

## CHAPTER 501 — H.F.No. 1727

*An act relating to courts; proposing an amendment to the Minnesota Constitution, Article VI, Sections 1, 2, 5 and 6; and Article VIII, Section 2; providing for a court of appeals; providing for election of judges; conferring certain powers and duties on the court of appeals; amending Minnesota Statutes 1980, Sections 480.01; 484.63; 487.39, Subdivisions 1 and 2; 488A.01, Subdivision 14; and Minnesota Statutes 1981 Supplement, Sections 204B.06, Subdivision 6; 204B.34, Subdivision 3; proposing new law coded as Minnesota Statutes, Chapters 480A and 632; repealing Minnesota Statutes 1980, Sections 80A.24, Subdivision 3; 363.10; 473.597; and 525.74.*

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

Section 1. **PROPOSED AMENDMENT.**

The following amendment to the Minnesota Constitution is proposed to the people.

Subdivision 1. If the amendment is adopted, Article VI, Section 1, of the Minnesota Constitution will read as follows: ✓

Section 1. The judicial power of the state is vested in a supreme court, a court of appeals, if established by the legislature, a district court and such other courts, judicial officers and commissioners with jurisdiction inferior to the district court as the legislature may establish.

Subd. 2. If the amendment is adopted, Article VI, Section 2, of the Minnesota Constitution will read as follows: ✓

Sec. 2. The supreme court consists of one chief judge and not less than six nor more than eight associate judges as the legislature may establish. It shall have original jurisdiction in such remedial cases as are prescribed by law, and appellate jurisdiction in all cases, but there shall be no trial by jury in the supreme court.

The legislature may establish a court of appeals and provide by law for the number of its judges, who shall not be judges of any other court, and its organization and for the review of its decisions by the supreme court. The court of appeals shall have appellate jurisdiction over all courts, except the supreme court, and other appellate jurisdiction as prescribed by law.

As provided by law judges of the court of appeals or of the district court may be assigned temporarily to act as judges of the supreme court upon its request and judges of the district court may be assigned temporarily by the supreme court to act as judges of the court of appeals.

The supreme court shall appoint to serve at its pleasure a clerk, a reporter, a state law librarian and other necessary employees.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

✓ Subd. 3. If the amendment is adopted, Article VI, Section 5, of the Minnesota Constitution will read:

Sec. 5. Judges of the supreme court, the court of appeals and the district court shall be learned in the law. The qualifications of all other judges and judicial officers shall be prescribed by law. The compensation of all judges shall be prescribed by the legislature and shall not be diminished during their term of office.

✓ Subd. 4. If the amendment is adopted, Article VI, Section 6, of the Minnesota Constitution will read:

Sec. 6. A judge of the supreme court, the court of appeals or the district court shall not hold any office under the United States except a commission in a reserve component of the military forces of the United States and shall not hold any other office under this state. His term of office shall terminate at the time he files as a candidate for an elective office of the United States or for a nonjudicial office of this state.

✓ Subd. 5. If the amendment is adopted, Article VIII, Section 2, of the Minnesota Constitution will read:

Sec. 2. The governor, secretary of state, treasurer, auditor, attorney general and the judges of the supreme court, court of appeals and district courts may be impeached for corrupt conduct in office or for crimes and misdemeanors; but judgment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust or profit in this state. The party convicted shall also be subject to indictment, trial, judgment and punishment according to law.

## Sec. 2. SUBMISSION TO VOTERS.

The proposed amendment shall be submitted to the people at the 1982 general election. The question submitted to the people shall be:

"Shall the Minnesota Constitution be amended to allow the creation of a court of appeals?"

Yes .....  
No ....."

## Sec. 3. [480A.01] COURT OF APPEALS.

Subdivision 1. ONE COURT. There shall be one court of appeals.

Subd. 2. TEMPORARY NUMBER OF JUDGES. On July 1, 1983, the court of appeals shall consist of six judges. On January 1, 1984, an additional six judges shall be added.

Subd. 3. ESTABLISHING NUMBER OF JUDGES. By January 15, 1985, the state court administrator shall certify to the governor, the president of

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the senate, and the speaker of the house of representatives, the number of appeals filed in the court of appeals in 1984. By January 15, 1987, and every two years thereafter, the state court administrator shall certify to the governor, the president of the senate, and the speaker of the house of representatives the average number of appeals filed in the court of appeals in each of the preceding two calendar years. Effective on the following July 1, the normal number of judges of the court of appeals shall be one judge for every 100 cases in that average. If this normal number increases the number of judges, new judges shall be appointed on or after July 1. If this normal number decreases the number of judges, the incumbent judges shall nevertheless continue to serve and to be eligible for reelection, but the first vacancies arising in at-large seats on the court shall not be filled, until the normal number of judges is reached.

#### Sec. 4. [480A.02] SELECTION OF JUDGES.

Subdivision 1. OATH. Before entering upon the duties of office, each judge shall take and subscribe an oath in the form prescribed by law for judicial officers.

Subd. 2. ELECTION. Each judge shall be elected at the general election for a term of six years, beginning on the first Monday of the January next following his election and until his successor qualifies. Vacancies occurring between general elections shall be filled by appointment, as prescribed in the constitution.

Subd. 3. ELIGIBILITY. By January 1, 1984, one seat on the court shall be designated for each congressional district. Only persons who have resided in that congressional district for at least one year shall be eligible for election or appointment to that seat. A judge who is elected or appointed to a congressional district seat shall continue to be eligible for that seat without regard to any subsequent change of residence. All other seats shall be without restriction as to residence.

Subd. 4. STATEWIDE ELECTIONS. All judges shall be subject to statewide election, whether they serve in at-large or congressional district seats.

Subd. 5. DESIGNATION OF JUDGES. After each reapportionment, the chief judge shall designate a judge for each of the new congressional districts. The chief judge shall first redesignate the incumbent judges serving for the old congressional districts. If only one of them was, at the time of original election or appointment, resident at a place within a new congressional district, that judge shall be designated as serving for that district. If two or more of them were residents at the time of initial election or appointment in places which are within the same new congressional district, the judge whose district was in the opinion of the chief judge most substantially related to the new district shall be designated as serving for the new district and the other shall be designated as serving at large. If there is then any new congressional district for which there is no designated

judge, but there is an incumbent at-large judge who was resident within that territory at the time of initial election or appointment, that judge, or the senior of them, if there is more than one, shall be assigned to the district seat. If there then remains any new congressional district for which there is no designated judge, there shall be no judge designated to serve from that district until the next at-large vacancy arising by death, retirement, resignation, or removal, which shall be filled by appointment of a person from that congressional district.

**Subd. 6. EFFECT OF REDESIGNATION.** The redesignation of judges by reason of reapportionment shall not affect the term of office of any individual judge.

**Sec. 5. [480A.03] CHIEF JUDGE.**

**Subdivision 1. ELECTION; TERM; REMOVAL.** The governor shall designate one of the judges of the court of appeals to be chief judge for a term of three years. Vacancies in the office of chief judge shall be filled for the remainder of the unexpired term.

The chief judge may be reappointed. If the chief judge ceases to be a judge of the court of appeals, the office of chief judge also becomes vacant.

**Subd. 2. ADMINISTRATIVE AUTHORITY.** The chief judge, subject to the authority of the chief justice, shall exercise general administrative authority over the court. The chief judge shall make assignments of judges to serve on the panels of the court and shall designate the places at which the panels will hear arguments.

**Sec. 6. [480A.04] CLERK OF COURT.**

The clerk of the supreme court shall serve as clerk of the court of appeals. The state court administrator may direct the district administrators and clerks of court to provide facilities and support services for the court of appeals.

**Sec. 7. [480A.05] CHAMBERS.**

The judges of the court shall maintain their permanent chambers at St. Paul.

**Sec. 8. [480A.06] JURISDICTION.**

**Subdivision 1. FINAL DECISIONS.** The court of appeals shall have jurisdiction of appeals from all final decisions of the trial courts, other than the conciliation courts, of the state of Minnesota, except that it shall not have jurisdiction of criminal appeals in cases in which the defendant has been convicted of murder in the first degree.

**Subd. 2. INTERLOCUTORY DECISIONS.** The court of appeals shall have jurisdiction of interlocutory appeals and other matters as may be prescribed in the rules of appellate procedure.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 3. CERTIORARI REVIEW. The court of appeals shall have jurisdiction to review decisions of the commissioner of economic security, pursuant to section 268.10.

Subd. 4. ADMINISTRATIVE REVIEW. The court of appeals shall have jurisdiction to review on the record the validity of administrative rules, as provided in sections 15.0416 and 15.0417, and the decisions of administrative agencies in contested cases, as provided in sections 15.0424 and 15.0425.

Subd. 5. ANCILLARY JURISDICTION. The court of appeals shall have jurisdiction to issue all writs and orders necessary in aid of its jurisdiction with respect to cases pending before it and for the enforcement of its judgments or orders.

**Sec. 9. [480A.07] TRANSFER OF CASES.**

In any case in which the court determines that further findings of fact are required, the court shall transfer the case to the appropriate district court, which shall have jurisdiction to hear and determine it. Appeal may be taken to the court of appeals as in other cases.

**Sec. 10. [480A.08] DECISION OF THE COURT.**

Subdivision 1. DECISION OF CASES. Each case shall be submitted to a panel of at least three judges. The decision of a majority of the judges to which it is submitted shall be the decision of the court.

Subd. 2. ASSIGNMENT OF JUDGES TO PANELS. In assigning judges to panels, the chief judge shall rotate assignments, so that as nearly as practicable, each judge serves a proportionate time with every other judge. The chief judge shall also rotate assignments to various locations for hearings.

Subd. 3. DECISIONS. A decision shall be rendered in every case within 90 days after oral argument or after the final submission of briefs or memoranda by the parties, whichever is later. In every case, the decision of the court, including any written opinion containing a summary of the case and a statement of the reasons for its decision, shall be indexed and made readily available.

Subd. 4. INTERLOCUTORY MATTERS. The rules of appellate procedure may provide for the decision of interlocutory or procedural matters by a single judge.

**Sec. 11. [480A.09] PLACE OF HEARING ORAL ARGUMENT.**

Subdivision 1. APPEALS. Oral argument in appeals from trial courts shall be heard:

(a) In appeals from trial courts in Hennepin and Ramsey counties, at a session of the court of appeals in Hennepin or Ramsey county.

(b) In appeals from trial courts in other counties, at a session of the court of appeals in the judicial district in which the county is located.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

**Subd. 2. CERTIORARI.** Oral arguments on writs of certiorari to review decisions of the commissioner of economic security shall be heard as provided in this subdivision.

(1) If the claimant for benefits is a real party in interest in the proceedings and resides in Hennepin or Ramsey county, in one of those counties;

(2) If the claimant for benefits is a real party in interest in the proceedings and resides elsewhere in the state, in the judicial district of the claimant's residence;

(3) Otherwise, at a place as designated by the appellate administrator.

**Subd. 3. VALIDITY OF RULES.** Oral arguments on petitions to review the validity of administrative rules pursuant to section 15.0416 shall be in Hennepin or Ramsey county.

**Subd. 4. PETITIONS FOR REVIEW.** Oral arguments on petitions to review decisions of administrative agencies in contested cases, pursuant to Minnesota Statutes, Section 15.0424 shall be heard:

(a) If the petitioner resides outside of Hennepin and Ramsey counties, but within Minnesota, either at the session of the court of appeals in Hennepin or Ramsey county, or at a session of the court of appeals in the judicial district in which the petitioner resides, as designated by the petitioner in the petition for review.

(b) If the petitioner resides in Hennepin or Ramsey counties, or outside of Minnesota, at a session of the court of appeals in Hennepin or Ramsey county.

**Subd. 5. OTHER CASES.** In all other cases, any oral argument shall be heard at a session of the court in Hennepin or Ramsey county.

**Subd. 6. CHANGE OF PLACE OF HEARING.** By agreement of the parties and with the approval of the appellate administrator, a case may be heard at a location other than that provided in this section. The rules of appellate procedure may provide for change of the place of hearing upon motion of any party and a showing of good cause.

**Subd. 7. CASES WITHOUT ORAL ARGUMENT.** The rules of appellate procedure may provide for the submission of certain cases or classes of cases without oral arguments.

## Sec. 12. [480A.10] FURTHER REVIEW IN SUPREME COURT.

**Subdivision 1. AFTER DECISION IN COURT OF APPEALS.** The supreme court may grant further review of any decision of the court of appeals upon the petition of any party. In determining whether to grant such a petition, the supreme court should take into consideration whether the question presented is an important one upon which the court has not, but should rule, whether the

court of appeals has held a statute to be unconstitutional, whether the court of appeals has decided a question in direct conflict with an applicable precedent of the supreme court, or whether the lower courts have so far departed from the accepted and usual course of justice as to call for an exercise of the court's supervisory powers. The supreme court shall issue its decision whether to grant a petition for review within 60 days of the date the petition is filed.

**Subd. 2. BEFORE DECISION IN COURT OF APPEALS.** (a) The supreme court may grant accelerated review of any case pending in the court of appeals upon the petition of any party. The supreme court shall establish rules for petitions. The petition should be granted only upon a showing that the case is of such imperative public importance as to justify the deviation from normal appellate processes and to require immediate settlement in the supreme court. Making a petition for accelerated review does not stay proceedings or extend time in the court of appeals. If accelerated review is granted, the case shall be transferred to the supreme court without decision in the court of appeals.

(b) Upon its own motion or upon the certification of the court of appeals, the supreme court may provide for accelerated review of any case if (i) the question presented is an important one upon which the court has not, but should rule, (ii) the lower courts have held a statute to be unconstitutional or (iii) the lower courts have so far departed from the accepted and usual course of justice as to call for an exercise of the court's supervisory powers.

**Subd. 3. RULES.** The rules of appellate procedure shall prescribe the form for petitions for further or accelerated review, and the time for filing them.

**Sec. 13. [480A.11] RULES.**

The supreme court may adopt rules of appellate procedure governing the proceedings before itself and before the court of appeals and regulating appellate practice. The court of appeals may adopt supplementary rules not in conflict with the rules of appellate procedure.

**Sec. 14. Minnesota Statutes 1981 Supplement, Section 204B.06, Subdivision 6,** is amended to read: ✓

**Subd. 6. JUDICIAL CANDIDATES; DESIGNATION OF TERM.** An individual who files as a candidate for the office of associate justice of the supreme court, judge of the court of appeals or district court, or judge of county or county municipal court shall state in the affidavit of candidacy the office of the particular justice or judge for which the individual is a candidate. The individual shall be a candidate only for the office identified in the affidavit. Each justice of the supreme court and each court of appeals, district, county or county municipal court judge is deemed to hold a separate nonpartisan office.

**Sec. 15. Minnesota Statutes 1981 Supplement, Section 204B.34, Subdivision 3,** is amended to read: ✓

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 3. **JUDICIAL ELECTIONS.** When one or more justices of the supreme court or judges of the court of appeals or of a district, county or county municipal court are to be nominated at the same primary or elected at the same general election, the notice of election shall state the name of each justice or judge whose successor is to be nominated or elected.

Sec. 16. Minnesota Statutes 1980, Section 480.01, is amended to read:  
**480.01 JUSTICES; TERMS.**

The supreme court shall consist of one chief justice and ~~eight~~ six associate justices, who shall hold one term of court each year, at the seat of government, commencing on the first Tuesday after the first Monday in January, with such continuations or adjournments thereof during the year as may be necessary for the dispatch of the business coming before the court. When the chief justice of the court shall be absent from the state, or shall be, for any reason, incapacitated from acting as such, the associate justice present within the state and not incapacitated who shall have served the longest time, or when there are two or more associate justices of equal terms of service, then the associate justice, whom the chief justice shall designate as senior associate justice as such, shall have and exercise all the powers, duties, and functions of the chief justice during his absence or incapacity and shall be, during such absence or incapacity, the presiding justice of the court.

Sec. 17. Minnesota Statutes 1980, Section 484.63, is amended to read:  
**484.63 APPEAL.**

Subdivision 1. An aggrieved party may appeal to the district court of appeals from a determination of a county court or a county municipal court as provided in section 487.39. ~~The appeal shall be heard by a panel of three judges in the district in which the action was first adjudicated. The judges shall be assigned by the chief judge of the judicial district. Upon request by the chief judge of the judicial district the supreme court may temporarily assign a judge from another district to serve on an appellate panel pursuant to section 2.724,~~ subdivision 1 the rules of appellate procedure.

Subd. 2. ~~The chief judge of the judicial district may schedule appellate terms for the hearing of appeals from lower courts. He shall give three weeks' written notice of every appellate term to the clerks of the district court in the counties in which the appeals arose.~~

Subd. 3. ~~Pleading, practice, procedure and forms in appellate actions shall be governed by rules of procedure adopted by the supreme court for appeal from county to district court. On appeal to the district court briefs shall be acceptable if reproduced from a typewritten page by any means which produces a clear black on white copy.~~

Sec. 18. Minnesota Statutes 1980, Section 487.39, Subdivision 1, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subdivision 1. An aggrieved party may appeal to the district court of appeals from a determination of a county court or a county municipal court. The provisions of this section govern all appeals from the county court and the county municipal court; appeal provisions of all other statutes are inapplicable except as stated in section 484.63.

(a) Except as provided in clause (b), the appeal in a civil case shall be taken by filing written notice thereof with the clerk of court of the county in which the action was heard not more than 30 days after written notice of the court's determination has been served upon the aggrieved party or his attorney, or in any event within three months after the determination in a civil case.

(b) In the appeal of petty misdemeanor, ordinance or criminal cases the written notice of appeal shall be filed with the clerk of court of the county in which the action was heard within ten days of the conviction or other determination, and sentencing thereon, appealed from.

(c) A written notice of appeal shall be served by the appellant upon all parties to the original proceedings or their attorneys not more than five days after filing a written notice of appeal and proof of such service shall be filed with the clerk of county court or county municipal court in the county in which the action was heard not more than three days after the service of such notice on the opposite party or his attorney. ~~The appeal shall be heard and determined by a district court appellate panel pursuant to section 484.63.~~

Sec. 19. Minnesota Statutes 1980, Section 487.39, Subdivision 2, is amended to read:

Subd. 2. The appeal shall be confined to the typewritten record. By stipulation of all parties, the record may be shortened. ~~The district court shall, upon request, hear oral argument and receive written briefs.~~ The district court of appeals may affirm, reverse or modify the judgment or order appealed from, or take any other action as the interests of justice may require. On appeal from an order, the district court of appeals may review any order affecting the order from which the appeal is taken and an appeal from a judgment may review any order involving the merits or affecting the judgment. ~~The supreme court shall formulate rules of appellate procedure applicable to a district court panel hearing appeals from a county court or county municipal court. Until otherwise provided, the rules of appellate procedure applicable to appeals to the supreme court shall apply to the district court hearing appeals from a county court or a county municipal court, except as provided in this section. An appeal may be taken from the determination of a district court to the supreme court with leave of the supreme court.~~

Sec. 20. Minnesota Statutes 1980, Section 488A.01, Subdivision 14, is amended to read:

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Subd. 14. **APPEALS.** Appeals from the county municipal court to the district court of appeals shall be subject to the provisions of sections 484.63 and 487.39 the rules of appellate procedure.

**Sec. 21. [632.14] APPEALS IN FIRST DEGREE MURDER CASES.**

A person who has been convicted of murder in the first degree may appeal directly from the district court to the supreme court. The appeal may include other charges against the same defendant which were tried in the same trial as the first degree murder charge. The rules of appellate procedure shall provide the form of the appeal.

**Sec. 22. INITIAL APPOINTMENT OF JUDGES.**

The judicial offices created in section 3, subdivision 2 shall be filled initially by appointment by the governor.

**Sec. 23. [480.011] OFFICE OF ASSOCIATE JUSTICE; CONTINUANCE IN OFFICE.**

The reduction of two offices of associate justice abolished by section 16 shall become effective upon the first two vacancies occurring in that office on the supreme court. Each justice of the supreme court serving on August 1, 1983 may continue to serve until he is not elected or does not seek reelection. If a justice who was serving on August 1, 1983, is defeated for reelection by another person, that other person shall be deemed to have been in office as of August 1, 1983, for the purposes of this section.

**Sec. 24. [490.133] RETIREMENT; TRANSITION PROVISIONS; TRANSFER TO COURT OF APPEALS.**

If a judge to whom or to whose survivors benefits would be payable under sections 490.101 to 490.12, is elected or appointed to the court of appeals, that judge and the judge's survivors, shall continue to be eligible for benefits under those sections and not under sections 490.121 to 490.132. In that case, the service of the judge in the court of appeals shall be added to the service as district judge, probate judge, or judge of any other court of record in determining eligibility and the compensation of a judge of the court of appeals at the time of the judge's death, disability, or retirement shall be the "compensation allotted to the office" for the purposes of calculating benefit amounts. All other judges of the court of appeals and their survivors shall be subject to the retirement and survivor's annuity provisions of sections 490.121 to 490.132.

**Sec. 25. INSTRUCTION TO THE REVISOR.**

(a) In the next edition of Minnesota Statutes, the revisor shall in each section referred to in column A remove references which provide for appeal from the district court or the trial court to the supreme court so that they provide for an appeal from the district or other trial court "as in other civil cases" without reference to the supreme court.

(b) In the next edition of Minnesota Statutes, the revisor shall in each section listed in column B substitute the term "court of appeals" for "supreme court".

(c) In the next edition of Minnesota Statutes, the revisor shall in each section listed in column C substitute the term "reviewing court" for "district court" or "supreme court".

The revisor may make changes in grammar and punctuation, or to reflect subsequent amendments, but shall not change the meaning of any provision except consistently with this act.

<u>column A</u> <u>Minnesota Statutes</u> <u>1980</u>	<u>column B</u> <u>Minnesota Statutes</u> <u>1980</u>	<u>column C</u> <u>Minnesota Statutes</u> <u>1980</u>
<u>Section 3.751,</u> <u>Subdivision 4</u>	<u>Section 32A.09,</u> <u>Subdivision 5</u>	<u>Section 256.045,</u> <u>Subdivision 10</u>
<u>Section 44.09,</u> <u>Subdivision 3</u>		
<u>Section 49.18</u>	<u>Section 209.09</u>	<u>Section 270.26</u>
<u>Section 56.23</u>	<u>Section 253A.15,</u> <u>Subdivision 2</u>	
	<u>Section 253A.21,</u> <u>Subdivision 5</u>	
<u>Section 60A.05</u>	<u>Section 268.06,</u> <u>Subdivision 20</u>	
<u>Section 60A.15,</u> <u>Subdivisions</u> <u>11 and 12</u>		
<u>Section 72A.27</u>	<u>Section 268.10,</u> <u>Subdivision 8</u>	<u>Section 297.08,</u> <u>Subdivision 3</u>
<u>Section 84.59</u>	<u>Section 270.22</u>	<u>Section 357.07</u>
<u>Section 97.50,</u> <u>Subdivision 6</u>		<u>Section 412.092,</u> <u>Subdivision 1</u>
<u>Section 106.631,</u> <u>Subdivisions</u> <u>5 and 6</u>		<u>Section 480.062</u>
<u>Section 110A.36</u>		<u>Section 590.01,</u> <u>Subdivision 1</u>
<u>Section 111.42</u>	<u>Section 273.16</u>	<u>Section 590.04</u> <u>Subdivision 3</u>
<u>Section 112.82,</u> <u>Subdivisions</u> <u>1 and 2</u>		<u>Section 611.07,</u> <u>Subdivisions</u> <u>2 and 3</u>
<u>Section 114.13,</u> <u>Subdivision 14</u>	<u>Section 290.92,</u> <u>Subdivision 6</u>	<u>Section 611.071,</u> <u>Subdivisions</u> <u>1 and 2</u>
<u>Section 115.49,</u> <u>Subdivision 5</u>	<u>Section 294.09,</u> <u>Subdivision 3</u>	<u>Section 611.14</u>
<u>Section 116A.19,</u>	<u>Section 298.09,</u>	<u>Section 611.18</u>

Changes or additions are indicated by underline, deletions by strikethrough.

Subdivision 4  
Section 116C.65

Section 123.32,  
Subdivision 25

Section 127.25,  
Subdivision 3

Section 161.34,  
Subdivision 4

Section 168.68

Section 177.29,

Subdivision 2

Section 178.09,

Subdivision 2

Section 179.64

Section 181A.10,

Subdivision 2

Section 185.15

Section 209.10,

Subdivision 1

Section 246.55

Section 256.045,

Subdivision 9

Section 259.32

Section 279.21

Section 297.08,

Subdivision 4

Section 297A.15,

Subdivision 4

Section 340.404,

Subdivision 7

Section 340.54,

Subdivision 2

Section 375.67,

Subdivision 3

Section 387.41

Section 414.07,

Subdivision 2

Section 414.08

Section 419.12

Section 420.13

Section 462.14,

Subdivision 12

Section 462.715

Section 465.43

Section 473.675,

Subdivision 4

Section 571.64

Section 582.11

Subdivision 3  
Section 299F.26,

Subdivision 3  
Section 430.03

Section 558.215

Section 562.04

Section 580.29

Section 586.09

Section 589.29

Section 589.30

Section 590.06

Section 595.024,

Subdivision 3

Section 595.025,

Subdivision 3

Section 611.25

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

**Sec. 26. REPEALER.**

Minnesota Statutes 1980, Sections 80A.24, Subdivision 3, 363.10, 473.597, and 525.74, are repealed.

**Sec. 27. EFFECTIVE DATE; TRANSITION.**

Sections 3 to 25 shall become effective only upon ratification of the amendment proposed in section 1 of this act as provided in the Minnesota Constitution. If the constitutional amendment proposed by section 1 is adopted by the people,

(a) sections 3 to 7 of this act are effective July 1, 1983, and

(b) sections 8 to 26 are effective August 1, 1983. The court of appeals shall have jurisdiction over cases in which the notice of appeal, petition for review, or writ, is filed on or after August 1, 1983. In all cases in which the notice, petition or writ was filed on or before July 31, 1983, the court to which such appeal, petition, or writ was taken shall continue to exercise jurisdiction, notwithstanding any change introduced by this act. In any such case in which a district or county court retains jurisdiction and appeal is taken against its decision on or after August 1, 1983, appeal shall be taken to the court of appeals as provided herein.

Approved March 22, 1982

**CHAPTER 502 — H.F.No. 1492**

*An act relating to natural resources; authorizing an addition to Split Rock Creek Recreation Area and authorizing land acquisition in relation thereto.*

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

**Section 1. NATURAL RESOURCES; ADDITIONS TO SPLIT ROCK CREEK RECREATION AREA.**

Subdivision 1. TERMS. The commissioner of natural resources is authorized to acquire by gift, purchase, or, if authorized by law, by condemnation proceedings the lands which are added as described in subdivision 2. Any land which now is or hereafter becomes tax-forfeited land and is located within the described area boundaries is withdrawn from sale and is transferred from the custody, control, and supervision of the county board of the county to the commissioner of natural resources, free from any trust in favor of the interested taxing districts. The commissioner shall execute a certificate of acceptance of the

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