

vested by statute in the department of natural resources, shall be under the control and supervision of the commissioner of natural resources.

Sec. 2. Minnesota Statutes 1978, Section 97.48, is amended by adding a subdivision to read:

Subd. 18a. WILD GINSENG PROGRAM. The commissioner may set such seasons and establish whatever regulations he deems necessary for the conservation of wild ginseng.

Sec. 3. Minnesota Statutes 1978, Section 98.46, Subdivision 3, is amended to read:

Subd. 3. ~~The fee for a license to harvest wild rice~~ Fees for the following licenses, to be issued to residents only, shall be \$4 :

- (1) To harvest wild rice, \$4;
- (2) To buy or sell wild ginseng, \$5.

Approved May 17, 1979.

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#### CHAPTER 95—S.F.No.980

*An act relating to courts; Hennepin and Ramsey county municipal courts; providing for removal of certain actions to district court; amending Minnesota Statutes 1978, Sections 488A.01, by adding a subdivision; and 488A.18, by adding a subdivision.*

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

Section 1. Minnesota Statutes 1978, Section 488A.01, is amended by adding a subdivision to read:

Subd. 15. Whenever a counterclaim in excess of \$6,000 is asserted, an equitable defense interposed, or it shall otherwise appear that the court is without jurisdiction in a cause pending therein, the fact shall be recorded, and the clerk shall transmit to the clerk of the district court a certified transcript of the record and all papers filed in the case. Thereafter the cause shall proceed to judgment in the district court as if it had there been commenced, and the costs shall abide the event.

Sec. 2. Minnesota Statutes 1978, Section 488A.18, is amended by adding a subdivision to read:

Subd. 15. Whenever a counterclaim in excess of \$6,000 is asserted, an equitable defense interposed, or it shall otherwise appear that the court is without jurisdiction in a cause pending therein, the fact shall be recorded, and the clerk shall transmit to the clerk of the district court a certified transcript of the record and all papers filed in the case.

Changes or additions indicated by underline deletions by strikeout

Thereafter the cause shall proceed to judgment in the district court as if it had there been commenced, and the costs shall abide the event.

Sec. 3. This act is effective the day after final enactment and applies to all actions commencing on or after that date.

Approved May 17, 1979.

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**CHAPTER 96—S.F.No.1392**

*An act relating to local government; providing for fire protection services in various local units in Cass and Morrison counties.*

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

Section 1. The city of Pillager and the towns of Fairview, Home Brook, May, Rail Prairie, Rosing and Sylvan may organize a nonprofit corporation under Minnesota Statutes, Chapter 317, to provide fire protection services. The corporation shall have the status of a joint board under Minnesota Statutes, Section 471.59, and may only act subject to the conditions of that section. This act is effective January 1, 1978.

Approved May 17, 1979.

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**CHAPTER 97—H.F.No.148**

*An act relating to the city of New Hope; firefighters' pension, disability and survival benefits; amending Laws 1971, Chapter 114, Sections 2, Subdivision 5; 3, Subdivisions 2, 3 and 4; 4; 5, Subdivisions 1 and 2; 6, Subdivision 2; and 7, Subdivisions 1 and 2.*

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

Section 1. Laws 1971, Chapter 114, Section 2, Subdivision 5, is amended to read:

Subd. 5. ~~“Widow”~~ “Surviving spouse” as used herein shall mean a spouse who became the legally married ~~wife~~ spouse of a member during or prior to the time the member served on active duty with the fire department and remained such continuously after the marriage until ~~his~~ the member's death and who in case the deceased member was placed on the pension ~~role~~ roll was legally married to such member at least ~~three~~ one ~~years~~ year before ~~his~~ the member's retirement from the fire department.

Sec. 2. Laws 1971, Chapter 114, Section 3, Subdivision 2, is amended to read:

Subd. 2. The bylaws of the association shall provide for the payment of a pension to a retired member with 20 or more years of active service as a ~~fireman~~ firefighter in the ~~Changes~~ or additions ~~indicated~~ by underline ~~deletions~~ by ~~strikeout~~