

Sec. 25. APPROPRIATION.

\$890,000 is appropriated from the general fund to the supreme court to be distributed under Minnesota Statutes, section 480.242, to the qualified legal services programs described in section 480.242, subdivision 2, paragraph (a), to improve the access of low-income clients to legal representation in family law matters.

Sec. 26. EFFECTIVE DATE.

Section 20 is effective August 1, 1990, and applies to actions commenced on or after that date. The provisions of section 22, paragraph (c), allowing retroactive modification of support or maintenance payments in certain cases, are effective July 1, 1991, provided that these provisions do not take effect if a change in or waiver of the existing AFDC requirements is not obtained under section 24.

Presented to the governor April 26, 1990

Signed by the governor May 3, 1990, 6:03 p.m.

CHAPTER 575—H.F.No. 1854

An act relating to public administration; validating certain cancellation of contracts; validating certain conveyances by religious corporations; allowing county boards to set certain fees charged by the examiner of titles; providing for the effect of dissolution on joint tenancy; permitting the filing of summaries of dissolution judgments in real estate filings; clarifying provisions on certain liens by reordering clauses; regulating conciliation court jurisdiction limits; amending Minnesota Statutes 1988, sections 287.01, by adding a subdivision; 500.19, subdivision 5; and 514.12, subdivision 3; Minnesota Statutes 1989 Supplement, section 487.30, subdivision 1; Minnesota Statutes Second 1989 Supplement, section 508A.82; Laws 1989, chapter 344, section 13, subdivision 1; proposing coding for new law in Minnesota Statutes, chapters 315, 518, and 559; repealing Minnesota Statutes 1988, section 580.031.

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

Section 1. Minnesota Statutes 1988, section 287.01, is amended by adding a subdivision to read:

Subd. 4. DECREE OF MARRIAGE DISSOLUTION. “Decree of marriage dissolution” includes a summary real estate disposition judgment or an instrument made pursuant to it.

Sec. 2. [315.121] RELIGIOUS CORPORATIONS, CERTAIN CONVEYANCES VALIDATED.

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

All conveyances executed by any religious corporation organized under this chapter, conveying real property within this state that were recorded prior to July 1, 1984, in the office of the county recorder or registrar of titles of the county in which the real estate conveyed is located, and the record of the conveyance, are legalized, validated, and confirmed, even though the corporate records do not disclose that the execution of the conveyance was authorized by the congregation of the religious corporation in the manner provided by law, or the record of the authorization has not been recorded in the office of the county recorder or registrar of titles of the county in which the real estate conveyed is located.

Sec. 3. Minnesota Statutes 1989 Supplement, section 487.30, subdivision 1, is amended to read:

Subdivision 1. (a) Except as provided in paragraph (b), the conciliation court shall hear and determine civil claims if the amount of money or property which is the subject matter of the claim does not exceed \$3,500 for the determination thereof without jury trial and by a simple and informal procedure. The rules of the supreme court shall provide for a right of appeal from the decision of the conciliation court to the county court for a trial on the merits. The territorial jurisdiction of a conciliation court shall be coextensive with the county in which the court is established.

(b) If the claim involves a consumer credit transaction, the amount of money or property that is the subject matter of the claim may not exceed ~~\$2,000~~ \$2,500. "Consumer credit transaction" means a sale of personal property, or a loan arranged to facilitate the purchase of personal property, in which:

(1) credit is granted by a seller or a lender who regularly engages as a seller or lender in credit transactions of the same kind;

(2) the buyer is a natural person;

(3) the claimant is the seller or lender in the transaction; and

(4) the personal property is purchased primarily for a personal, family, or household purpose and not for a commercial, agricultural, or business purpose.

Sec. 4. Minnesota Statutes 1988, section 500.19, subdivision 5, is amended to read:

Subd. 5. **SEVERANCE OF ESTATES IN JOINT TENANCY.** A severance of a joint tenancy interest in real estate by a joint tenant shall be legally effective only if (1) the instrument of severance is recorded in the office of the county recorder or the registrar of titles in the county where the real estate is situated; or (2) the instrument of severance is executed by all of the joint tenants; or (3) the severance is ordered by a court of competent jurisdiction; or (4) a severance is effected pursuant to bankruptcy of a joint tenant.

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

A decree of dissolution of a marriage severs all joint tenancy interests in real estate between the parties to the marriage, except to the extent the decree declares that the parties continue to hold an interest in real estate as joint tenants.

Sec. 5. Minnesota Statutes Second 1989 Supplement, section 508A.82, is amended to read:

508A.82 REGISTRAR'S FEES.

The fees to be paid to the registrar shall be as follows:

(1) of the fees provided herein, five percent of the fees collected under clauses (3), (4), (11), (13), (14), (15), and (17), for filing or memorializing shall be paid to the state treasurer and credited to the general fund;

(2) for registering each original CPT, and issuing a duplicate of it, \$20;

(3) for registering each instrument transferring the fee simple title for which a new CPT is issued and for the issuance and registration of the new CPT, \$20;

(4) for the entry of each memorial on a certificate and endorsements upon duplicate CPTs, \$10;

(5) for issuing each mortgagee's or lessee's duplicate, \$10;

(6) for issuing each residue CPT, \$20;

(7) for exchange CPTs, \$10 for each CPT canceled and \$10 for each new CPT issued;

(8) for each certificate showing condition of the register, \$10;

(9) for any certified copy of any instrument or writing on file in the registrar's office, the same fees allowed by law to county recorders for like services;

(10) for a noncertified copy of any instrument or writing on file in the office of the registrar of titles, or any specified page or part of it, an amount as determined by the county board for each page or fraction of a page specified. If computer or microfilm printers are used to reproduce the instrument or writing, a like amount per image;

(11) for filing two copies of any plat in the office of the registrar, \$30;

(12) for any other service under sections 508A.01 to 508A.85, the fee the court shall determine;

(13) for issuing a duplicate CPT pursuant to the directive of the examiner of titles in counties in which the compensation of the examiner is paid in the same manner as the compensation of other county employees, \$50, plus \$10 to memorialize;

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

(14) for issuing a duplicate CPT pursuant to the directive of the examiner of titles in counties in which the compensation of the examiner is not paid by the county or pursuant to an order of the court, \$10;

(15) for filing a condominium plat or an amendment to it in accordance with chapter 515, §30;

(16) for a copy of a condominium plat filed pursuant to chapters 515 and 515A, the fee shall be \$1 for each page of the plat with a minimum fee of \$10;

(17) for filing a condominium declaration and condominium plat or an amendment to it in accordance with chapter 515A, \$10 for each certificate upon which the document is registered and \$30 for the filing of the condominium plat or an amendment to it;

(18) in counties in which the compensation of the examiner of titles is paid in the same manner as the compensation of other county employees, for each parcel of land contained in the application for a CPT, as the number of parcels is determined by the examiner, ~~\$50 a fee which is reasonable and which reflects the actual cost to the county, established by the board of county commissioners of the county in which the land is located;~~

(19) for filing a registered land survey in triplicate in accordance with section 508A.47, subdivision 4, §30;

(20) for furnishing a certified copy of a registered land survey in accordance with section 508A.47, subdivision 4, §10.

Sec. 6. Minnesota Statutes 1988, section 514.12, subdivision 3, is amended to read:

Subd. 3. **ONE-YEAR LIMITATION.** No lien shall be enforced in any case unless the holder thereof shall assert the same, either by filing a complaint or answer with the court administrator, within one year after the date of the last item of the claim as set forth in the recorded lien statement; and, no person shall be bound by any judgment in such action unless made a party thereto within the year; and, as to a bona fide purchaser, mortgagee, or encumbrancer without notice, the absence from the record of a notice of lis pendens of an action after the expiration of the year in which the lien could be so asserted shall be conclusive evidence that the lien may no longer be enforced and, in the case of registered land, the registrar of titles shall refrain from carrying forward to new certificates of title the memorials of lien statements when no such notice of lis pendens has been registered within the period; ~~nor shall any person be bound by the judgment in such action unless made a party thereto within the year.~~

Sec. 7. **[518.191] SUMMARY REAL ESTATE DISPOSITION JUDGMENT.**

Subdivision 1. ABBREVIATED JUDGMENT AND DECREE. If real estate

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

is described in a judgment and decree of dissolution, the court may direct either of the parties or their legal counsel to prepare and submit to the court a proposed summary real estate disposition judgment. Upon approval by the court and filing of the summary real estate disposition judgment with the court administrator, the court administrator shall provide to any party upon request certified copies of the summary real estate disposition judgment.

Subd. 2. REQUIRED INFORMATION. A summary real estate disposition judgment must contain the following information: (1) the full caption and file number of the case and the title "Summary Real Estate Disposition Judgment"; (2) the dates of the parties' marriage and of the entry of the judgment and decree of dissolution; (3) the names of the parties' attorneys or if either or both appeared pro-se; (4) the name of the judge and referee, if any, who signed the order for judgment and decree; (5) whether the judgment and decree resulted from a stipulation, a default, or a trial and the appearances at the default or trial; (6) whether either party changed the party's name through the judgment and decree; (7) the legal description of each parcel of real estate; (8) the name or names of the persons awarded an interest in each parcel of real estate and a description of the interest awarded; (9) liens, mortgages, encumbrances, or other interests in the real estate described in the judgment and decree; and (10) triggering or contingent events set forth in the judgment and decree affecting the disposition of each parcel of real estate.

Subd. 3. COURT ORDER. An order or provision in a judgment and decree that provides that the judgment and decree must be recorded in the office of the county recorder or filed in the office of the registrar of titles means, if a summary real estate disposition judgment has been approved by the court, that the summary real estate disposition judgment, rather than the judgment and decree, must be recorded in the office of the county recorder or filed in the office of the registrar of titles.

Subd. 4. TRANSFER OF PROPERTY. The summary real estate disposition judgment operates as a conveyance and transfer of each interest in the real estate in the manner and to the extent described in the summary real estate disposition judgment.

Subd. 5. CONFLICT. If a conflict exists between the judgment and decree and the summary real estate disposition judgment, the summary real estate disposition judgment recorded in the office of the county recorder or filed in the office of the registrar of titles controls as to the interest acquired in real estate by any subsequent purchaser in good faith and for a valuable consideration, who is in possession of the interest or whose interest is recorded with the county recorder or registrar of titles, before the recording of the judgment and decree in the same office.

Sec. 8. [559.215] CONTRACTS OF SALE; VALIDATING TERMINATIONS OF CONTRACT OF SALE.

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

Every termination of a contract for the conveyance of real property or an interest in real property where service of notice of default is published for the first time or is served on the purchaser, or the purchaser's personal representative or assigns before the date in section 9 is legal and valid as against the following objections:

(1) that prior to the service of notice of termination, no mortgage registration tax was paid on the contract, or an insufficient registration tax was paid on the contract;

(2) that the notice:

(i) did not correctly state the amount of attorney fees;

(ii) failed to state or incorrectly stated the names of one or more of the sellers, or the sellers' successors or assigns, or incorrectly described the interest or representative capacity of the person giving the notice;

(iii) was printed or typed in an incorrect type size; or

(iv) incorrectly stated the number of days after service that the contract will terminate, provided that the number of days stated is not less than 30 days;

(3) that the cancellation was commenced by less than all sellers; or

(4) that in the case of a termination by publication the notice was not served on all persons in possession of the real estate, provided it was served on at least one of those persons.

Sec. 9. [559.216] EFFECTIVE DATES.

The following dates apply to section 8:

(1) as to clause (2)(iv) and clause (3), August 1, 1985; and

(2) as to the general provisions of section 8, May 1, 1989.

Sec. 10. Laws 1989, chapter 344, section 13, subdivision 1, is amended to read:

Sec. 13. CONCILIATION COURT JURISDICTION AMOUNTS.

Subdivision 1. **INCREASE IN LIMITS.** The conciliation court jurisdictional limits provided in sections 1, 2, 5, 6, 9, and 10, other than the \$2,500 limit for actions involving consumer credit transactions, shall increase to \$4,000 on July 1, 1990.

Sec. 11. REPEALER.

Minnesota Statutes 1988, section 580.031, is repealed retroactive to May 1, 1989.

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

Sec. 12. **EFFECTIVE DATES.**

Sections 2 and 4 to 8 do not affect any action or proceeding pending on their effective date or that is commenced before February 1, 1991, involving the validity of the termination or conveyance.

Section 3 is effective July 1, 1990.

Sections 10 and 11 are effective the day following final enactment.

Presented to the governor April 26, 1990

Signed by the governor May 4, 1990, 11:47 p.m.

CHAPTER 576—S.F.No. 2216

An act relating to occupations and professions; specifying requirements for membership of the board of medical examiners; containing procedural requirements for disciplinary actions; applying reporting requirements to other entities that provide professional liability coverage to physicians; amending Minnesota Statutes 1988, sections 147.01, subdivisions 1, 3, and 4; 147.09; 147.111, subdivision 5; repealing Minnesota Statutes 1988, sections 147.171; 147.24; 147.25; 147.26; 147.27; 147.28; 147.29; 147.30; 147.31; 147.32; 147.33; and Laws 1988, chapter 557, section 6.

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

Section 1. Minnesota Statutes 1988, section 147.01, subdivision 1, is amended to read:

Subdivision 1. **CREATION; TERMS.** The board of medical examiners consists of ~~++~~ 16 residents of the state of Minnesota appointed by the governor. ~~Seven~~ Ten board members must hold a degree of doctor of medicine and be licensed to practice medicine under this chapter. One board member must hold a degree of doctor of osteopathy and either be licensed to practice osteopathy under Minnesota Statutes 1961, sections 148.11 to 148.16; prior to May 1, 1963, or be licensed to practice medicine under this chapter. ~~Three~~ Five board members must be public members as defined by section 214.02. ~~One of the public members must represent a mental health and consumer advocacy organization~~ The governor is encouraged to make appointments to the board which reflect the geography of the state and a broad mix of expertise of the members. A member may serve ~~more than one term~~ be reappointed but shall not serve more than ~~two terms~~ eight years consecutively. Membership terms, compensation of members, removal of members, the filling of membership vacancies, and fiscal year and reporting requirements are as provided in sections 214.07 to 214.09. The provision of staff, administrative services and office space; the

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