

Section 1 is effective the day following final enactment.

Approved April 23, 1984

CHAPTER 435 — S.F.No. 1112

An act relating to drainage; eliminating the bond required for appeal of benefits or damages in a drainage assessment proceeding; amending Minnesota Statutes 1982, section 106.631, subdivision 2.

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

Section 1. Minnesota Statutes 1982, section 106.631, subdivision 2, is amended to read:

Subd. 2. **PROCEDURE ON APPEAL.** (a) Any person appealing on the first or second ground named, may include and have considered and determined benefits or damages affecting property other than his own. Notice of such appeal shall be served upon the owner or occupant of such other property or upon the attorney who represents such owner in the proceedings. Such notice of appeal shall also be served upon the auditor or clerk.

(b) To render the appeal effectual, the appellant shall file with the auditor or clerk within 30 days after the filing of such final order a notice of appeal which shall state the particular benefits or damages appealed from and the ground upon which the appeal is taken. ~~The notice of appeal shall be accompanied by an appeal bond to the county where the property is located of not less than \$10,000 with sufficient surety to be approved by the auditor or clerk, conditioned that the appellant will duly prosecute the appeal and pay all costs and disbursements which may be adjudged against him and abide the order of the court.~~ Within 30 days after such filing, the auditor, in case of a county drainage proceeding, shall return and file with the clerk of the district court the original notice and appeal bond.

(c) The issues raised by the appeal shall stand for trial by jury and shall be tried and determined at the next term of the district court held within the county in which the proceedings were commenced, or in such other county in which the appeal shall be heard, beginning after the filing of the appeal; and shall take precedence of all other matters of a civil nature in court. If there be more than one appeal triable in one county, the court may, on its own motion or upon the motion of a party in interest, consolidate two or more appeals and try them together, but the rights of the appellants shall be separately determined. If the appellant fails to prevail, the cost of the trial shall be paid by the appellant. In case of appeal as to damages or benefits to property situated in the county other

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

than the county where the drainage proceedings are pending, and if the appellant so requests, the trial shall be held at the next term of the district court of the county wherein the lands are situated. In such case, the clerk of the district court where the appeal is filed, shall make, certify and file in the office of the clerk of the district court of the county where the trial is to be had, a transcript of the papers and documents on file in his office in the proceedings so far as they pertain to the matters on account of which the appeal is taken. After the final determination of such appeal, the clerk of the district court where the action is tried, shall certify and return the verdict to the district court of the county where the proceedings were instituted.

(d) The clerk of the district court shall file a certified copy of the final determination of any such appeal with the auditor of the county affected.

(e) An appeal on the third ground may be to the district court of any county wherein lands are affected. Such appeal shall be made within 30 days after the order allowing or disallowing the claim and shall be governed as far as applicable by the provisions of this subdivision.

Approved April 23, 1984

CHAPTER 436 — S.F.No. 989

An act relating to collection and dissemination of data; classifying government data as public, private, and nonpublic; clarifying issues relating to classifications of data, access to data, and the temporary classification of data; refining provisions of the data practices act; amending Minnesota Statutes 1982, sections 13.02, by adding a subdivision; 13.03, subdivisions 3 and 4, and by adding a subdivision; 13.04, subdivision 2; 13.05, subdivisions 3, 7, 9, and 10; 13.06, subdivisions 1 and 6; 13.31, subdivisions 2 and 3; 13.32, subdivision 3; 13.37, subdivision 2; 13.41, by adding a subdivision; 13.44; 13.46, subdivision 1, and by adding subdivisions; and 13.67; and Minnesota Statutes 1983 Supplement, sections 13.46, subdivision 2; 48.512, subdivision 3; and 609.535, subdivision 7; proposing new law coded in Minnesota Statutes, chapters 13 and 144.

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

Section 1. Minnesota Statutes 1982, section 13.02, is amended by adding a subdivision to read:

Subd. 8a. NOT PUBLIC DATA. "Not public data" means any government data which is classified by statute, federal law, or temporary classification as confidential, private, nonpublic, or protected nonpublic.

Sec. 2. Minnesota Statutes 1982, section 13.03, subdivision 3, is amended to read:

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