

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

**Section 1. MINNEAPOLIS, CITY OF; CLASSIFIED EMPLOYEES; SUSPENSION.** Notwithstanding any charter provision to the contrary no employee in the classified service of the city of Minneapolis may be suspended for disciplinary purposes for a period in excess of 30 days except for cause and with right of appeal to the Minneapolis civil service commission in such manner and form as the commission by rule provides.

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

Approved May 22, 1973.

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## CHAPTER 524—H.F.No.2002

*An act relating to bonds; public officers; requiring that bonds of public officers be filed in the office of the register of deeds; amending Minnesota Statutes 1971, Sections 375.03; 382.10; 382.12; 386.01; 386.18; 388.01; 389.011, Subdivision 3; 390.01; 485.01; 488.10, Subdivision 2; 508.31; 525.04; 525.09; 525.10; 574.20; and repealing Minnesota Statutes 1971, Sections 382.09 and 382.11.*

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

**Section 1.** Minnesota Statutes 1971, Section 375.03, is amended to read:

**375.03 BONDS; PUBLIC OFFICERS; FILING; TERM OF COMMISSIONERS.** In each new county, and in each county which shall be entitled to an increase of the number of commissioners, there shall be elected at the next general election a commissioner from each odd-numbered district for a term of two years, and one from each even-numbered district for a term of four years; and thereafter all commissioners shall be elected for a term of four years, except that elections or appointments to fill vacancies shall be for the unexpired term only. In counties having a population of more than 150,000, every such commissioner, before he enters upon his duties, shall give bond to the state in the sum of \$10,000, with a legally authorized surety company as surety, conditioned for the faithful performance of his official duties. Such bond shall be approved by a judge of the district court, and together with his

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oath of office and certificate of election, be filed with the ~~secretary of state~~ register of deeds. The premium on the bond shall not exceed that prescribed by law for county treasurers, and shall be paid by the county.

Sec. 2. Minnesota Statutes 1971, Section 382.10, is amended to read:

**382.10 BONDS RECORDED.** Official bonds of county officers when approved by the county board, and their oaths of office and the bonds and oaths of their deputies, except register of deeds, shall be filed and recorded in the office of the register of deeds and ~~when recorded shall be forwarded by him to the secretary of state as soon as recorded. Such secretary shall submit all such bonds to the attorney general for approval as to form and execution, who, if he finds the same satisfactory, shall endorse his approval thereon and thereupon the secretary of state shall file the same in his office for the use of all parties interested.~~

Sec. 3. Minnesota Statutes 1971, Section 382.12, is amended to read:

**382.12 BONDS NOT WITHDRAWN.** No bond so filed with the secretary of state shall be removed except upon the written order of a judge of a court of record before whom an action is pending to enforce the conditions thereof.

Sec. 4. Minnesota Statutes 1971, Section 386.01, is amended to read:

**386.01 BOND.** Every register of deeds, before he enters upon the duties of his office, shall give bond to the state in the penal sum of \$5,000, to be approved by the county board, conditioned that he will faithfully and impartially fulfill the duties of his office. The bond and his oath of office shall be filed for record with the clerk of the district court, ~~and forwarded by the clerk to the secretary of state.~~

Sec. 5. Minnesota Statutes 1971, Section 386.18, is amended to read:

**386.18 ABTRACTER; BOND.** The county board may, by resolution, authorize any person to use a portion of the county building for the purpose of making abstracts of title, upon the execution by such person of a bond to the county state in a sum not less than \$500, conditioned for the faithful performance of his duties as such abstracter and that he will handle all public records with care and charge no greater fee for abstracts of title than is or may be allowed by law to registers of deeds for like services.

Sec. 6. Minnesota Statutes 1971, Section 388.01, is amended to read:

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**388.01 ELECTION; QUALIFICATIONS; TERM; BOND.** There shall be elected in each county a county attorney who shall be learned in the law, and whose term of office shall be four years and until his successor qualifies. Before entering upon his duties he shall give bond to the county state in the penal sum of \$1,000, to be approved by the county board, conditioned that he will faithfully and impartially discharge the duties of his office and pay over without delay to the county treasurer all moneys which come into his hands by virtue thereof, which bond and his oath shall be filed for record with the register of deeds ~~and when so recorded shall be forwarded by the register of deeds to the secretary of state, unless said bond is in a similar manner provided or included in a general bond covering this and other officers of said county.~~

Sec. 7. Minnesota Statutes 1971, Section 389.011, Subdivision 3, is amended to read:

Subd. 3. **BOND, OATH.** Any county surveyor appointed or elected after July 1, 1961, before entering upon his duties shall give bond to the county state, approved by the county board, in the sum of \$2,000 conditioned for the faithful discharge of his duties, which bond, with his oath, together with a certified copy of his registration as a land surveyor or his certificate of election shall be filed for record with the register of deeds.

Sec. 8. Minnesota Statutes 1971, Section 390.01, is amended to read:

**390.01 BOND.** Before entering upon the duties of his office, the coroner shall give bond to the county state in such penal sum, not less than \$500 nor more than \$10,000, as the county board directs and approves, with the same conditions in substance as in the bond required by law to be given by the sheriff, except as to the description of the office, which bond, with his oath of office, shall be filed for record with the register of deeds.

Sec. 9. Minnesota Statutes 1971, Section 485.01, is amended to read:

**485.01 ELECTION; BOND; DUTIES.** There shall be elected in each county a clerk of the district court, who, before entering upon the duties of his office, shall give bond to the county state, to be approved by the county board, in a penal sum of not less than \$1,000 nor more than \$10,000 conditioned for the faithful discharge of his official duties. In counties having a population of more than 200,000 and less than 350,000 the amount of such bond shall be \$10,000 and in counties having a population of more than 350,000 the amount of such bond shall be \$25,000, which bond, with his oath of office, shall be filed for record with the register of deeds. Such clerk shall perform all duties assigned him by law and by the rules

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of the court. He shall not practice as an attorney in the court of which he is the clerk.

Sec. 10. Minnesota Statutes 1971, Section 488.10, Subdivision 2, is amended to read:

Subd. 2. (a) The clerk and each deputy shall take and subscribe an oath to support the constitutions of the United States of America and the state to perform faithfully the duties of his office. The oath shall be filed in the office of the secretary of state;

(b) The clerk and each deputy shall give bond to the state in at least the sum of \$1,000 to be approved by the appointing judge, conditioned for the faithful discharge of his official duties, and for the payment as required by law or by order of the court of all moneys coming into his hands. Each bond shall be filed in the office of the ~~secretary of state~~ register of deeds;

(c) The clerk shall delegate and supervise the work of the deputy clerk;

(d) The clerk and each deputy may administer oaths and affirmations and take acknowledgements. Each deputy shall perform the duties and exercise the powers of the clerk which are delegated to him. The clerk has all the powers and shall perform all the duties incident to the office of a clerk of a court of record or necessary to carry out the purposes of the municipal court act;

(e) The clerk shall make minutes, records, and indices of all proceedings; enter all orders, judgments and sentences; issue all process; keep proper accounts; have custody of all records of the court; and tax all costs and disbursements.

Sec. 11. Minnesota Statutes 1971, Section 508.31, is amended to read:

**508.31 REGISTRAR'S BOND.** Before entering upon the duties of his office, the registrar of titles shall execute a bond to the state for such amount and with such sureties as may be determined by the county board. Such bond shall be approved by the district court, filed in the office of the ~~secretary of state~~ register of deeds, and conditioned for the faithful discharge of his duties. A copy of the bond shall be filed and entered upon the records of the court.

Sec. 12. Minnesota Statutes 1971, Section 525.04, is amended to read:

**525.04 JUDGE; ELECTION, QUALIFICATIONS, BOND.** There shall be elected in each county a probate judge who shall be learned in the law, except that probate judges now in office shall

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be considered learned in the law insofar as being eligible to continue in office and to be re-elected to same. Before he enters upon the duties of his office he shall execute a bond to the state in the amount of \$1,000, approved by the county board and conditioned upon the faithful discharge of his duties. Such bond with his oath shall be recorded in the office of the register of deeds and ~~filed in the office of the secretary of state after approval as to form by the attorney general.~~ The premiums on such bond and the expenses of such recording and filing shall be paid by the county. An action may be maintained on such bond by any person aggrieved by the violation of the conditions thereof.

Sec. 13. Minnesota Statutes 1971, Section 525.09, is amended to read:

**525.09 CLERKS; APPOINTMENT; POWERS.** The judge may appoint a clerk, deputy clerks, and employees as provided by law, to hold office during his pleasure, who shall perform the duties imposed by law and such judge. Such appointments shall be in writing and filed in such court. Before entering upon the duties of his office, each clerk and such deputy clerks and employees designated by the court shall execute a bond to the state in the amount of \$1,000 approved by the county board and conditioned upon the faithful discharge of his duties. Such bond with the oath of the appointee shall be recorded in the office of the register of deeds and ~~filed in the office of the secretary of state after approval as to form by the attorney general.~~ The premiums on such bonds and the expenses of such recording and filing shall be paid by the county. An action may be maintained on such bond by any person aggrieved by the violation of the conditions thereof. A clerk or deputy clerk may take acknowledgments, administer oaths, authenticate, exemplify, or certify copies of instruments, documents, or records of the court, and when so ordered may hear and report to the court the testimony of any witnesses and the interrogatories and objections of counsel.

Sec. 14. Minnesota Statutes 1971, Section 525.10, is amended to read:

**525.10 REFEREE; APPOINTMENT; BOND.** The judge of the probate court of any county in this state now or hereafter having more than 350,000 inhabitants may appoint one referee in probate who shall be a resident of such county and an attorney at law duly admitted in this state. He shall hold office during the pleasure of the judge appointing him. Such appointment shall be in writing and filed in such court. Before entering upon the duties of his office, he shall execute a bond to the state in the amount of \$1,000 approved by the county board and conditioned upon the faithful discharge of his duties. Such bond with the oath of the appointee shall be recorded in the office of the register of deeds and ~~filed in the office of the secretary of state after approval as to form by the~~

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~~attorney general.~~ The premiums on such bond and the expenses of such recording and filing shall be paid by the county. An action may be maintained on such bond by any person aggrieved by the violation of the conditions thereof.

Sec. 15. Minnesota Statutes 1971, Section 574.20, is amended to read:

**574.20 BONDS, BY WHOM APPROVED.** Except as otherwise provided by law in particular cases, bonds shall be approved as follows:

(1) The official bonds of all state officers, including those of the treasurers, superintendents, and other officials, and employees of the several public educational, charitable, penal, and reformatory institutions belonging to the state, shall be approved, as to form, by the attorney general, and in all other respects by the governor and the public examiner, or one of them;

(2) The official bonds of county, town, city, village, and school district officers and employees by the governing body of the municipality for whose security they are, respectively, given;

(3) Those required or permitted by law to be given in any court, by the judge or justice of the court in which the proceeding is begun or pending.

(4) In the case of justices of the peace in cities and incorporated villages all bonds shall be surety bonds of a surety company duly authorized to transact business within this state, ~~and copies thereof shall be filed with the secretary of state in addition to all other requirements.~~ The premium for such bond may be paid by the municipality or other political subdivision out of its general revenue fund.

No officer, official, or employee required to give bond shall enter upon his duties until his bond is duly approved and filed.

Sec. 16. Minnesota Statutes 1971, Sections 382.09 and 382.11, are repealed.

Approved May 22, 1973.

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## CHAPTER 525—H.F.No.2004

[Not Coded]

*An act relating to Cass county; authorizing issuance of additional on-sale intoxicating liquor licenses.*

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