

Subdivision 1. REPORT REQUIRED. The sentencing guidelines commission shall study the sentencing issues outlined in subdivision 2 and submit a written report to the judiciary committees of the house of representatives and the senate on or before February 1, 1989. The report shall contain proposed modifications to the sentencing guidelines, the sentencing guidelines grid, or Minnesota Statutes which will, in the commission's judgment, improve the operation of the sentencing guidelines system with respect to these issues and better achieve the sentencing goals of uniformity, neutrality, and proportionality.

Subd. 2. ISSUES TO BE STUDIED. The commission shall study the following sentencing issues:

(1) should criteria and procedures be developed to limit the length of aggravated durational departures from presumptive sentences;

(2) whether improved criteria and procedures can be developed to minimize or eliminate the use of social and economic factors as the basis for dispositional departures from presumptive sentences; and

(3) whether and to what extent guidelines should be developed to govern the type and severity of nonimprisonment sanctions imposed by sentencing judges as conditions of stayed sentences.

Sec. 2. EFFECTIVE DATE.

Section 1 is effective the day following final enactment.

Approved April 12, 1988

CHAPTER 484—H.F.No. 2000

An act relating to civil actions; requiring the judgment creditor to file satisfaction of judgment documents; requiring the prevailing party in a civil action to pay the cost of filing a satisfaction of judgment; amending Minnesota Statutes 1986, sections 480.061, subdivision 1; 548.15; and 549.02.

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

Section 1. Minnesota Statutes 1986, section 480.061, subdivision 1, is amended to read:

Subdivision 1. **POWER TO ANSWER.** The supreme court may answer questions of law certified to it by the supreme court of the United States, a court of appeals of the United States, a United States district court, a United States bankruptcy court, or the highest appellate court or the intermediate appellate court of any other state, when requested by the certifying court if there are involved in any proceeding before it questions of law of this state which may be

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determinative of the cause then pending in the certifying court and as to which it appears to the certifying court there is no controlling precedent in the decisions of the supreme court of this state.

Sec. 2. Minnesota Statutes 1986, section 548.15, is amended to read:

548.15 DISCHARGE OF RECORD.

Upon the satisfaction of a judgment, whether wholly or in part, or as to all or any of several defendants, the court administrator shall enter the satisfaction in the judgment roll, and note it, with its date, on the docket. If the docketing is upon a transcript from another county, the entry on the docket ~~shall be~~ is sufficient. A judgment ~~shall be deemed~~ is satisfied when there is filed with the court administrator:

- (1) An execution satisfied, to the extent stated in the sheriff's return on it;
- (2) A certificate of satisfaction signed and acknowledged by the judgment creditor;
- (3) A like certificate signed and acknowledged by the attorney of the creditor, unless that attorney's authority as attorney has previously been revoked and an entry of the revocation made upon the register; the authority of an attorney to satisfy a judgment ceases at the end of six years from its entry;
- (4) An order of the court, made on motion, requiring the execution of a certificate of satisfaction, or directing satisfaction to be entered without it;
- (5) Where a judgment is docketed on transcript, a copy of either of the foregoing documents, certified by the court administrator in which the judgment was originally entered and in which the originals were filed.

A satisfaction made in the name of a partnership is valid if executed by a member of it while the partnership continues. The judgment creditor, or the creditor's attorney while the attorney's authority continues, may also satisfy a judgment of record by a brief entry on the register, signed by the creditor or the creditor's attorney and dated and witnessed by the court administrator, who shall note the satisfaction on the margin of the docket. When a judgment is satisfied otherwise than by return of execution, the judgment creditor or the creditor's attorney shall give file a certificate of it with the court administrator within ten days after the satisfaction or within 30 days of payment by check or other noncertified funds.

Sec. 3. Minnesota Statutes 1986, section 549.02, is amended to read:

549.02 COSTS IN DISTRICT COURTS.

In actions commenced in the district court, costs shall be allowed as follows:

To plaintiff: (1) Upon a judgment in the plaintiff's favor of \$100 or more in

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an action for the recovery of money only, when no issue of fact or law is joined, \$5; when issue is joined, \$10. (2) In all other actions, including an action by a public employee for wrongfully denied or withheld employment benefits or rights, except as otherwise specially provided, \$10.

To defendant: (1) Upon discontinuance or dismissal, \$5. (2) When judgment is rendered in the defendant's favor on the merits, \$10.

To the prevailing party: (1) \$5.50 for the cost of filing a satisfaction of the judgment.

Approved April 12, 1988

CHAPTER 485—H.F.No. 2018

An act relating to agriculture; clarifying and imposing penalties for violations related to diseased animals under the jurisdiction of the board of animal health; authorizing inspection upon notice; authorizing enforcement of violations; authorizing civil judicial enforcement actions; authorizing administrative remedies for violations; imposing civil and criminal penalties; amending Minnesota Statutes 1986, sections 35.245, subdivision 5; 35.80; 35.82, subdivision 2; and 35.830; Minnesota Statutes 1987 Supplement, section 35.68; proposing coding for new law in Minnesota Statutes, chapter 35; repealing Minnesota Statutes 1986, sections 35.069; 35.15, subdivision 2; 35.70; 35.71, subdivision 8; and 35.72, subdivision 6.

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

Section 1. **[35.165] LIABILITY FOR ILLEGALLY TRANSPORTING LIVESTOCK.**

A transportation company or corporation or its agent, the owner or driver of a vehicle for hire or a private vehicle used to haul livestock, or a person violating section 35.15 or 35.16 is liable in a civil action to a person injured for the full amount of damages that may result from a violation of section 35.15 or 35.16. Action may be brought in a county where the livestock is sold, offered for sale, delivered to a purchaser, or detained in transit.

Sec. 2. Minnesota Statutes 1986, section 35.245, subdivision 5, is amended to read:

Subd. 5. ~~PENALTY. A violation of this section or rules or quarantines of the board adopted under this section is a gross misdemeanor, and any An~~ auctioneer convicted of knowingly conducting a sale of ~~eattle~~ livestock in violation of this section shall forfeit the auctioneer's license until its renewal is approved by the authority which issued the license.

Sec. 3. Minnesota Statutes 1987 Supplement, section 35.68, is amended to read:

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