

Be it enacted by the Legislature of the State of Minnesota:

Section 1. **Conveyance of state lands; Fergus Falls.** The governor, upon the recommendation of the commissioner of administration, shall transfer and convey by quitclaim deed, in the form the attorney general approves, in the name of the state of Minnesota, to the city of Fergus Falls, for no consideration, the following described lands or any portion thereof in Ottertail county:

That area bounded on the North by the South line of Linden Avenue as projected straight Westerly to Highway # 210, bounded on the West by the East line of Highway # 210, bounded on the South by the North line of the property now owned by John W. Swenson and bounded on the East by the West line of the property now owned by said John W. Swenson, said tract being a portion of the North Half of the Southeast Quarter (N ½ SE ¼) of Section 33, Township 133 North of Range 43 West of the fifth principal meridian, Minnesota.

Sec. 2. The instrument of conveyance shall recite that the city shall exchange the lands for other lands to be devoted to the use of a junior college, and that if such exchange is not made within such period of time as is prescribed in the instrument, the city shall convey the lands back to the state of Minnesota.

Approved May 24, 1967.

CHAPTER 772—H. F. No. 2518

[Coded in Part]

An act relating to the municipal court of Hennepin county; providing for the prosecution of certain offenses and the disposition of certain fines and penalties; amending Minnesota Statutes 1965, Sections 488A.03, Subdivision 6, and 488A.10, Subdivision 11.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Minnesota Statutes 1965, Section 488A.03, Subdivision 6, is amended to read:

Subd. 6. **Hennepin county; municipal court; disposition of fines, fees and other moneys; accounts.** (a) Except as otherwise provided herein and except as otherwise provided by the law, the clerk of court shall pay to the Hennepin county treasurer all fines and penalties collected by him, all fees collected

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by him for services of himself, all sums forfeited to the court as hereinafter provided, and all other moneys received by the clerk.

(b) The clerk of court shall provide the county treasurer with the name of the municipality or other subdivision of government where the offense was committed *and the name and official position of the officer who prosecuted the offense* for each fine or penalty, and the total amount of fines or penalties collected for each such municipality or other subdivision of government *or for the county*.

(c) At the beginning of the first day of any month the amount owing to any municipality or county in the hands of the clerk shall not exceed \$5,000.

(d) On or before the last day of each month the county treasurer shall pay over to the treasurer of each municipality or subdivision of government in Hennepin county all fines or penalties collected during the previous month for offenses committed within such municipality or subdivision of government, *except that all such fines and penalties attributable to cases in which the county attorney had charge of the prosecution shall be retained by the county treasurer and credited to the county general revenue fund.*

(e) Amounts represented by checks issued by the clerk or received by the clerk which have not cleared by the end of the month may be shown on the monthly account as having been paid or received, subject to adjustment on later monthly accounts.

(f) The clerk may receive negotiable instruments in payment of fines, penalties, fees or other obligations as conditional payments, and is not held accountable therefor until collection in cash is made and then only to the extent of the net collection after deduction of the necessary expense of collection.

Sec. 2. Minnesota Statutes 1965, Section 488A.10, Subdivision 11, is amended to read:

Subd. 11. **Prosecuting attorneys.** *Except where the county attorney is specifically designated by law as the prosecutor for the particular violation charged as otherwise provided in this subdivision, the attorney of the municipality in which the violation is alleged to have occurred shall have charge of the prosecution of all violations of the state laws and municipal charter provisions, ordinances, rules and regulations triable in the municipal court and shall prepare complaints for said violations. The county attorney shall have charge of the prosecution of a violation triable in municipal court and shall prepare a complaint for said violation:*

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(a) *if he is specifically designated by law as the prosecutor for the particular violation charged; or*

(b) *if the alleged violation is of state law and is alleged to have occurred in a municipality or other subdivision of government whose population according to the most recent federal census is less than 2500 and whose governing body (in the case of a town, the town board) has accepted this paragraph by majority vote, and if the defendant is cited or arrested by a member of the staff of the sheriff of Hennepin county or by a member of the state highway patrol.*

Paragraph (b) shall not apply to a municipality or other subdivision of government whose population according to the most recent federal decennial census is 2500 or more, regardless of whether or not it has previously accepted the paragraph.

Sec. 3. [488A.101] County attorney as prosecutor, notice to county. *A municipality or other subdivision of government seeking to use the county attorney for violations enumerated in section 2 shall notify the county board of its intention to use the services of the county attorney at least sixty days prior to the adoption of board's annual budget each year.*

Sec. 4. *This act shall apply only to alleged violations occurring on and after July 1, 1967, and to fines and penalties attributable to such violations.*

Approved May 24, 1967.

CHAPTER 773—H. F. No. 2530

[Not Coded]

An act relating to the tax levy for the county building fund in the county of Mille Lacs.

Be it enacted by the Legislature of the State of Minnesota:

Section 1. Mille Lacs county; building fund. *Notwithstanding the provisions and limitations of Minnesota Statutes, Section 373.25, the board of county commissioners of the county of Mille Lacs may levy a tax not to exceed five mills on the dollar of the taxable valuation of the county for the county building fund.*

Sec. 2. *This act shall become effective only after its approval by the board of county commissioners of the county of Mille*

Changes or additions indicated by italics, deletions by ~~strikeout~~.