
 CHAPTER 318—S.F.No.528

An act relating to courts; authorizing juvenile court referees to hear contested trials, hearings, or motions unless objection is made; conforming civil fees collected by the Hennepin county municipal court with the district court; amending Minnesota Statutes 1978, Sections 484.70, by adding a subdivision; and 488A.03, Subdivision 11.

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

Section 1. Minnesota Statutes 1978, Section 484.70, is amended by adding a subdivision to read:

Subd. 4. Notwithstanding subdivision 3, any full time referee sitting in juvenile court in the second judicial district may hear a contested trial, hearing, or motion unless either party or his attorney objects orally on the record or in writing prior to or at the time of commencement of the trial, hearing, or motion.

Sec. 2. Minnesota Statutes 1978, Section 488A.03, Subdivision 11, is amended to read:

Subd. 11. **FEES PAYABLE TO ADMINISTRATOR.** (a) The fees payable to the clerk for the following services in civil actions are:

1. \$2 payable by the plaintiff, in addition to any library fee otherwise required, when the action is entered in court or when the first paper on the plaintiff's part is filed.

2. \$2 payable by the defendant or other adverse or intervening party, or any one or more of several defendants, or other adverse or intervening parties appearing separately from the others when his or their appearance is entered in the action or when the first paper on his or their part is filed.

3. No trial fee is payable by any party when trial is by a judge without a jury.

4. \$5 for trial by a jury of six persons; \$10 for trial by a jury of 12 persons. The fee paid for trial by a jury shall be refunded if a jury panel is never sworn for voir dire in the action.

(b) Except as provided in paragraph (a), The civil fees payable to the clerk administrator for his services are the same in amount as the fees then payable to the clerk of the district court of Hennepin county for like services except that upon the filing of an unlawful detainer action a fee of \$10 is payable by the plaintiff, in addition to any library fee otherwise required, when the action is entered in court or when the first paper on the plaintiff's part is filed. Library and filing fees are not required of the defendant in an unlawful detainer action. The fees payable to the clerk administrator for all other services of himself or the court shall be fixed by rules promulgated by a majority of the judges.

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(e) (b) Fees are payable to the ~~clerk~~ administrator in advance.

(c) Judgments will be entered only upon written application.

(d) The following fees shall be taxed in all cases where applicable: (a) The state of Minnesota and any governmental subdivision within the jurisdictional area of any municipal court herein established may present cases for hearing before said municipal court; (b) In the event the court takes jurisdiction of a prosecution for the violation of a statute or ordinance by the state or a governmental subdivision other than a city or town in Hennepin county, all fines, penalties, and forfeitures collected shall be paid over to the treasurer of the governmental subdivision which submitted a case for prosecution under ordinance violation and to the county treasurer in all other cases except where a different disposition is provided by law, in which case, payment shall be made to the public official entitled thereto. The following fees shall be taxed to the county or to the state or governmental subdivision which would be entitled to payment of the fines, forfeiture or penalties in any case, and shall be paid to the clerk of the court for disposing of the matter:

(1) In all cases where the defendant is brought into court and pleads guilty and is sentenced, or the matter is otherwise disposed of without trial \$5.

(2) In arraignments where the defendant waives a preliminary examination \$10.

(3) In all other cases where the defendant stands trial or has a preliminary examination by the court \$15.

(4) In all cases where a defendant was issued a statute, traffic or ordinance violation tag and a fine is paid or the case is otherwise disposed of in a violations bureau \$1.

Sec. 3. EFFECTIVE DATE. This act is effective the day following its final enactment. Section 1 expires March 1, 1980.

Approved June 5, 1979.

CHAPTER 319—H.F.No.218

An act relating to telephone companies; requiring telephone cooperatives and municipals to obtain prior approval of rates only if they elect to be so regulated by the public service commission; giving the public service commission the power to investigate and determine cases upon complaint against telephone cooperatives and municipals; amending Minnesota Statutes 1978, Sections 237.075, by adding a subdivision; and 237.081, Subdivision 4, and by adding a subdivision.

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

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