

fulfilled the applicable requirements for such a project as contained in Minnesota Statutes, Sections 105.37 to 105.541.

Sec. 2. The expenditure shall be from funds appropriated by Laws 1973, Chapter 720, Section 35 for fiscal years 1974-1975 for dam construction and maintenance. These funds shall not cancel but shall remain available until expended or the project abandoned.

Sec. 3. This act is effective on the date following its final enactment.

Approved June 2, 1975.

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**CHAPTER 258—H.F.No.1456**

[Coded in Part]

*An act relating to courts in Ramsey county; providing for fees and charges; providing for changes in the office of the court commissioner, in the office of the public defender, and in the composition of law library trustees; authorizing the board of county commissioners of Ramsey county to issue general obligation bonds for the costs of construction, including land acquisition and fees in the construction of an adult detention center and a juvenile center; permitting use of interest earnings for remodeling the Ramsey county jail annex; amending Minnesota Statutes 1974, Sections 140.21; 140.24, Subdivision 1; 260.311, by adding a subdivision; 486.06; 489.04; Laws 1974, Chapter 435, by adding a section; repealing Laws 1923, Chapter 77, Section 10, as amended; and Laws 1969, Chapter 838, Sections 1 to 6, as amended.*

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

Section 1. Minnesota Statutes 1974, Section 140.21, is amended to read:

**140.21 COURTS; RAMSEY COUNTY; FEES; DETENTION AND JUVENILE CENTERS; PUBLIC DEFENDER; LIBRARY FEE.** Subdivision 1. The clerk of the district court of the second judicial district shall collect ~~the sum of \$3~~ a law library fee from each plaintiff ~~or and~~ person ~~instituting commencing~~ a civil ~~suit~~, action ~~or proceeding~~ filed in ~~that district~~ court, at the time of the filing of the first paper ~~therein~~ and in the manner in which other fees are collected ~~therein~~ and in addition thereto, ~~as law and shall collect a law library fees, and the sum of \$3 fee~~ from each defendant ~~or and each~~ other adverse or intervening party, ~~or any one or more of several defendants, or other adverse or intervening parties appearing separately from the others, to be collected when his appearance is entered in the action or proceeding or when the first paper on his part is filed therein .~~

Subd. 2. The law library trustees shall, with the approval of the Changes or additions indicated by underline deletions by ~~strikeout~~

Ramsey county board of commissioners, set the amount of the library fee.

Subd. 3. These-The law library fees are costs-fee is a cost in the case, action and taxable as such, and shall-is to be allotted for the support of the library.

Sec. 2. Minnesota Statutes 1974, Section 140.24, Subdivision 1, is amended to read:

**140.24 LAW LIBRARY TRUSTEES.** Subdivision 1. **COMPOSITION.** The management of the law library is under a board of law library trustees, who shall serve without compensation, to be chosen for the terms and in the manner following: The board consists of seven members, namely, two district judges of the second judicial district, selected by the district judges thereof; one municipal judge of the Ramsey county municipal court selected by the municipal judges ~~of the city of St. Paul thereof~~; three members of the bar elected by the ~~oldest Ramsey county bar association in the county affiliated with the Minnesota state bar association~~ in the manner provided in ~~the its~~ bylaws of the ~~county bar association~~; one member of the board of county commissioners, selected by the county board annually at its annual election of officers of the board.

Sec. 3. Minnesota Statutes 1974, Section 486.06, is amended to read:

**486.06 CHARGE FOR TRANSCRIPT.** In addition to such salary, the reporter may charge for a transcript of his record ordered by any person other than the judge 35 cents per folio thereof and seven and one-half cents per folio for each manifold or other copy thereof when so ordered that it can be made with such transcript. This section shall not apply to ~~any county containing a city of the first class which city has more than 150,000 residents-the~~ fourth judicial district.

Sec. 4. Minnesota Statutes 1974, Section 489.04, is amended to read:

**489.04 RECORDS; CLERKS.** The court commissioner shall keep a record of all proceedings had before him in books procured at the expense of the county, and shall be supplied with necessary stationery, which books and unused stationery shall be delivered to his successor; ~~and in counties having a population of 200,000 and over shall be supplied with a suitable office and such clerical help as may be deemed necessary by the board of county commissioners.~~

Sec. 5. Minnesota Statutes 1974, Section 260.311, is amended by adding a subdivision to read:

Subd. 7. This section shall not apply to Ramsey county.

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Sec. 6. **RAMSEY COUNTY PUBLIC DEFENDER. Subdivision 1. PUBLIC DEFENDER'S BOARD.** (a) **MEMBERSHIP.** There is established a Ramsey county public defender's board consisting of:

(1) A district court judge from the second judicial district appointed by the majority of the judges of that district.

(2) A municipal court judge from the Ramsey county municipal court appointed by the majority of the judges of that court.

(3) Two Ramsey county commissioners appointed by a majority of the board of Ramsey county commissioners.

(4) One member learned in the law appointed by the chief judge of the second judicial district.

(b) **POWERS AND DUTIES.** The Ramsey county public defender's board:

(1) shall appoint the Ramsey county public defender to a term of office of four years and until his successor is appointed and qualified;

(2) may remove him during his term of office, but only for cause;

(3) may reappoint him as often as it wishes;

(4) shall fix the public defender's compensation, which is to be commensurate with that of the chief prosecutor of Ramsey county;

(5) may establish general policies for the office of the public defender.

**Subd. 2. POWERS AND DUTIES OF PUBLIC DEFENDER.** (a) When it appears to the court that the person to be represented is unable, by reason of poverty, to procure counsel, the public defender:

(1) shall appear for and defend each person charged with a felony, a gross misdemeanor or a misdemeanor in Ramsey county;

(2) may appear for and represent each person entitled to representation in juvenile court in the county, under the provisions of Minnesota Statutes, Chapter 260;

(3) may appear for and represent each person entitled to representation in the probate court in the county under the provisions of Minnesota Statutes, Chapter 253A.

(b) The public defender may also appear on behalf of a client before appellate courts inside the state of Minnesota, if the client was represented by the Ramsey county public defender in the matter giving rise to the appellate relief being sought.

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Subd. 3. ASSISTANTS. The public defender shall appoint and remove his assistants, subject to the approval of the Ramsey county public defender's board, which shall fix their number and compensation.

Subd. 4. BUDGET. The public defender shall submit to the public defender's board no later than June 15 of each year a proposed budget for the following year. The board shall review the budget of the public defender. After reviewing the budget and making any recommendations that it may have, the board shall submit the budget to the Ramsey county board of commissioners for approval.

Subd. 5. ANNUAL REPORT. The public defender shall make an annual report to the Ramsey county public defender's board concerning the activities of its operations, including the number of cases handled and funds expended for those services.

Subd. 6. EFFECTIVE DATE. This section is effective on final enactment, but the public defender has no duty or power to appear for and defend anyone charged with a misdemeanor until January 1, 1976.

Sec. 7. Laws 1974, Chapter 435, is amended by adding a section to read:

Sec. 1.02064. RAMSEY COUNTY. Subdivision 1. ADULT DETENTION CENTER; BONDS. The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$7,500,000 for the costs of construction, including land acquisition, architectural, and other professional fees, of an adult detention center.

Subd. 2. JUVENILE CENTER; BONDS. The board of county commissioners of Ramsey county is authorized to sell general obligation bonds of the county in an amount not to exceed \$3,700,000 for the costs of construction equipment and furnishings, including land acquisition, architectural, and other professional fees, of a juvenile center.

Subd. 3. FULL FAITH AND CREDIT; NO ELECTION. The full faith and credit and taxing powers of the county shall be pledged for the payment of such bonds and interest thereon, and they may be issued in one or more series and shall be secured in accordance with Minnesota Statutes, Chapter 475, except that no election shall be required.

Subd. 4. INTEREST ON BOND PROCEEDS. Any other law to the contrary notwithstanding, interest earned from the investment of proceeds of these obligations as the term is defined in Minnesota Statutes 1974, Section 475.51, Subdivision 3 are authorized to be used for remodeling the jail annex of the Ramsey county sheriff's office and, may, at the discretion of the governing body of Ramsey county, be used either to pay any costs payable from the proceeds from which the inter-

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est is derived or, if the proceeds are not held in a sinking fund account established for the obligations, to pay any costs payable from the sinking fund account; provided the use is consistent with the covenants made with the holders of the obligations to secure payment.

Subd. 5. REFERENDUM. The provisions contained in subdivision 1 or 2 and a decision by the board to sell bonds for either the adult detention center or the juvenile center shall not become operative if, within 30 days after the county board by resolution indicates its intention to sell the first series of bonds, under subdivision 1 or 2, there shall be filed with the auditor of Ramsey county a petition or petitions, signed by not less than 20 percent of the qualified voters of the county requesting that a referendum be held to determine the question of the issuance of bonds by the county. Each of the signers on a petition shall affix his signature and his permanent address to the petition, and the signer shall swear that he is a resident of Ramsey county and qualified to vote at a general election therein. Any petition or petitions demanding a referendum under this act shall refer to this act by its chapter number, title, the date of passage and its subject matter. If a petition or petitions containing not less than the minimum number of signatures as designated above, are filed and the signatures are genuine and the petition or petitions answer completely the requirements as set out in this subdivision, the board shall fix a time for the holding of a referendum, which shall be not less than 30 days and not more 180 days after the petition or petitions are filed and the signatures thereon are found to be genuine and sufficient by the board. The election shall be held at a time and at places within Ramsey county as the board shall designate.

In submitting the question to the voters in said referendum, there shall be used a ballot in the following form:

COUNTY BALLOT

For the issuance of not to exceed \$..... of bonds of Ramsey county and the expenditure of such sum in order to acquire land for, erect, equip and furnish a (adult detention center or juvenile center, as appropriate), according to the provisions of Laws 1975, Chapter .....(Chapter number of this act to be here inserted),

Yes....  
No.....

If a majority of the voters voting on the question submitted to the voters of Ramsey county shall vote in the affirmative, all sections of this act immediately preceding this section shall take effect and be in force immediately. A negative vote by the voters in a referendum on bonds for the adult detention center or juvenile center pursuant to this subdivision shall apply to the entirety of the bonds able to be sold for the adult detention center or juvenile center, as appropriate.

Subd. 6. EFFECTIVE DATE. This section shall take effect upon

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its approval by the board of county commissioners of Ramsey county, and upon compliance with Minnesota Statutes, Section 645.021.

Sec. 8. Laws 1923, Chapter 77, Section 10, as amended by Laws 1955, Chapter 581, as amended by Laws 1959, Chapter 551, as amended by Laws 1969, Chapter 799, as amended by Laws 1974, Chapter 322, Section 18; and Laws 1969, Chapter 838, Sections 1 to 6, as amended by Laws 1974, Chapter 322, Sections 22 to 24, are repealed.

Approved June 2, 1975.

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**CHAPTER 259—H.F.No.1476**

*An act relating to highways; municipal state-aid street system; payment of contract price; amending Minnesota Statutes 1974, Section 162.10.*

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

Section 1. Minnesota Statutes 1974, Section 162.10, is amended to read:

**162.10 HIGHWAYS; MUNICIPAL STATE-AID; LIMITATION ON PAYMENT OF CONTRACT PRICES.** Whenever the construction or improvement of any municipal state-aid street is to be done by contract, the governing body of the city may agree in the contract to pay the contractor an amount not exceeding 90 percent of the value of the work from time to time actually completed, as shown by monthly estimates thereof made by the engineer of the city on the basis of the contract prices, and may further agree that when the work is 90 percent or more completed upon the recommendation of the city engineer such portions of the retained price may be released as the governing body of the city determines are not required to be retained to protect the city's interest in completion of the contract. In such case it shall be lawful for the appropriate disbursing officers of the city to pay the contractor an amount equal to the specified percentage consistent with the above prescribed limitations of the value of the work so completed and specified in the engineer's monthly estimate without allowance of a claim therefor by the governing body of the city.

Approved June 2, 1975.

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