

(1) the availability of appropriate prevention and reunification services for the family to prevent the removal of the child from the home or to reunify the child with the family after removal;

(2) any services or resources that were requested by the child or the child's parent, guardian, foster parent, or custodian since the date of initial adjudication, and whether those services or resources were provided or the basis for denial of the services or resources;

(3) the need of the child and family for care, treatment, or rehabilitation;

(4) the need for participation by the parent, guardian, or custodian in the plan of care for the child; and

(5) a description of any services that could prevent placement or reunify the family if such services were available.

A party has a right to request a court review of the reasonableness of the case plan upon a showing of a substantial change of circumstances.

Sec. 21. Minnesota Statutes 1988, section 260.231, subdivision 3, is amended to read:

Subd. 3. The court shall have notice of the time, place, and purpose of the hearing served on the parents, as defined in sections 257.51 to 257.74 or 259.26, subdivision 1, clause (2), and upon the child's grandparent if the child has lived with the grandparent within the two years immediately preceding the filing of the petition. Notice must be served in the manner provided in sections 260.135 and 260.141, except that personal service shall be made at least ten days before the day of the hearing. Published notice shall be made for three weeks, the last publication to be at least ten days before the day of the hearing; and notice sent by certified mail shall be mailed at least 20 days before the day of the hearing. A parent who consents to the termination of parental rights under the provisions of section 260.221, clause (a), may waive in writing the notice required by this subdivision; however, if the parent is a minor or incompetent the waiver shall be effective only if the parent's guardian ad litem concurs in writing.

Presented to the governor May 19, 1989

Signed by the governor May 23, 1989, 5:45 p.m.

#### CHAPTER 236—S.F.No. 232

*An act relating to corporations; providing for the simplification of certain filings made with the office of the secretary of state; changing the recipients of certain notices; modifying the definition of address to include zip codes; appropriating money; amending Minnesota Statutes 1988, sections 302A.011, subdivision 3; 302A.123, subdivision 1; 302A.821, subdivi-*

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*tion 1; 303.02, subdivision 5; 303.10, subdivision 2; 303.13, subdivision 2; 303.14, subdivision 1; and 303.17, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 5.*

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

Section 1. **[5.17] SUBSTANTIAL COMPLIANCE.**

The secretary of state may accept a filing if the information on the filing is in substantial compliance with the applicable law, even if information on the filing is not identical to equivalent information in the records of the secretary of state.

Sec. 2. **SUPPLEMENTAL FILING AND INFORMATION SERVICES.**

(a) The secretary of state may offer services to the public that supplement filing and information services already authorized by law. The secretary of state may discontinue the supplemental services at any time. The services must be designed to provide the public with a benefit by improving the manner of providing, or by providing an alternative manner of payment for, existing services provided by the secretary of state.

(b) The cost of providing the supplemental services to the public, as determined by the secretary of state, must be recovered from the recipients of the services. The funds collected for the services must be deposited in the uniform commercial code account and are continuously available to the secretary of state for payment of the cost of providing the supplemental services.

Sec. 3. Minnesota Statutes 1988, section 302A.011, subdivision 3, is amended to read:

Subd. 3. **ADDRESS.** "Address" means mailing address, including a zip code. In the case of a registered office or principal executive office, the term means the mailing address and the actual office address; location which shall not be a post office box.

Sec. 4. Minnesota Statutes 1988, section 302A.123, subdivision 1, is amended to read:

Subdivision 1. **STATEMENT.** A corporation may change its registered office, designate or change its registered agent, or state a change in the name of its registered agent, by filing with the secretary of state a statement containing:

- (a) The name of the corporation;
- (b) ~~The present address of its registered office;~~
- (c) If the address of its registered office is to be changed, the new address of its registered office;
- (d) ~~The name of its registered agent, if any;~~

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(e) (c) If its registered agent is to be designated or changed, the name of its new registered agent;

(f) (d) If the name of its registered agent is to be changed, the name of its registered agent as changed;

(g) (e) A statement that the address of its registered office and the address of the business office of its registered agent, as changed, will be identical; and

(h) (f) A statement that the change of registered office or registered agent was authorized by resolution approved by the affirmative vote of a majority of the directors present.

Sec. 5. Minnesota Statutes 1988, section 302A.821, subdivision 1, is amended to read:

Subdivision 1. **INFORMATION REQUIRED.** A domestic corporation shall once each calendar year file either (a) with the commissioner of revenue along with the return required by sections 290.37 and 290.974, or along with an affidavit that the corporation need not file a return under section 290.37, or (b) with the secretary of state, a registration containing:

(a) The name of the corporation;

(b) The address of its principal executive office, if different from the registered office address;

(c) The address of its registered office;

(d) The state of incorporation;

(e) ~~The former name and address of the corporation or its registered office, if changed since the corporation filed its previous return;~~

(f) The name of its registered agent, if any; and

(g) (f) The name and business address of the officer or other person exercising the principal functions of the chief executive officer of the corporation; and

(g) The signature of a person authorized to sign the registration on behalf of the corporation.

Sec. 6. Minnesota Statutes 1988, section 303.02, subdivision 5, is amended to read:

Subd. 5. **ADDRESS.** "Address" includes the name of the post office, street and number, if any; or name of building and the room or office number therein when customarily used as a part of a means mailing address, including a zip code. In the case of a registered office, the term means the mailing address and the actual office location which may not be a post office box.

New language is indicated by underline, deletions by ~~strikeout~~.

Sec. 7. Minnesota Statutes 1988, section 303.10, subdivision 2, is amended to read:

Subd. 2. **CHANGE OF LOCATION AND ADDRESS; REVOCATION OF AGENT'S APPOINTMENT; NEW AGENT.** A foreign corporation may, from time to time, change the location and address of its registered office. It may revoke the appointment of a registered agent, provided it shall at the same time file an appointment of a new registered agent. It shall appoint a new registered agent in case of vacancy in the office, whether by death, resignation, or otherwise, or because of the disqualification or incapacity of its registered agent. Such changes may be made by filing in the office of the secretary of state a statement setting forth:

(1) the name of the corporation;

(2) ~~the address of its registered office;~~

~~(3)~~ (3) if the address of its registered office is to be changed, the address to which the registered office is to be changed;

~~(4) the name of its then registered agent;~~

(5) (3) if its registered agent is to be changed, the name of its successor registered agent; and

~~(6)~~ (4) that such change was authorized by resolution duly adopted by its board of directors.

Such statement shall be executed by its president, vice-president, secretary, or assistant secretary.

Sec. 8. Minnesota Statutes 1988, section 303.13, subdivision 2, is amended to read:

Subd. 2. **DUTIES OF SECRETARY OF STATE.** In case of service of process, the secretary of state shall immediately cause one copy of such process to be forwarded by certified mail addressed to the corporation so served, ~~at its principal office in the state or country under the laws of which it is organized, and one copy thereof to the~~ in care of the agent of such corporation, at its registered office in this state, as such addresses appear in the records of the secretary of state; provided that, if the corporation shall have withdrawn from the state in the manner provided by this chapter, one copy shall be sent to the address designated for such purpose in the application for withdrawal, instead of the registered office in this state.

Sec. 9. Minnesota Statutes 1988, section 303.14, subdivision 1, is amended to read:

Subdivision 1. **FILED WITH SECRETARY OF STATE; CONTENTS.** Between January ~~first~~ 15 and ~~April first~~ May 15, in each calendar year, every

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foreign corporation which holds a certificate of authority shall make and file with the secretary of state a report for the previous calendar year, setting forth:

(1) the name of the corporation and the state or country under the laws of which it is organized;

(2) if the name of the corporation does not end with the word "Corporation" or the word "Incorporated," or the abbreviation "Inc.," or does not contain the word "Company" or the abbreviation "Co." not immediately preceded by the word "and" or the character "&," then the name of the corporation with the word or abbreviation which it has agreed to add thereto for use in this state;

(3) the address of its registered office in this state and the name of its registered agent at such address;

(4) additional information necessary or appropriate to enable the secretary of state to determine the additional license fee, if any, payable by the corporation;

(5) a statement of the corporate taxable net income as stated in its Minnesota corporate income tax return that was due in the previous year; and

(6) the fee required by section 303.07, subdivision 2. This fee shall be submitted with the annual report.

Sec. 10. Minnesota Statutes 1988, section 303.17, subdivision 4, is amended to read:

Subd. 4. **CERTIFICATE OF REVOCATION.** Upon revoking the certificate of authority, the secretary of state shall:

(1) Issue a certificate of revocation, in duplicate; and

(2) Mail to the corporation, at its principal office in the state or country under the laws of which it is organized, a notice of the revocation, accompanied by a certificate of revocation, and mail to the corporation, at its registered office in this state, a notice of the revocation.

Sec. 11. **REPORT ON SUPPLEMENTAL SERVICES.**

The secretary of state shall deliver a report to the legislature by December 31, 1990. The report shall include a description of services provided under section 2, a report of revenues received and expenditures necessitated by virtue of providing these services, and an analysis of the acceptance by the public of each supplemental service.

Sec. 12. **EFFECTIVE DATE.**

Sections 1, 4, 5, 7, and 8 are effective the day following final enactment. Section 2 is effective July 1, 1989, and is repealed July 1, 1991.

New language is indicated by underline, deletions by ~~strikeout~~.

Presented to the governor May 19, 1989

Signed by the governor May 22, 1989, 11:10 p.m.

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**CHAPTER 237—S.F.No. 1278**

*An act relating to taxation; extending the duration of a property tax exemption for land held for economic development by the city of Hermantown; amending Laws 1988, chapter 719, article 19, section 31.*

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

Section 1. Laws 1988, chapter 719, article 19, section 31, is amended to read:

**Sec. 31. CITY OF HERMANTOWN; PROPERTY TAXES ON LAND HELD FOR ECONOMIC DEVELOPMENT.**

Notwithstanding the time limitation contained in Minnesota Statutes 1986, section 272.02, subdivision 5, the holding of property that has been held for seven years as of August 1, 1987, by the city of Hermantown for later resale for economic development purposes is a public purpose under Minnesota Statutes, section 272.02, subdivision 1, clause (7), for a period not to exceed ~~10~~ 13 years. This section does not apply if buildings or other improvements are constructed after acquisition of the property, and if more than one-half of the floor space of the buildings or improvements that is available for lease to or use by a private individual, corporation, or other entity is leased to or otherwise used by a private individual, corporation, or other entity. This section does not create an exemption from Minnesota Statutes, section 272.01, subdivision 2; 272.68; 273.19; or 469.040, subdivision 3; or other provision of law providing for the taxation of or for payments in lieu of taxes for publicly held property which is leased, loaned, or otherwise made available and used by a private person.

**Sec. 2. EFFECTIVE DATE.**

Section 1 is effective for taxes levied in 1989, payable in 1990, and thereafter, and terminates effective for taxes levied in 1992, payable in 1993.

Presented to the governor May 19, 1989

Signed by the governor May 23, 1989, 5:58 p.m.

New language is indicated by underline, deletions by ~~strikeout~~.