

reimburse the corporation for a reasonable portion of any losses associated with the institution of intercity rail passenger service by the corporation beyond that included within the basic national rail passenger system.

Sec. 4. [216A.13] **PUBLIC HEARING; NOTICE.** Before any contract or agreement, as provided in section 3, is entered into, the governing body of the governmental unit shall hold a public hearing on such proposed contract or agreement. Notice of the time and place of said hearing shall be published in one or more legal newspapers of general circulation in the area once in each week for two successive weeks prior to said hearing. The published notice shall be in a form determined by the governing body, which form shall be sufficient in size and prominent in format in order to attract the attention of the reader. In any event the notice shall be of a size at least two columns in width by six inches in length. The notice shall set forth the portion of any losses that the governmental unit proposes to reimburse the corporation.

Approved June 7, 1971.

CHAPTER 957—S.F.No.164

[Not Coded]

An act proposing an amendment to the Minnesota Constitution, Article VI; providing for the organization and conduct of the judicial power of the state.

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

Section 1. The following amendment to the Minnesota Constitution, Article VI, is proposed to the people. If the amendment is adopted, the Article shall read as follows:

ARTICLE VI

Section 1. **CONSTITUTIONAL AMENDMENT; JUDICIARY.** The judicial power of the state is hereby vested in a supreme court, a district court, ~~a probate court~~, and such other courts, ~~minor~~ judicial officers and commissioners with jurisdiction inferior to the district court as the legislature may establish.

Sec. 2. The supreme court shall consist of one chief judge and not less than six nor more than eight associate judges as the legislature may establish. It shall have original jurisdiction in such remedial cases as may be prescribed by law, and appellate jurisdiction in all cases, but there shall be no trial by jury in said court.

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

~~A judge~~ Judges of the district court may be assigned as provided by law temporarily to act as ~~a judge~~ judges of the supreme court upon its request.

The supreme court shall appoint, to serve at its pleasure, a clerk, a reporter, a state law librarian, and such other employees as it may deem necessary.

Sec. 3. The number and boundaries of judicial districts shall be established or changed in the manner provided by law but the office of a district judge may not be abolished during his term. There shall be two or more district judges in each district. Each judge of the district court in any district shall be a resident of such district at the time of his selection and during his continuance in office.

Sec. 4. There shall be ~~elected~~ in each county one clerk of the district court, whose qualifications and duties shall be prescribed by law, and ~~whose term of office shall be four years who shall serve at the pleasure of a majority of the judges of district court in each district~~. His compensation shall be ~~prescribed~~ provided by law and shall not be diminished during his term of office.

Sec. 5. The district court shall have original jurisdiction in all civil and criminal cases, and shall have such appellate jurisdiction as may be prescribed by law.

Sec. 6. ~~The probate court shall have unlimited~~ Original jurisdiction in law and equity for the administration of the estates of deceased persons and all guardianship and incompetency proceedings, and ~~such further jurisdiction as the legislature may establish, including jurisdiction over the administration of trust estates and for the determination of taxes contingent upon death shall be provided by law~~. Until otherwise provided by law, each county shall constitute a probate court district and there shall be one or more probate judges in each district. Each judge of the probate court in any district shall be a resident of such district at the time of his selection and during his continuance in office.

Sec. 7. Judges of the supreme court, ~~and the district court, and the probate court~~ shall be learned in the law. The qualifications of all other judges and judicial officers shall be prescribed by law. The compensation of all judges shall be prescribed by the legislature and shall not be diminished during their term of office.

Sec. 8. The term of office of all judges shall be six years and until their successors are qualified, and they shall be elected in the manner provided by law by the electors of the state, district, county, municipality, or other territory wherein they are to serve.

Sec. 9. Judges of the supreme court and the district court shall not hold any office under the United States except a commission in a

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reserve component of the military forces of the United States and shall not hold any other office under this state. The term of office of any such judge shall terminate at the time he files as a candidate for an elective office of the United States or for a nonjudicial office of this state.

Sec. 10. The legislature may provide by law for retirement of all judges, for the extension of the term of any judge who shall become eligible for retirement within three years after expiration of the term for which he is selected and for the retirement, removal or other discipline of any judge who is incapacitated while in office disabled, incompetent or guilty of conduct prejudicial to the administration of justice.

Sec. 11. Whenever there is a vacancy in the office of judge the governor shall appoint in the manner provided by law a qualified person to fill the vacancy, to hold office until his successor is elected and qualified. The successor shall be elected for a six year term at the next general election occurring more than one year after such appointment.

Sec. 12. As provided by law, a retired judge may be assigned to hear and decide any cause over which the court to which he is assigned shall have jurisdiction.

Sec. 13. If the probate court is abolished by law, judges of that court who are learned in the law shall become judges of the court that assumes jurisdiction of matters described in section 6.

SCHEDULE

~~(a) All justices of the peace shall continue in office each for the remainder of his term which remains unexpired at the time this Article takes effect.~~

~~(b) All probate judges in office at the time this Article takes effect shall be deemed learned in the law for the purpose of continuance in, and reelection to, any judicial office inferior to the district court.~~

~~(c) All municipal courts in existence at the time this Article takes effect shall continue in existence until otherwise provided by law.~~

~~(d) Salary schedules, in effect when this Article takes effect for the compensation of judges, court commissioners, clerks of court, and other court employees, shall remain in effect until otherwise prescribed by the legislature or provided by law.~~

~~(e) Statutory provisions fixing the retirement compensation of judges, in effect when this Article takes effect shall remain in effect until otherwise provided by law.~~

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

~~(f) The office of court commissioner in any county at the time this Article takes effect shall continue in existence until otherwise provided by law.~~

Sec. 2. **SCHEDULE AND QUESTION.** No judge or other officer shall lose his office as a consequence of this amendment before the last regular term to which he is elected expires. The proposed amendment shall be submitted to the people at the 1972 general election. The question proposed shall be:

“Shall Article VI of the Constitution of the State of Minnesota be amended to provide for the organization and conduct of the judicial power of the state, authorizing the discipline and removal of judges, permitting the legislature to provide for the assumption of the jurisdiction of the probate court, and providing for the appointment of the clerk of district court?”

Yes _____
No _____ ”

Approved June 7, 1971.

CHAPTER 958—S.F.No.1924

[Not Coded]

An act proposing an amendment to the Minnesota Constitution, Article IV, Section 5 and Article V, Sections 1 and 6; providing for the election, duties, and compensation of the lieutenant governor.

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

Section 1. The following amendment to the Minnesota Constitution, Article IV, Section 5, is proposed to the people. If the amendment is adopted the section shall read as follows:

Sec. 5. **CONSTITUTIONAL AMENDMENT; LIEUTENANT GOVERNOR.** ~~The House of Representatives~~ Each house shall elect its presiding officer and ~~the Senate and House of Representatives shall elect~~ such other officers as may be provided by law; they shall keep journals of their proceedings, and from time to time publish the same, and the yeas and nays, when taken on any question, shall be entered on such journals.

Sec. 2. The following amendment to the Minnesota Constitution, Article V, Sections 1 and 6, is proposed to the people. If the amendment is adopted the sections shall read as follows:

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