

CHAPTER 317—S.F.No. 1600

An act relating to courts; reducing the statutory time of residency required for a change of name; altering the responsibility for the procedure to be followed when filing a change of name with the county recorder; eliminating the limits on the amount of bond to be posted by the clerk of court; prohibiting employees of the clerk's office from practicing law in the court in which they are employed; amending Minnesota Statutes 1984, sections 259.10; and 259.11; and Minnesota Statutes 1985 Supplement, section 485.01.

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

Section 1. Minnesota Statutes 1984, section 259.10, is amended to read:

259.10 PROCEDURE.

A person who shall have resided in any county this state for ~~one year~~ six months may apply to the district court ~~thereof~~ in the county where the person resides to have his name, the names of his minor children, if any, and the name of his spouse, if the spouse joins in the application, changed in the manner herein specified. He shall state in his application the name and age of his spouse and each of his children, if any, and shall describe all lands in the state in or upon which he, his children and his spouse if their names are also to be changed by the application, claim any interest or lien, and shall appear personally before the court and prove his identity by at least two witnesses. If he be a minor, the application shall be made by his guardian or next of kin. Every person who, with intent to defraud, shall make a false statement in any such application shall be guilty of a misdemeanor provided, however, that no minor child's name may be changed without both of his parents having notice of the pending of the application for change of name, whenever practicable, as determined by the court.

Sec. 2. Minnesota Statutes 1984, section 259.11, is amended to read:

259.11 ORDER; FILING COPIES.

Upon meeting the requirements of section 259.10, the court shall grant the application unless it finds that there is an intent to defraud or mislead or in the case of the change of a minor child's name, the court finds that such name change is not in the best interests of the child. The court shall set forth in the order the name and age of his spouse and each child of the applicant, if any, and shall state a description of the lands, if any, in which the applicant and his spouse and children, if any, claim to have an interest. The clerk shall file such order, and record the same in the judgment book. If lands be described therein, a certified copy of the order shall be filed for record, by the ~~clerk~~ applicant, with the county recorder of each county wherein any of the same are situated. Before doing so he shall present the same to the county auditor who shall enter the change of name in his official records and note upon the instrument, over his official signature, the words "change of name recorded." Any such order shall not be filed, nor any certified copy thereof be issued, until the applicant shall

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have paid to the county recorder and clerk the ~~cost of such record~~. The fee of the clerk shall be ~~as provided by law~~ fee required by law. No application shall be denied on the basis of the marital status of the applicant.

Sec. 3. Minnesota Statutes 1985 Supplement, 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~~ and all deputy clerks must not practice as ~~an attorney~~ attorneys in the court of ~~in~~ which he is the clerk they are employed.

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

Sec. 4. **EFFECTIVE DATE.**

Section 1 is effective the day following final enactment.

Approved March 11, 1986

CHAPTER 318—H.F.No. 1727

An act relating to agriculture; moving Wadena county from area one to area four for purposes of potato industry promotion; amending Minnesota Statutes 1984, section 17.54, subdivision 9.

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

Section 1. Minnesota Statutes 1984, section 17.54, subdivision 9, is amended to read:

Subd. 9. **POTATO INDUSTRY PROMOTION.** For the purpose of the administration of sections 17.51 to 17.69 as they pertain to a Minnesota area potato research and promotion council established pursuant to Laws 1967, Chapter 417, as amended, the state is divided into four areas. Area number one includes the counties of Kittson, Marshall, Polk, Pennington, Red Lake, Nor-

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