

CHAPTER 866—S. F. No. 2073

[Not Coded]

An act relating to any commission established by ordinance in the city of St. Paul to regulate in the field of civil rights; granting certain powers and providing for judicial review.

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

Section 1. **St. Paul, city of; civil rights.** Any anti-discrimination commission established by an ordinance of the city of St. Paul shall, in addition to all powers now contained in said ordinance be granted the power and authority to provide that any complainant, respondent, or other person aggrieved by any order of the St. Paul human and civil rights commission may obtain judicial review thereof, and the commission may obtain an order of court for the enforcement of its orders in a proceeding as provided in this section. Such proceeding shall be brought in the district court of the state within any county wherein the unlawful discriminatory practice which is the subject of the commission's order occurs or wherein any person required in the order to cease and desist from an unlawful discriminatory practice or to take other affirmative action resides or transacts business. Such proceedings shall be initiated by the filing of a petition in such court, together with a written transcript of the record upon the hearing before the commission, and the issuance and service of a notice of motion returnable at a special term of such court. Thereupon the court shall have jurisdiction of the proceeding and of the questions determined therein, and shall have power to grant such temporary relief or restraining order as it deems just and proper, and to make and enter upon the pleadings, testimony, and proceedings set forth in such transcript an order enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part the order of the commission. The court may order a trial de novo to the court, and the person complained against shall be entitled at his request to a trial by jury. Any party may move the court to remit the case to the commission in the interests of justice for the purpose of adducing additional specified and material evidence and seeking findings thereon, provided he shows reasonable grounds for the failure to adduce such evidence before the commission. All such proceedings shall be heard and determined by the court and by any appellate court as expeditiously as possible and with lawful precedence over other matters. The jurisdiction of the district court shall be exclusive and its judgment and order shall be final, subject to review by the supreme court in the same manner and form and with the same effect as provided in the rules of civil procedures for appeals from a final order in a special proceeding. The commission's

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

copy of the testimony shall be available at all reasonable times to all parties for examination without cost and for the purposes of judicial review of the order of the commission. The commission may appear in court by any attorney. A proceeding under this section when instituted by any complainant, respondent, or other person aggrieved must be instituted within 30 days after service of the order of the commission.

A respondent may waive the hearing before the commission and demand a hearing before the district court on the complaint in which event no further proceeding shall be had before the commission. All further proceedings shall be had in the district court upon filing of a petition by the commission. In such case the determination of the existence of the alleged discriminatory practice and the granting of relief shall be left to the court.

Sec. 2. This act shall become effective only after its approval by a majority of the members of the governing body of the city of St. Paul and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 26, 1965.

CHAPTER 867—S. F. No. 2082

[Not Coded]

An act relating to state disaster areas in Washington county, providing for the exercise of emergency powers, and authorizing the issuance of certificates of indebtedness; amending Laws 1965, Chapter 252.

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

Section 1. Laws 1965, Chapter 252, is amended to read:

Section 1. **Washington county; disaster areas.** The governor is hereby authorized to designate and declare areas of Washington county as state disaster areas when any community therein suffers or is threatened by flood, fire, storm, or other catastrophe of such severity and magnitude as to endanger the public health, safety, and welfare.

Sec. 2. Subdivision 1. The governing body of Washington county, *of the city of Stillwater, or of any other city, village, borough, or town in Washington county, however organized, each of which are*

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