

Sec. 45. Minnesota Statutes 1976, Chapter 192A, is amended by adding a section to read:

**[192A.384] OFFENSES SUBJECT TO COURT MARTIAL.** The jurisdiction of courts-martial shall be limited to violations of the punitive articles in this code. Any person subject to this code who is charged with the commission of an offense which is not a military offense under this code may be surrendered to civil authorities for process in accordance with civil law.

Sec. 46. Minnesota Statutes 1976, Chapter 192A, is amended by adding a section to read:

**[192A.611] STAFF JUDGE ADVOCATES.** Subdivision 1. Convening authorities shall at all times communicate directly with their staff judge advocates in matters relating to the administration of military justice; and the staff judge advocate of any command is entitled to communicate directly with the staff judge advocate of a superior or subordinate command, or with the state judge advocate.

Subd. 2. No person who has acted as member, military judge, trial counsel, assistant trial counsel, defense counsel, assistant defense counsel, or investigating officer, or who has been a witness for either the prosecution or defense in any case may later act as staff judge advocate to any reviewing authority upon the same case.

Sec. 47. Minnesota Statutes 1976, Chapter 192A, is amended by adding a section to read:

**[192A.612] SEARCH WARRANTS.** During annual field training, a military judge, designated as the summary court officer during such duty, is authorized to issue search warrants, directed to a member of the military police of the state military forces, to search any person, place, or vehicle within the confines of the property or premises being used for such field training or any person or vehicle pursued therefrom. No search warrant shall be issued except upon probable cause, supported by affidavit or sworn testimony naming and describing the person and particularly describing the property or thing to be seized and particularly describing the place to be searched.

Sec. 48. Minnesota Statutes 1976, Sections 192A.01, Subdivision 2; 192A.04, Subdivisions 4 and 5; 192A.125; and 192A.565, are repealed.

Approved March 23, 1978.

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#### CHAPTER 553-H.F.No.1665

*An act relating to law libraries; amending Minnesota Statutes 1976, Sections 140.41, Subdivision 1; 140.42, Subdivision 1; and 140.43, Subdivision 1.*

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

Changes or additions indicated by underline deletions by strikeout

Section 1. Minnesota Statutes 1976, Section 140.41, Subdivision 1, is amended to read:

**140.41 CONTRIBUTION FROM DISTRICT COURT CASES.** Subdivision 1. When the law library is established the clerk of the district court shall collect in each civil suit, action, or proceeding filed in such court, as library fees, the sum of ~~\$3~~ \$5 from the plaintiff or person instituting such suit, action, or proceeding at the time of filing the first paper therein, and the sum of ~~\$3~~ \$5 from the defendant or other adverse or intervening party at the time his appearance is entered or when the first paper on his part is filed therein. The library fee herein provided for may be reduced to ~~\$1 or \$2~~ upon a majority vote of the board of trustees.

Sec. 2. Minnesota Statutes 1976, Section 140.42, Subdivision 1, is amended to read:

**140.42 FEES, MUNICIPAL COURT CASES.** Subdivision 1. Subject to section 140.435, when the county law library is established the clerk of any municipal court in such county shall collect in each civil suit, action, or proceeding filed in such court, as law library fees, the sum of ~~\$3~~ \$5 from the plaintiff or person instituting such suit, action or proceeding, at the time of filing the first paper therein. The library fee herein provided for may be reduced to ~~\$1 or \$2~~ upon a majority vote of the board of trustees.

Sec. 3. Minnesota Statutes 1976, Section 140.43, Subdivision 1, is amended to read:

**140.43 FEES, PROBATE COURT CASES.** Subdivision 1. Subject to section 140.435, when the county law library is established the judge of the probate court in proceedings in his court or the registrar of probate in proceedings in his office in the matter of the estate of a deceased person looking to the entry of a decree of distribution of such estate, except in any summary proceeding under section 525.51 shall collect, as a county law library fee, the sum of ~~\$3~~ \$5 from the petitioner instituting the proceeding at the time of the filing of the petition therein. The library fee herein provided for may be reduced to ~~\$1 or \$2~~ upon a majority vote of the board of trustees.

Approved March 23, 1978.

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#### CHAPTER 554-H.F.No.1713

[Coded in Part]

*An act relating to the department of veterans affairs; establishing a nursing home for veterans in Hastings; appropriating money; amending Minnesota Statutes, 1977 Supplement, Section 246.02, Subdivision 2.*

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

Section 1. **[198.31] VETERANS HOME, HASTINGS.** Control of the state hospital facilities at Hastings is transferred to the commissioner of veterans affairs. This transfer

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