. 9. Minnesota Statutes 1961, Section 488A.08, Subdivision 3, as amended by Laws 1963, Chapter 877, Section 32, is amended to read:

**Subd. 3. Traffic tag defined.** The term "traffic tag" means a written or printed notice served upon a person charged with the violation of a traffic law or municipal ordinance, charter provision, rule or regulation or affixed conspicuously to a motor vehicle operated, parked or standing in violation thereof, which requires appearance before a traffic violations bureau within a specified time. *The county board of Hennepin county may alter by deletion or addition the uniform traffic ticket, provided in Minnesota Statutes, Section 169.99, in such manner as it deems advisable for use in Hennepin county.*

Sec. 10. Minnesota Statutes 1961, Section 488A.10, Subdivision 6, as amended by Laws 1963, Chapter 877, Section 34, is amended to read:

**Subd. 6. Trials by judge without jury.** *In a trial upon a charge of violation of any municipal ordinance, charter provision, rule or regulation shall be heard, tried and determined by a judge without a jury and the defendant shall have no the right to a jury trial on such a charge, except as otherwise required by law.*

Sec. 11. Minnesota Statutes 1961, Section 488A.10, as amended by Laws 1963, Chapter 877, Sections 34, 35, and 36, is amended by adding a subdivision to read:

**Changes or additions indicated by italics, deletions by ~~strikeout~~.**

*Subd. 12. Presumption of innocence; conviction of lowest degree. In an action or proceeding charging a violation of an ordinance of any subdivision of government in the county of Hennepin, if such ordinance is the same or substantially the same as a state law, the provisions of Minnesota Statutes, Section 611.02, shall apply.*

Sec. 12. Minnesota Statutes 1961, Section 484.63, is amended to read:

**484.63 Appeal, jury trial on appeal.** Any person convicted of a violation of a municipal ordinance in any court *except the municipal court of Hennepin county* may appeal from the conviction to the district court in the same manner and with the same effect as provided by Minnesota Statutes, Chapter 633, except that the appellant shall have the right to a jury trial if he was not tried by jury in the municipal court.

Sec.13. **[488A.119] Bailiffs, deputy clerks and law clerks; appointment, tenure; oath and bond; salaries.** *A majority of the judges may appoint an individual or individuals to perform the function of court room bailiff, deputy clerk and law clerk or any combination thereof. The appointment may be terminated by a majority of the judges without hearing or notice. A majority of the judges may establish requirements as to oath and bond. The salary or salaries of said individual or individuals shall be set by the Hennepin county board of commissioners and shall be paid by the Hennepin county treasurer.*

Approved May 26, 1965.

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#### CHAPTER 859—S. F. No. 1921

*An act relating to solicitation of charitable funds; amending Minnesota Statutes 1961, Section 309.51, Subdivision 2.*

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

Section 1. Minnesota Statutes 1961, Section 309.51, Subdivision 2, is amended to read:

**Subd. 2. Charitable organizations; solicitation of funds.** In addition to the exemption granted by subdivision 1, the following charitable organizations may, but need not, file registration statements or annual reports with the department:

- (a) The University of Minnesota and any other educational

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