

Section 4. This act shall become effective only after its approval by a majority of the governing body of the City of Hastings and upon compliance with the provisions of Minnesota Statutes, Section 645.021.

Approved May 31, 1967.

EXTRA SESSION

CHAPTER 19—S. F. No. 23

An act relating to creation of a jury commission and selection of grand and petit jurors; amending Minnesota Statutes 1965, Section 593.13.

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

Section 1. Minnesota Statutes 1965, Section 593.13, is amended to read:

593.13 Jurors; selection. *Subdivision 1. In all counties having a population of less than 100,000 the selection of qualified persons whose names are placed on the jury lists of each county shall be by a jury commission, said commission to be comprised of the clerk of district court of each county, the chairman of the county board of the county, and a resident of the county as appointed by the chief judge of the Judicial District, said resident being designated the court appointed commissioner. The court appointed commissioner shall serve at the will of the chief judge of the district, and shall be designated the chairman of the jury commission.*

Subd. 2. The county board, at its annual session in January The jury commission, at a meeting to be called by the court appointed commissioner in January of each year, shall select; from the qualified voters of the county, 72 persons to serve as grand jurors, and 144 persons to serve as petit jurors, and make separate lists thereof, which shall be certified and signed by the chairman, attested by the auditor, and forthwith delivered to the clerk of the district court: 72 persons to serve as grand jurors and one name for each 100 persons residing in said county at the last federal census to serve as petit jurors. Provided however, that no less than 150 persons shall be selected to serve as petit jurors. Selection of grand and petit jurors shall be from the qualified voters of the county and taken from either the election register of those who voted in the last election in said county, or from the voter registration file where

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permanent registration systems are maintained. At the request of the jury commission the county auditor and the city, village and town clerks shall make available to the commission for its use their voting registers and registration lists.

Subd. 3. In selecting said names, the commissioners, beginning with the court appointed commissioner, shall each alternately place one name in a box to be known as the jury box, until the required number of names are contained therein. Separate lists of such names as are contained in said box and of the names selected to serve as grand jurors shall be certified and signed by the chairman of the jury commission and forthwith delivered to the clerk of court. If in any county the board is unable to select the required number, the highest practicable number shall be sufficient.

Subd. 4. In counties where the population exceeds 10,000, no person on such list drawn for service shall be placed on the next succeeding annual list, and the clerk of court shall certify to the board jury commission, at its annual January session, the names on the last annual list not drawn for service during the preceding year, nor shall any juror at any one term serve more than 30 days and until the completion of the case upon which he may be sitting. The court may, with the consent of any such juror and with the consent of any parties having matters for trial, after such 30-day period has expired, hold and use such jurors so consenting to try and determine any jury cases remaining to be tried at such term between parties so consenting. In counties having two or more terms of court in one year, after the jurors have been drawn for any term of such court, the clerk shall strike from the original list the names of all persons who were drawn for such term, and notify the board jury commission thereof, which at its next session a session to be called by the clerk of court shall likewise select and certify an equal number of new names, which shall be added by such clerk to the names in the original list. If the list is not made and delivered at the meeting in January, it may be so made and delivered at any regular or special meeting thereafter.

Subd. 5. Whenever before or after a term commences it appears to the court that there is or will be an entire absence or deficiency of jurors, whether from an omission to draw or to summon such jurors or because of a challenge to the panel or from any other cause, the court may order a special venire to issue to the sheriff of the county, commanding him to summon from the county at large a specified number of competent persons to serve as jurors for the term or for any specified number of days; provided, that before such special venire shall issue the jurors who have been selected by the

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~~county board jury commission~~ and whose names are still in the box, provided for in section 628.45, shall first be called, and upon an order of the court the number of names required for such special venire shall be drawn from the box in the manner required by law, and the jurors so drawn shall be summoned by the sheriff as other jurors; and as additional jurors are needed successive drawings shall be ordered by the court until the names contained in the box have been exhausted.

Sec. 2. This act shall not apply to any counties which are governed by Laws 1959, Chapter 219.

Approved May 31, 1967.

EXTRA SESSION

CHAPTER 20—S. F. No. 24

An act relating to jurors; summoning and selecting in certain cases; amending Minnesota Statutes 1965, Section 593.135.

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

Section 1. Minnesota Statutes 1965, Section 593.135, is amended to read:

593.135 Jurors; summoning and selecting in certain cases. A county commissioner who has participated in the selection from the qualified voters of the county a list of petit jurors as provided in Laws 1951, Chapter 449, *or a jury commission member who has participated in the selection of a list of petit jurors*, shall not be tried on a charge of crime before a jury impaneled from a venire drawn from such list, but in such case, the jury panel from which the jury for the trial of such criminal charge is selected shall be provided by the judge or judges of the district court of the district wherein such ~~county commissioner~~ *person* is to be tried. Such judge or judges may by order filed with the clerk of court of such county at least 15 days before the trial, direct that a certain number of petit jurors, not exceeding 30, be summoned for the day of the trial and the duration thereof. Such order may be at any time modified or vacated by the court by an order in like manner made and filed with the clerk at any time. When such order has been made, ~~the clerk of the district court~~ *the sheriff* in such county, shall, in the presence of the judge or judges thereof, at least ten days before the day of the trial, under the direction of such judge or judges, draw

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