

years, and one for one year, so that the term of one shall expire each year. The number of years for which each is elected shall be indicated on the ballot. At all other annual town meetings one supervisor shall be elected for three years to fill the place of the one whose term expires at that time. Except in towns operating under either option B or option D, or both, ~~and except as otherwise provided in this section,~~ there shall also be elected at each the annual town meeting held in even-numbered years one town clerk, and at the annual town meeting held in odd-numbered years one town treasurer. The clerk and treasurer each shall serve for a term of two years and until their successors are elected and qualified.

**Sec. 2. EFFECTIVE DATE.**

This act is effective the day after final enactment and applies to officers elected on March 13, 1984.

Approved April 17, 1984

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**CHAPTER 387 — H.F.No. 1486**

*An act relating to courts; providing for the appeal of various matters to the court of appeals; amending Minnesota Statutes 1983 Supplement, sections 299D.03, subdivision 11; 412.861, subdivision 3; 625.09; 625.11; 625.14; and 629.62.*

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

Section 1. Minnesota Statutes 1983 Supplement, section 299D.03, subdivision 11, is amended to read:

Subd. 11. **REVIEW OF ARBITRATION AWARD.** Any state trooper who is so suspended, demoted, or dismissed may have ~~such~~ the decision or determination of the arbitrator reviewed pursuant to the Uniform Arbitrator Act in the district court of ~~the county where such trooper resides~~ appeals. If ~~such~~ the decision or determination of the arbitrator ~~shall be~~ is finally rejected or modified by the court, the trooper shall be reinstated in his position, and the commissioner shall pay to the trooper so suspended out of the funds of the state the salary or wages withheld from him pending the determination of the charges or as may be directed by the court.

Sec. 2. Minnesota Statutes 1983 Supplement, section 412.861, subdivision 3, is amended to read:

Subd. 3. **APPEAL TO DISTRICT COURT COURT OF APPEALS.** Appeals may be taken to the ~~district court of~~ appeals in the manner prescribed by court rule. If the defendant appeals, he shall give bond to the city, to be approved by the court, conditioned that, if the judgment be affirmed in whole or

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in part, he will pay the judgment, and all costs and damages awarded against him on the appeal. In case of affirmance, execution may issue against both defendant and his sureties. Upon perfection of the appeal, defendant shall be discharged from custody.

Sec. 3. Minnesota Statutes 1983 Supplement, section 625.09, is amended to read:

**625.09 APPEAL.**

Any person aggrieved by the order of any county or municipal judge requiring him to recognize may, on giving the security required, appeal to the district court in the same county or in another county in the same judicial district of appeals.

Sec. 4. Minnesota Statutes 1983 Supplement, section 625.11, is amended to read:

**625.11 PROCEEDINGS ON APPEAL.**

The court before which the appeal is prosecuted may affirm the order of the judge, or discharge the appellant, or may require the appellant to enter into a new recognizance, with sufficient sureties, in such for a sum and for such a length of time as the court deems proper. The district court of appeals may also make an order relating to the costs of prosecution as it deems just and reasonable.

Sec. 5. Minnesota Statutes 1983 Supplement, section 625.14, is amended to read:

**625.14 RECOGNIZANCE TRANSMITTED TO DISTRICT COURT OF APPEALS.**

Every recognizance taken in pursuance of section 625.13 shall be transmitted by the judge to the district court for the county of appeals on or before the first day of the next term, and shall be filed and recorded by the clerk of the appellate courts.

Sec. 6. Minnesota Statutes 1983 Supplement, section 629.62, is amended to read:

**629.62 APPLICATION FOR BAIL, JUSTIFICATION.**

When a party in custody desires to give bail, the offense being bailable, and the district court is not in session in the county, he may apply to a judge of district court, or a judge of the ~~supreme~~ court of appeals, upon his affidavit showing the nature of the application and the names of the persons to be offered as bail, with a copy of the mittimus or papers upon which he is held in custody. The judge may then, by order, direct the sheriff to bring up the party, at a time and place named, for the purpose of giving bail. Notice of the application shall be given to the county attorney, if within the county, and no matters shall be

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inquired into except those which relate to the amount of bail and the sufficiency of the sureties. Sureties shall in all cases justify by affidavit, or upon oral examination before the court.

Approved April 17, 1984

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CHAPTER 388 — H.F.No. 1877

*An act relating to enterprise zones; expanding the definition of areas eligible for designation as zones; limiting the designation of border city enterprise zones; clarifying the tax incentives available in enterprise zones; amending Minnesota Statutes 1983 Supplement, sections 273.1312, subdivisions 4 and 5; 273.1313, subdivisions 1 and 2; 273.1314, subdivisions 1, 6, 7, 8, 9, 10, and by adding a subdivision.*

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

Section 1. Minnesota Statutes 1983 Supplement, section 273.1312, subdivision 4, is amended to read:

Subd. 4. **ELIGIBILITY REQUIREMENTS.** An area is eligible for designation if the following requirements are met:

(a) ~~Its~~ The boundary of the zone or each subdivision of the zone is continuous and includes vacant or underutilized lands or buildings.

(b) The area of the zone is less than 400 acres ~~and~~. The total market value of the taxable property contained in the zone at the time of application is less than \$100,000 per acre or \$300,000 per acre for an area located wholly within a first class city, ~~except that these~~. A zone which is located in a city of the third or fourth class may be divided into two to four separate subdivisions which need not be contiguous with each other. Each subdivision must contain not less than 100 acres. The restrictions provided by this paragraph shall not apply to areas designated pursuant to paragraph (c), clause (2) or (3).

(c) (1) The proposed zone is located within an economic hardship area, as established by meeting two or more of the following criteria:

(A) the number of residential housing units within the area which are substandard is 15 percent or greater under criteria prescribed by the commissioner using data collected by the bureau of the census or data submitted by the municipality and approved by the commissioner;

(B) the percentage of households within the area that fall below the poverty level, as determined by the United States census bureau, is 20 percent or greater;

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