

To defendant: (1) Upon discontinuance or dismissal, \$5. (2) When judgment is rendered in his favor on the merits, \$10.

Sec. 2. Minnesota Statutes 1971, Section 549.04, is amended to read:

549.04 DISBURSEMENTS; TAXATION AND ALLOWANCE. In every action in a district court, the prevailing party, including any public employee who prevails in an action for wrongfully denied or withheld employment benefits or rights, shall be allowed his disbursements necessarily paid or incurred. In actions for the recovery of money only, of which a municipal court has jurisdiction, the plaintiff, if he recover no more than \$50, shall not recover any disbursements.

Approved April 10, 1974.

CHAPTER 414—S.F.No.2640
[Coded]

An act relating to courts; allowance of costs and disbursements in the supreme court.

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

Section 1. [480.062] SUPREME COURT; PUBLIC EMPLOYEES CLAIMS REGARDING EMPLOYMENT, COSTS AND DISBURSEMENTS. Notwithstanding any rule promulgated by the supreme court to the contrary, the supreme court shall allow costs and disbursements in any appeal to the supreme court to any public employee who prevails in an action for wrongfully denied or withheld employment benefits or rights in the same manner as the court allows costs and disbursements to any prevailing party.

Approved April 10, 1974.

CHAPTER 415—S.F.No.2818

An act relating to elections; stating the constitutional residency requirement for candidates; amending Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1.

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

Section 1. Minnesota Statutes, 1973 Supplement, Section 202.04, Subdivision 1, is amended to read:

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

202.04 ELECTIONS; AFFIDAVIT OF CANDIDACY. Subdivision 1. **FILING, DATE.** Not more than 70 nor less than 56 days before the primary election any eligible person who desires to have his name placed on the primary ballot as a candidate for any elective office to be filled at the general election, except presidential electors, shall file his affidavit with the secretary of state when to be voted for in more than one county, and with the county auditor when to be voted for in a single county stating the following:

(a) That he is a qualified voter in the subdivision where he seeks nomination;

(b) The name of his political party if for a partisan office;

(c) The office for which he desires to be a candidate;

(d) That he has not filed as a candidate for any other office at the same primary election;

(e) That he is, or will be on assuming the office, 21 years of age or more, and that he will have been for 30 days previous to the general election a resident in the district from which he seeks election;

(f) If filing to be a United States senator, that on the next January 3 he will be 30 years of age or more and nine years a citizen of the United States;

(g) If filing to be a United States representative, that on the next January 3, or in the case of an election to fill a vacancy within 21 days after the election, he will be 25 years of age or more and seven years a citizen of the United States;

(h) If filing to be governor or lieutenant governor, that on the first Monday of the next January he will be 25 years of age or more and on general election day he will have been a resident of Minnesota for one year;

(i) If filing to be a supreme court justice, a district court judge, a probate judge, county court judge or a municipal judge that he is learned in the law as defined by section 488.06 or other law;

(j) If filing to be a senator or representative in the legislature, that on election day he will have resided in the state for not less than one year and in the legislative district from which he seeks election for not less than six months;

(k) If for a partisan office, that he affiliated with his political party at the last general election, and either that he did not vote thereat or voted for a majority of the candidates of the political party at the election, and intends to so vote at the ensuing election.

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

Approved April 10, 1974.

CHAPTER 416—S.F.No.2973
[Not Coded]

An act relating to Dakota county; providing for the establishment and maintenance of a personnel system on a merit basis for the welfare department, providing for the selection, promotion, severance, tenure of office and compensation of Dakota county welfare department employees; establishing a county personnel appeals board and authorizing the county board of Dakota county to make necessary appropriations; exempting Dakota county from certain provisions of law relating to certain political activity.

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

Section 1. DAKOTA COUNTY; WELFARE DEPARTMENT; MERIT BASIS PERSONNEL SYSTEM; PURPOSE. The purpose of this act is to authorize the establishment of a personnel department in and for the welfare department of the county of Dakota to promote and improve the economy and effectiveness of the welfare department under its jurisdiction by the improvement of methods of personnel administration under the principles of a merit system of personnel administration, which shall include a uniform system of job classifications, uniform procedures and standards for hiring, promotion, salary administration and other matters.

Sec. 2. DEFINITIONS. Subdivision 1. For the purposes of this act, unless the context clearly indicates that a different meaning is intended, the terms defined in this section have the meanings given them.

Subd. 2. "Director" means the director of the department of personnel.

Subd. 3. "Personnel department" means the personnel director and the employees engaged in the administration of the personnel department.

Subd. 4. "Appointing authority" means the head of the welfare department, who has the power by law or by lawfully delegated authority to make appointments to positions in the county welfare department service within the scope of this act.

Subd. 5. "Classified service" means all positions and employees holding such positions in the county welfare department service except those placed in the unclassified service by this act.

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