

CHAPTER 504 — H.F.No. 756

An act relating to notarial acts; authorizing appointment of out-of-state notaries; requiring designation of the clerk of district court of the county in which appointment is sought as agent for out-of-state notaries; changing the term of office for notaries public; increasing the bond amount; providing for transfer of notary public commissions; amending Minnesota Statutes 1982, sections 359.01; and 359.02; proposing new law coded in Minnesota Statutes, chapter 359.

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

Section 1. Minnesota Statutes 1982, section 359.01, is amended to read:

359.01 **COMMISSION.**

Subdivision 1. RESIDENT NOTARIES. The governor may appoint and commission as notaries public, by and with the advice and consent of the senate, as many citizens of this state, over the age of 18 years, resident in the county for which appointed, as ~~he~~ the governor deems necessary.

Subd. 2. NONRESIDENT NOTARIES. Notwithstanding the provisions of subdivision 1, the governor may appoint as notary public, by and with the advice and consent of the senate, a person who is not a resident of this state and who is not a resident of the county for which appointment is sought if:

(1) the person is a resident of Wisconsin, Iowa, North Dakota, or South Dakota, and of a county that shares a boundary with this state;

(2) the person designates the clerk of the district court of a county of this state that shares a boundary with the county of residence as agent for the service of process for all purposes relating to notarial acts and for receipt of all correspondence relating to notarial acts.

Subd. 3. FEES. The fee for each commission shall not exceed \$10, and shall be paid to the governor's private secretary.

Sec. 2. Minnesota Statutes 1982, section 359.02, is amended to read:

359.02 **TERM, BOND, OATH, REAPPOINTMENT.**

Every notary so commissioned shall hold office for ~~seven~~ six years, unless sooner removed by the governor or the district court; and, before entering upon the duties of his office, he shall give a bond to the state in the sum of ~~\$2,000~~ \$10,000, to be approved by the governor, conditioned for the faithful discharge of the duties of his office, which, with his oath of office, shall be filed with the secretary of state. Within ten days before the expiration of his commission he may be reappointed for a new term to commence and to be designated in his new commission as beginning upon the day immediately following such expiration.

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

The reappointment so made shall go into effect and be valid although the appointing governor may not be in the office of governor on said day.

Sec. 3. [359.071] CHANGE OF RESIDENCE.

A notary public who, during his term of office, establishes residency in a county of this state other than the county for which he was appointed, may file with the secretary of state an affidavit identifying the county of current residency, the county for which he is appointed as notary public, and the date of change of residency. If the affidavit is properly filed, the notary shall continue to have the same powers during the unexpired term of his appointment as if he had not changed residence. No new bond is required to be given to the state and the existing bond shall remain valid until the expiration of the commission. The notary public shall be entitled to use his official seal for the remainder of his term.

Sec. 4. APPLICATION.

The reduction in the term of a notary and the increase in the bond provided by section 2 do not apply to a notary whose current commission is dated prior to August 1, 1984, but shall apply to all commissions dated on and after that date.

Approved April 25, 1984

CHAPTER 505 — H.F.No. 1107

An act relating to the Minnesota veterans home; clarifying the treatment of assets for purposes of calculating maintenance charges; amending Minnesota Statutes 1982, section 198.03.

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

Section 1. Minnesota Statutes 1982, section 198.03, is amended to read:

198.03 MAINTENANCE CHARGES.

Any person otherwise eligible for admission to the Minnesota veterans home, except that he has means of support, may, at the discretion of the commissioner of veterans affairs, be admitted to the Minnesota veterans home upon entering into and complying with the terms of a contract made by him with the commissioner, providing for reasonable compensation to be paid by such person to the state of Minnesota for his care, support, and maintenance in the home. Any earnings derived by the person from participating in a work therapy program while the person is a resident of the home may not be considered a means of support.

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