

# MINNESOTA STATUTES 1977 SUPPLEMENT

## TERRITORIAL DIVISIONS 2.722

### CHAPTER 1. SOVEREIGNTY, JURISDICTION

Sec.  
1.043 Jurisdiction, when to vest.

Sec.  
1.0431 Retrocession. ~~(New)~~  
1.148 State grain. ~~(New)~~

#### 1.043 Jurisdiction, when to vest.

The jurisdiction granted or ceded to the United States over any place in the state under sections 1.041 or 1.042 shall not vest until the United States has acquired the title to or right of possession of the premises affected, and shall continue only while the United States owns or occupies the same for the purpose or purposes to which such jurisdiction appertains as specified in those sections or until the United States relinquishes to the state full or partial jurisdiction pursuant to section 1.0431.

[ 1977 c 125 s 1 ]

#### 1.0431 Retrocession.

Subdivision 1. Notwithstanding any law to the contrary, all or any part of the jurisdiction acquired by the United States over any land or place in the state pursuant to sections 1.041 or 1.042 or any other statute may be retroceded to the state in the manner provided herein.

Subd. 2. Retrocession of jurisdiction shall be initiated by written offer to the governor by an authorized officer of the United States agency having supervision over the land. Retrocession shall not take effect until the governor, after consulting with the governing bodies of counties or municipalities within whose boundaries lie all or part of the federal lands, has accepted jurisdiction on behalf of the state and a certificate evidencing acceptance has been filed with the secretary of state and a duplicate recorded in the office of the county recorder of each county in which the lands or any part thereof are situated.

Subd. 3. The jurisdiction ceded to the state under subdivision 1 shall be exercised by the appropriate state authorities and by the local governmental unit or units within whose boundaries lie all or part of the affected federal lands.

[ 1977 c 125 s 2 ]

#### 1.148 State grain.

Subdivision 1. *Zizania aquatica*, commonly known as wild rice or manomin, is adopted as the official state grain of the state of Minnesota.

Subd. 2. A photograph of *zizania aquatica*, commonly known as wild rice or manomin, may be displayed in the office of the secretary of state.

[ 1977 c 348 s 1 ]

### CHAPTER 2. TERRITORIAL DIVISIONS

Sec.  
2.722 Judicial districts.

Sec.  
2.724 Chief justice of supreme court, duties.

#### 2.722 Judicial districts.

Subdivision 1. **Description.** Effective July 1, 1959, the state is divided into ten judicial districts composed of the following named counties, respectively, in each of which districts two or more judges shall be chosen as hereinafter specified:

1. Goodhue, Dakota, Carver, LeSueur, McLeod, Scott, and Sibley; five judges; and four permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe and one other shall be maintained at the place designated by the chief judge of the district;

2. Ramsey; 12 judges;

3. Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower, and Fillmore; six judges; and permanent chambers shall be maintained in Faribault, Albert Lea, Austin, Rochester, and Winona;

# MINNESOTA STATUTES 1977 SUPPLEMENT

## 2.722 TERRITORIAL DIVISIONS

4. Hennepin; 19 judges;

5. Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood, Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; five judges; and permanent chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;

6. Carlton, St. Louis, Lake, and Cook; six judges;

7. Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and Wadena; four judges; and permanent chambers shall be maintained in Moorhead, Fergus Falls, Little Falls, and St. Cloud;

8. Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big Stone, Grant, Pope, Stevens, Traverse, and Wilkin; three judges; and permanent chambers shall be maintained in Morris, Montevideo, and Willmar;

9. Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahnomen, Pennington, Aitkin, Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and Koochiching; six judges; and permanent chambers shall be maintained in Crookston, Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls;

10. Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; six judges; and permanent chambers shall be maintained in Anoka, Stillwater, and such other places as may be designated by the chief judge of the district.

Subd. 2. **Altering boundaries.** The supreme court, with the consent of a majority of the chief judges of the judicial districts, may alter the boundaries or change the number of judicial districts, except the second and fourth judicial districts.

[ 1977 c 432 s 1 ]

### 2.724 Chief justice of supreme court, duties.

Subdivision 1. When public convenience and necessity require it, the chief justice of the supreme court may assign any judge of any court to serve and discharge the duties of judge of any court in a judicial district not his own at such times as the chief justice may determine. A judge may appeal his assignment to serve on a court in a judicial district not his own to the supreme court and the appeal shall be decided before the assignment is effective. Notwithstanding the provisions of this subdivision, no judge shall be assigned to serve on a court in a judicial district which is located more than 50 miles from the boundary of his judicial district for more than 15 working days in any 12 month period, unless he consents to the assignment.

A transferred judge shall be subject to the assignment powers of the chief judge of the judicial district to which he is transferred.

Subd. 2. To promote and secure more efficient administration of justice, the chief justice of the supreme court of the state shall supervise and coordinate the work of the courts of the state. The supreme court may provide by rule that the chief justice not be required to write opinions as a member of the supreme court. Its rules may further provide for it to hear and consider cases in divisions, and it may by rule assign temporarily any retired justice of the supreme court or one district court judge at a time to act as a justice of the supreme court. Upon the assignment of a district court judge to act as a justice of the supreme court a district court judge previously acting as a justice may continue to so act to complete his duties. Any number of justices may disqualify themselves from hearing and considering a case, in which event the supreme court may assign temporarily a retired justice of the supreme court or a district court judge to hear and consider the case in place of each disqualified justice. At any time that a retired justice is acting as a justice of the supreme court under this section, he shall receive, in addition to his retirement pay, a further sum, to be paid out of the general fund of the state, as shall afford him the same salary as an associate justice of the supreme court.

Subd. 3. The chief justice of the supreme court may assign a retired justice of the supreme court to act as a justice of the supreme court pursuant to subdivision 2 or as a judge of any other court. The chief justice may assign a retired judge of

# MINNESOTA STATUTES 1977 SUPPLEMENT

## LEGISLATURE 3.088

any court to act as a judge of any court except the supreme court. A judge acting pursuant to this subdivision shall receive pay and expenses in the amount and manner provided by law for judges serving on the court to which the retired judge is assigned, less the amount of retirement pay which the judge is receiving.

Subd. 4. The chief justice shall exercise general supervisory powers over the courts in the state. His powers shall include, but not be limited to:

(a) Supervision of the courts' financial affairs, programs of continuing education for judicial and nonjudicial personnel and planning and operations research;

(b) Serving as chief representative of the court system and as liaison with other governmental agencies for the public; and

(c) Supervision of the administrative operations of the courts.

The chief justice may designate other justices or judges to assist him in the performance of his duties.

[ 1977 c 432 s 2 ]

### CHAPTER 3. LEGISLATURE

Sec.		Sec.	
3.081	Repealed.	3.86	Tax study commission. [New]
3.088	Leave of absence.	3.925	Purpose.
3.099	Members; compensation and expenses, flexible sessions.	3.927	State board and commissioner.
3.102	Legislative living expenses.	3.9271	Early childhood and family education programs.
3.13	Repealed.	3.9272	Advisory task force on early childhood and family education programs.
3.22	Payment.	3.9275	Voluntary participation.
3.737	Livestock owners; compensation for destroyed or crippled animals. [New]	3.973	State treasurer; audit.
3.738	Injury or death of patient or inmate. [New]		

**3.081** [ Repealed, 1977 c 286 s 21 ]

#### **3.088 Leave of absence.**

Subdivision 1. **Leave of absence without pay.** Subject to the conditions prescribed by this section, any appointed officer or employee of any political subdivision, municipal corporation, or school district of the state or institution of learning maintained by the state who serves as a state legislator during a session or is elected to any full time city or county office in Minnesota shall be entitled to a leave of absence from his public office or employment without pay during any part or all of the service, with right of reinstatement as provided in this section.

Subd. 2. **Reinstatement.** Except as otherwise provided in this section, upon the completion of the last legislative day in each calendar year, or in the case of an elected city or county official, on the completion of the final day of the term to which he was elected, the officer or employee shall be reinstated in the public position which he held at the time of entry into the legislature or at the time of taking office as a city or county officer, or shall be placed in a public position of like seniority, status, and pay if it is available at the same salary which he would have received if he had not taken the leave, upon the following conditions: (1) that the position has not been abolished or that the term thereof, if limited, has not expired; (2) that he makes written application for reinstatement to the appointing authority within 30 days after the last legislative day in a calendar year or, in the case of an elected city or county official, within 30 days after the expiration of the term to which he was elected and; (3) that the request for reinstatement is made not later than 10 years after the granting of the leave. Upon reinstatement the officer or employee shall have the same rights with respect to accrued and future seniority status, efficiency rating, vacation, insurance benefits, sick leave, and other benefits as if he had been actually employed during the time of the leave. No public employer shall be required to compensate a reinstated employee or officer for any time spent by that employee or officer away from his or her work for the employer and on the business of the state legislature at any time during the period between the first and last legislative day in each calendar year or on the business of any other elected city or county office. No officer or employee reinstated shall be removed or discharged within one year thereafter except for cause, after notice and hearing; but this shall not operate to extend a term of service limited by law.