

CHAPTER 272 — S.F.No. 719

An act relating to wild animals; authorizing the commissioner of natural resources to permit, on an experimental basis, the taking of two deer by one hunter, under conditions and restrictions prescribed by order; requiring the removal of elk from the state; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 97.

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

Section 1. **[100.281] EXPERIMENTAL SEASON TO TAKE TWO DEER.**

Notwithstanding the provisions of section 100.272 or 100.28, subdivision 1, for three calendar years beginning January 1, 1985, the commissioner may, by order, authorize and prescribe the taking of two deer by a hunter during a calendar year, by firearm or bow and arrow. The conditions may include:

- (1) the issuance of an additional license; and
- (2) the payment of an additional license fee not to exceed the amount a person must pay for a license to take deer by firearm.

Sec. 2. **ELK REMOVAL.**

The commissioner shall remove all elk from the agricultural areas of the state, specifically Marshall, Roseau, Pennington, and Beltrami counties, by September 1, 1985.

Sec. 3. **APPROPRIATION.**

\$20,000 is appropriated from the nongame wildlife account to the commissioner of natural resources to remove all elk from the agricultural areas of the state.

Approved May 31, 1985

CHAPTER 273 — S.F.No. 862

An act relating to courts; providing that clerks of district court shall be known as court administrators; eliminating certain mileage expenses that court reporters may claim for reimbursement; eliminating the requirement that court reporters reside in the district of their appointment; providing conciliation court with jurisdiction to determine actions brought by educational institutions to recover student loans; amending Minnesota Statutes 1984, sections 485.01; 486.05, subdivision 1; 487.30, by adding a subdivision; 488A.12, subdivision 3; and 488A.29, subdivision 3.

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

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

Section 1. Minnesota Statutes 1984, section 485.01, is amended to read:

485.01 APPOINTMENT; BOND; DUTIES.

A clerk of the district court for each county within the judicial district, who shall be known as the court administrator, shall be appointed by a majority of the district court judges in the district, after consultation with the county court judges of the county court district affected. The clerk, before entering upon the duties of his office, shall give bond to the state, to be approved by the chief judge of the judicial district, in a penal sum of not less than \$1,000 nor more than \$10,000 conditioned for the faithful discharge of his official duties. The bond, with his oath of office, shall be filed for record with the county recorder. The clerk shall perform all duties assigned him by law and by the rules of the court. He shall not practice as an attorney in the court of which he is the clerk.

The duties, functions, and responsibilities which have been and may be required by statute or law to be performed by the clerk of district court shall be performed by the court administrator.

Sec. 2. Minnesota Statutes 1984, section 486.05, subdivision 1, is amended to read:

Subdivision 1. In all judicial districts a salary range for court reporters shall be established annually by the judicial district administrator with the approval of a majority of judges of the district. The salary for each court reporter shall be set within that range annually by the district administrator after consultation with the chief judge. Nothing herein shall change in this subdivision changes the manner by which court reporters are paid, the proportions among the various counties of a judicial district by which the funds are allocated or any statutory provisions related to court reporter compensation other than the manner of setting salary. Each county shall be required by order to pay a specified amount thereof of the salary in monthly installments, which shall be such the proportion of the whole salary as the population in each county bears to the total population in the district as set forth in the most recent federal census. It is provided, however, that in the event If a judge is temporarily transferred to hold court in some a county other than in his outside of the judge's judicial district then, and in that event, the said that county shall pay that a part of the monthly salary of the judge's reporter as that equal to the part of the month worked by said the reporter in said the county. Each reporter shall have and maintain his residence in the district in which he is appointed. The reporter, in addition to his a salary, shall be paid such sums as he shall accrue as necessary mileage, traveling, and hotel expenses incurred in the discharge of official duties while absent from the city in which he resides in the discharge of his official duties district where the judge the reporter serves is assigned, such, The expenses are to be paid by the county for which the same expenses were incurred

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upon presentation of a verified itemized statement thereof approved by the judge; and the auditor of such the county, upon presentation of such the approved statement, shall issue ~~his~~ a warrant ~~in~~ for payment thereof.

This subdivision supersedes all laws now in force relating to the salary of district court reporters inconsistent herewith relating to any and all counties are hereby repealed and superseded with this subdivision, except the manner of setting salary as hereinbefore set forth shall in this subdivision does not apply to the second and fourth judicial districts.

Sec. 3. Minnesota Statutes 1984, section 487.30, is amended by adding a subdivision to read:

Subd. 3a. JURISDICTION; STUDENT LOANS. Notwithstanding the provisions of subdivision 1 or any rule of court to the contrary, the conciliation court has jurisdiction to determine a civil action commenced by a plaintiff educational institution, including but not limited to, a state university or community college, with administrative offices in the county in which the conciliation court is located, to recover the amount of a student loan or loans even though the defendant or defendants are not residents of the county under the following conditions:

(a) the student loan or loans were originally awarded in the county in which the conciliation court is located;

(b) the loan or loans are overdue at the time the action is commenced;

(c) the amount sought in any single action does not exceed \$2,000;

(d) notice that payment on the loan is overdue has previously been sent by first class mail to the borrower to the last known address reported by the borrower to the educational institution; and

(e) the notice states that the educational institution may commence a conciliation court action in the county where the loan was awarded to recover the amount of the loan.

Notwithstanding any law or rule or civil procedure to the contrary, a summons in any action commenced under this subdivision may be served anywhere within the state of Minnesota. The conciliation court administrator shall attach a copy of the overdue loan or loans to the summons before it is issued.

Sec. 4. Minnesota Statutes 1984, section 488A.12, subdivision 3, is amended to read:

Subd. 3. **JURISDICTION.** (a) Excepting actions involving title to real estate, the court has jurisdiction to hear, conciliate, try, and determine civil actions at law where the amount in controversy does not exceed the sum of

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\$1,250. The territorial jurisdiction of the court is coextensive with the geographic boundaries of the county of Hennepin.

(b) Notwithstanding the provisions of paragraph (a), or any rule of court to the contrary, the conciliation court of Hennepin county has jurisdiction to determine an action brought pursuant to section 504.20 for the recovery of a deposit on rental property located in whole or in part in Hennepin county, and the summons in the action may be served anywhere within the state of Minnesota.

(c) Notwithstanding the provisions of paragraph (a), or any rule of court to the contrary, the conciliation court of Hennepin county has jurisdiction to determine a civil action commenced by a plaintiff, a resident of Hennepin county, to recover the amount of a dishonored check issued in the county, even though the defendant or defendants are not residents of Hennepin county, if the notice of nonpayment or dishonor described in section 609.535, subdivision 3, is sent to the maker or drawer as specified therein and the notice states that the payee or holder of the check may commence a conciliation court action in the county where the dishonored check was issued to recover the amount of the check. This clause does not apply to a check that has been dishonored by a stop payment order. Notwithstanding any law or rule of civil procedure to the contrary, the summons in any action commenced under this clause may be served anywhere within the state of Minnesota. The conciliation court administrator shall attach a copy of the dishonored check to the summons before it is issued.

(d) Notwithstanding the provisions of paragraph (a) or any rule of court to the contrary, the conciliation court of Hennepin county has jurisdiction to determine a civil action commenced by a plaintiff educational institution, including but not limited to, a state university or community college, with administrative offices in the county in which the conciliation court is located, to recover the amount of a student loan or loans even though the defendant or defendants are not residents of Hennepin county under the following conditions:

- (1) the student loan or loans were originally awarded in Hennepin county;
- (2) the loan or loans are overdue at the time the action is commenced;
- (3) the amount sought in any single action does not exceed \$2,000;
- (4) notice that payment on the loan is overdue has previously been sent by first class mail to the borrower to the last known address reported by the borrower to the educational institution; and

(5) the notice states that the educational institution may commence a conciliation court action in Hennepin county to recover the amount of the loan.

Notwithstanding any law or rule or civil procedure to the contrary, a summons in any action commenced under this clause may be served anywhere

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within the state of Minnesota. The conciliation court administrator shall attach a copy of the overdue loan or loans to the summons before it is issued.

Sec. 5. Minnesota Statutes 1984, section 488A.29, subdivision 3, is amended to read:

Subd. 3. **JURISDICTION.** (a) Excepting actions involving title to real estate, the court has jurisdiction to hear, conciliate, try and determine civil actions at law where the amount in controversy does not exceed the sum of \$1,250. The territorial jurisdiction of the court is coextensive with the geographic boundaries of the county of Ramsey.

(b) Notwithstanding the provisions of paragraph (a) or any rule of court to the contrary, the conciliation court of Ramsey county has jurisdiction to determine an action brought pursuant to section 504.20 for the recovery of a deposit on rental property located in whole or in part in Ramsey county, and the summons in the action may be served anywhere in the state of Minnesota.

(c) Notwithstanding the provisions of paragraph (a) or any rule of court to the contrary, the conciliation court of Ramsey county has jurisdiction to determine a civil action commenced by a plaintiff, resident of Ramsey county, to recover the amount of a dishonored check issued in the county, even though the defendant or defendants are not residents of Ramsey county, if the notice of nonpayment or dishonor described in section 609.535, subdivision 3, is sent to the maker or drawer as specified therein and the notice states that the payee or holder of the check may commence a conciliation court action in the county where the dishonored check was issued to recover the amount of the check. This clause does not apply to a check that has been dishonored by a stop payment order. Notwithstanding any law or rule of civil procedure to the contrary, the summons in any action commenced under this clause may be served anywhere within the state of Minnesota. The conciliation court administrator shall attach a copy of the dishonored check to the summons before it is issued.

(d) Notwithstanding the provisions of paragraph (a) or any rule of court to the contrary, the conciliation court of Ramsey county has jurisdiction to determine a civil action commenced by a plaintiff educational institution, including but not limited to, a state university or community college, with administrative offices in the county in which the conciliation court is located, to recover the amount of a student loan or loans even though the defendant or defendants are not residents of Ramsey county under the following conditions:

- (1) the student loan or loans were originally awarded in Ramsey county;
- (2) the loan or loans are overdue at the time the action is commenced;
- (3) the amount sought in any single action does not exceed \$2,000;

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(4) notice that payment on the loan is overdue has previously been sent by first class mail to the borrower to the last known address reported by the borrower to the educational institution; and

(5) the notice states that the educational institution may commence a conciliation court action in Ramsey county to recover the amount of the loan.

Notwithstanding any law or rule or civil procedure to the contrary, a summons in any action commenced under this clause may be served anywhere within the state of Minnesota. The conciliation court administrator shall attach a copy of the overdue loan or loans to the summons before it is issued.

Approved May 31, 1985

CHAPTER 274 — S.F.No. 866

An act relating to solid waste and sewage sludge management; restricting land disposal of solid waste in the metropolitan area; providing for the financing of resource recovery facilities in the metropolitan area by local governments and the metropolitan council; imposing restrictions on publicly funded resource recovery facilities; changing provisions relating to designation plans, local disposal fees, metropolitan sludge and sludge ash facilities, and metropolitan county plans and ordinances; defining terms; allocating and appropriating money from the metropolitan landfill contingency action and abatement funds; amending Minnesota Statutes 1984, sections 115A.03, subdivision 27, and by adding subdivisions; 115A.15, subdivision 2; 115A.54, subdivision 2; 115A.81; 115A.84, subdivisions 3 and 4; 115A.86, subdivision 1; 115A.919; 116.07, subdivision 4h; 400.04, subdivision 1; 473.149, by adding a subdivision; 473.153, subdivisions 1, 2, 5, 6b, and 7; 473.801, subdivision 1; 473.803, subdivisions 1b and 3; 473.811, subdivisions 5, 5a, and by adding a subdivision; 473.823, subdivision 6; 473.831; 473.840, subdivision 2; 473.842, by adding subdivisions; 473.844, subdivisions 2 and 5; and Laws 1984, chapter 644, section 81, subdivisions 2 and 3; proposing coding for new law in Minnesota Statutes, chapters 115A and 473; repealing Minnesota Statutes 1984, section 473.843, subdivision 7.

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

Section 1. Minnesota Statutes 1984, section 115A.03, is amended by adding a subdivision to read:

Subd. 25a. "Recyclable materials" means materials that are separated from mixed municipal solid waste, by the generator or during collection, for the purpose of recycling, including paper, glass, metals, automobile oil, and batteries.

Sec. 2. Minnesota Statutes 1984, section 115A.03, is amended by adding a subdivision to read:

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