

case of the executive branch of state government, where ~~such the~~ final date for submission of final positions shall be November 15 of even-numbered years. Either or both parties except for essential employees may after this time petition the director for binding arbitration stating that an impasse has been reached and the director has determined that further mediation efforts under subdivision 1 would serve no purpose. If the employer has petitioned for binding arbitration said proceedings shall begin within 15 days thereof and be binding on both parties. The director shall determine the matters not agreed upon based upon his efforts to mediate the dispute. If the employee representative has petitioned for binding arbitration the employer shall have 15 days thereafter to reject the request or agree to submit matters not agreed upon to binding arbitration. If the employer does not respond within 15 days it shall be regarded as a rejection and said rejection shall be a refusal by the employer within the meaning of section 179.64, subdivision 7. Under a petition by either party the parties may stipulate those agreed upon items to be excluded from arbitration. Notwithstanding a failure to comply with subdivisions 3, 4, and 5, the director may maintain jurisdiction under section 179.71, subdivision 2.

Sec. 2. This act is effective the day following final passage.

Approved March 13, 1974.

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#### CHAPTER 115—H.F.No.2762

*An act relating to courts; terms of district courts in certain counties; amending Minnesota Statutes 1971, Section 484.11, Subdivisions 5, 10, and 12.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1971, Section 484.11, Subdivision 5, is amended to read:

Subd. 5. **DISTRICT COURTS; THIRD JUDICIAL DISTRICT; TERMS.** Houston county: On the third Monday in May and the ~~fourth~~ second Monday in October.

When any general term in any of said counties except Olmsted county shall be adjourned for a period of more than 30 days, and issues of fact in any action are joined more than eight days before the first day of any such adjourned term, then, and in that case, such action may be brought on for trial at such adjourned term upon notice of trial served eight days or more before the beginning of said adjourned term; such notice of trial shall be filed with the clerk at least eight days before the beginning of such adjourned term and shall serve as a note of issue.

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

Sec. 2. Minnesota Statutes 1971, Section 484.11, Subdivision 10, is amended to read:

Subd. 10. Wabasha county: On the third Monday in ~~May~~ March and the second Monday in ~~November~~ September .

When any general term in any of said counties except Olmsted county shall be adjourned for a period of more than 30 days, and issues of fact in any action are joined more than eight days before the first day of any such adjourned term, then, and in that case, such action may be brought on for trial at such adjourned term upon notice of trial served eight days or more before the beginning of said adjourned term; such notice of trial shall be filed with the clerk at least eight days before the beginning of such adjourned term and shall serve as a note of issue.

Sec. 3. Minnesota Statutes 1971, Section 484.11, Subdivision 12, is amended to read:

Subd. 12. Winona county: On the second Monday in January ~~and~~, the third Monday in April and ~~September~~ the second Monday in November .

When any general term in any of said counties except Olmsted county shall be adjourned for a period of more than 30 days, and issues of fact in any action are joined more than eight days before the first day of any such adjourned term, then, and in that case, such action may be brought on for trial at such adjourned term upon notice of trial served eight days or more before the beginning of said adjourned term; such notice of trial shall be filed with the clerk at least eight days before the beginning of such adjourned term and shall serve as a note of issue.

Approved March 13, 1974.

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#### CHAPTER 116—H.F.No.2827

*An act relating to partition fences; partition fences running into water; repealing Minnesota Statutes 1971, Section 344.15.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **PARTITION FENCES; FENCES RUNNING INTO WATER.** Minnesota Statutes 1971, Section 344.15, is repealed.

Approved March 13, 1974.

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