

(3) the commissioner may enter into a lease with the chamber or similar entity. The lease may be for a term of up to 20 years and may be renewed for additional terms of up to 20 years. Some or all of the consideration from the chamber or similar entity for the lease may be in the form of in-kind contribution to improvements to the rest area facility; and

(4) the chamber or similar entity may advertise its presence and services in the rest area along state highways, including on rest area grounds and along state highway No. 371 within one-half mile of the rest area exit.

(b) The conditions, exemptions, and terms set out in this act are intended to apply only to the rest area to be built on state highway No. 371 between Little Falls and Brainerd.

(c) It is understood that because of lack of available funding and other higher priorities, the unique circumstances, including exceptional volume, site requirements and limitations, and other unique circumstances, the rest area could not be built and operated in the most desirable way without the contributions of all the parties.

(d) The commissioner of transportation and the partners in this rest area shall mutually develop and execute an agreement to identify and accept responsibility for their respective portion of construction, maintenance, and operating costs of the facility based on their spatial requirements. The responsibilities could be through direct funding or in-kind contributions as mutually agreed.

**Sec. 41. REPEALER.**

Minnesota Statutes 2000, section 221.0313, is repealed.

Minnesota Statutes 2001 Supplement, section 161.362, is repealed.

Presented to the governor May 8, 2002

Signed by the governor May 9, 2002, 11:43 a.m.

**CHAPTER 365—S.F.No. 2707**

*An act relating to real estate; filling in an inadvertent omission for a temporary increase in the surcharge for filing and recording certain documents to fund the real estate task force; extending the effective date for the surcharges; extending the availability of an existing appropriation; providing for the electronic recording and authentication of certain documents as part of a pilot project; delaying the expiration date of the electronic real estate recording task force; amending Minnesota Statutes 2000, section 507.093; Minnesota Statutes 2001 Supplement, sections 507.24, subdivision 2; 508.82, subdivision 1; 508A.82, subdivision 1; Laws 2000, chapter 391, section 1, subdivision 2; Laws 2001, First Special Session chapter 10, article 2, section 98.*

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

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

Section 1. Minnesota Statutes 2000, section 507.093, is amended to read:

**507.093 STANDARDS FOR DOCUMENTS TO BE RECORDED OR FILED.**

(a) The following standards are imposed on documents to be recorded with the county recorder or filed with the registrar of titles:

(1) The document shall consist of one or more individual sheets measuring no larger than 8.5 inches by 14 inches.

(2) The form of the document shall be printed, typewritten, or computer generated in black ink and the form of the document shall not be smaller than 8-point type.

(3) The document shall be on white paper of not less than 20-pound weight with no background color, images, or writing and shall have a clear border of approximately one-half inch on the top, bottom, and each side.

(4) The first page of the document shall contain a blank space at the top measuring three inches, as measured from the top of the page. The right half to be used by the county recorder for recording information or registrar of titles for filing information and the left half to be used by the county auditor or treasurer for certification.

(5) The title of the document shall be prominently displayed at the top of the first page below the blank space referred to in clause (4).

(6) No additional sheet shall be attached or affixed to a page that covers up any information or printed part of the form.

(7) A document presented for recording or filing must be sufficiently legible to reproduce a readable copy using the county recorder's or registrar of title's current method of reproduction.

The standards in this paragraph do not apply to a document that is recorded or filed as part of a pilot project for the electronic filing of real estate documents implemented by the task force created in Laws 2000, chapter 391.

(b) The recording or filing fee for a document that does not conform to the standards in paragraph (a) shall be increased as provided in sections 357.18, subdivision 5; 508.82; and 508A.82.

(c) The recorder or registrar shall refund the recording or filing fee to the applicant if the real estate documents are not filed or registered within 30 days after receipt, or as otherwise provided by section 386.30.

Sec. 2. Minnesota Statutes 2001 Supplement, section 507.24, subdivision 2, is amended to read:

Subd. 2. **ORIGINAL SIGNATURES REQUIRED.** Unless otherwise provided by law, an instrument affecting real estate that is to be recorded as provided in this section or other applicable law must contain the original signatures of the parties who execute it and of the notary public or other officer taking an acknowledgment. However, a financing statement that is recorded as a filing pursuant to section

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336.9-502(b) need not contain: (1) the signatures of the debtor or the secured party; or (2) an acknowledgment. Any electronic instruments, including signatures and seals, affecting real estate may only be recorded as part of a pilot project for the electronic filing of real estate documents implemented by the task force created in Laws 2000, chapter 391.

Sec. 3. Minnesota Statutes 2001 Supplement, section 508.82, subdivision 1, is amended to read:

Subdivision 1. **STANDARD DOCUMENTS.** 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), (5), (11), (13), (14), (16), and (17), for filing or memorializing shall be paid to the state treasurer and credited to the general fund; plus a \$4.50 \$5 surcharge shall be charged and collected in addition to the total fees charged for each transaction under clauses (2), (3), (5), (11), (13), (14), (16), and (17), with 50 cents of this surcharge to be retained by the county to cover its administrative costs, 50 cents must be deposited in the state treasury to provide an additional funding source for the appropriations in Laws 2001, First Special Session chapter 10, article 2, sections 98 and 99, to the legislative coordinating commission for the real estate task force established under Laws 2000, chapter 391, and \$4 to be paid to the state treasury and credited to the general fund;

(2) for registering a first certificate of title, including issuing a copy of it, \$30;

(3) for registering each instrument transferring the fee simple title for which a new certificate of title is issued and for the registration of the new certificate of title, including a copy of it, \$30;

(4) for issuance of a CECT pursuant to section 508.351, \$15;

(5) for the entry of each memorial on a certificate, \$15;

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

(7) for exchange certificates, \$10 for each certificate canceled and \$10 for each new certificate 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 certificate of title, other than the copies issued under clauses (2) and (3), 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 this chapter, such fee as the court shall determine;

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

(13) for filing an amendment to a declaration in accordance with chapter 515, \$10 for each certificate upon which the document is registered and \$30 for an amended floor plan filed in accordance with chapter 515;

(14) for filing an amendment to a common interest community declaration and plat or amendment complying with section 515B.2-110, subsection (c), \$10 for each certificate upon which the document is registered and \$30 for the filing of the condominium or common interest community plat or amendment;

(15) for a copy of a condominium floor plan filed in accordance with chapter 515, or a copy of a common interest community plat complying with section 515B.2-110, subsection (c), the fee shall be \$1 for each page of the floor plan or common interest community plat with a minimum fee of \$10;

(16) for the filing of a certified copy of a plat of the survey pursuant to section 508.23 or 508.671, \$10;

(17) for filing a registered land survey in triplicate in accordance with section 508.47, subdivision 4, \$30; and

(18) for furnishing a certified copy of a registered land survey in accordance with section 508.47, subdivision 4, \$10.

Sec. 4. Minnesota Statutes 2001 Supplement, section 508A.82, subdivision 1, is amended to read:

Subdivision 1. **STANDARD DOCUMENTS.** 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), (5), (11), (13), (14), and (17), for filing or memorializing shall be paid to the state treasurer and credited to the general fund; plus a \$4.50 \$5 surcharge shall be charged and collected in addition to the total fees charged for each transaction under clauses (2), (3), (5), (11), (13), (14), and (17), with 50 cents of this surcharge to be retained by the county to cover its administrative costs, 50 cents to be deposited in the state treasury to provide an additional funding source for the appropriations in Laws 2001, First Special Session chapter 10, article 2, sections 98 and 99, to the legislative coordinating commission for the real estate task force established under Laws 2000, chapter 391, and \$4 to be paid to the state treasury and credited to the general fund;

(2) for registering a first CPT, including issuing a copy of it, \$30;

(3) for registering each instrument transferring the fee simple title for which a new CPT is issued and for the registration of the new CPT, including a copy of it, \$30;

(4) for issuance of a CECT pursuant to section 508A.351, \$15;

(5) for the entry of each memorial on a CPT, \$15;

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

(7) for exchange CPTs or combined certificates of title, \$10 for each CPT and certificate of title canceled and \$10 for each new CPT or combined certificate of title issued;

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(8) for each CPT 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 CPT, other than the copies issued under clauses (2) and (3), 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 filing an amendment to a declaration in accordance with chapter 515, \$10 for each certificate upon which the document is registered and \$30 for an amended floor plan filed in accordance with chapter 515;

(14) for filing an amendment to a common interest community declaration and plat or amendment complying with section 515B.2-110, subsection (c), and issuing a CECT if required, \$10 for each certificate upon which the document is registered and \$30 for the filing of the condominium or common interest community plat or amendment;

(15) for a copy of a condominium floor plan filed in accordance with chapter 515, or a copy of a common interest community plat complying with section 515B.2-110, subsection (c), the fee shall be \$1 for each page of the floor plan, or common interest community plat with a minimum fee of \$10;

(16) 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, 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;

(17) for filing a registered land survey in triplicate in accordance with section 508A.47, subdivision 4, \$30; and

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

Sec. 5. Laws 2000, chapter 391, section 1, subdivision 2, is amended to read:

Subd. 2. **STUDY AND RECOMMENDATIONS.** The task force shall study and make recommendations regarding implementation of a system for electronic filing and recording of real estate documents and shall consider:

(1) technology and computer needs;

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- (2) legal issues such as authenticity, security, timing and priority of recordings, and the relationship between electronic and paper recording systems;
- (3) cost-effectiveness of electronic recording systems;
- (4) timetable and plan for implementing an electronic recording system, considering types of documents and entities using the system and volume of recordings;
- (5) permissive versus mandatory systems; and
- (6) other relevant issues identified by the task force.

The task force shall submit a report to the legislature by January 15, 2001, outlining a proposed work plan and budget for consideration by the legislature. The task force expires June 30, ~~2003~~ 2004.

Sec. 6. Laws 2001, First Special Session chapter 10, article 2, section 98, is amended to read:

**Sec. 98. WORK PLAN APPROPRIATIONS.**

(a) \$650,000 is appropriated from the surcharge collected under Minnesota Statutes, section 357.18, subdivision 3, to the legislative coordinating commission, to be made available to the real estate task force established in accordance with Laws 2000, chapter 391, for the expenses of the task force in carrying out the work plan as described in the January 15, 2001, task force report to the legislature. This appropriation is available until June 30, ~~2003~~ 2004, and is to be administered at the direction of the chair of the task force, subject to the prior approval of the task force.

(b) \$500,000 is appropriated from the surcharge collected under Minnesota Statutes, section 357.18, subdivision 3, to the legislative coordinating commission, to be made available to the task force for the development and implementation of pilot electronic real estate projects in diverse counties as described in the January 15, 2001, task force report to the legislature. This appropriation is available until June 30, ~~2003~~ 2004.

**Sec. 7. EXTENSION OF EFFECTIVE DATE.**

The effective date of the amendment to Minnesota Statutes, section 357.18, subdivision 3, contained in Laws 2001, First Special Session chapter 10, article 2, section 77, is extended until June 30, 2004.

**Sec. 8. ADDITIONAL FUND SOURCE FOR 2001 APPROPRIATION.**

The 50 cent increases in the surcharges made by the amendments in sections 3 and 4 are available as an additional funding source for the appropriations in Laws 2001, First Special Session chapter 10, article 2, sections 98 and 99.

**Sec. 9. EFFECTIVE DATES AND APPLICATION.**

The amendments made by sections 3 and 4 are effective until June 30, 2004, for documents last acknowledged ten or more days after the date of final enactment of this act; or filed 45 days or more after the date of final enactment. Sections 6 to 8 are effective the day following final enactment.

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

Presented to the governor May 13, 2002

Vetoed by the governor May 15, 2002, 1:25 p.m.

Reconsidered and approved by the legislature after the governor's veto May 16, 2002

#### CHAPTER 366—S.F.No. 2727

*An act relating to public lands; modifying land acquisition procedures; modifying and creating certain state trails; modifying provisions for certain lands withdrawn from sale; modifying certain local planning regulations; adding to and deleting from certain state parks, state forests, and state recreation areas; authorizing public and private sales, conveyances, and exchanges of certain state land; modifying certain grant requirements for flood hazard mitigation; requiring maintenance of a certain public access in Chippewa county; requiring a rule amendment; appropriating money; amending Minnesota Statutes 2000, sections 84.0272; 85.015, subdivision 2, by adding a subdivision; 282.018, subdivision 1; 394.36, by adding a subdivision; 462.357, by adding a subdivision.*

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

Section 1. Minnesota Statutes 2000, section 84.0272, is amended to read:

#### 84.0272 PROCEDURE IN ACQUIRING LANDS.

Subdivision 1. ACQUISITION PROCEDURE. When the commissioner of natural resources is authorized to acquire lands or interests in lands the procedure set forth in this section shall apply. The commissioner of natural resources shall first prepare a fact sheet showing the lands to be acquired, the legal authority for their acquisition, and the qualities of the land that make it a desirable acquisition. The commissioner of natural resources shall cause the lands to be appraised. An appraiser shall before entering upon the duties of office take and subscribe an oath to faithfully and impartially discharge the duties as appraiser according to the best of the appraiser's ability and that the appraiser is not interested directly or indirectly in any of the lands to be appraised or the timber or improvements thereon or in the sale thereof and has entered into no agreement or combination to purchase the same or any part thereof, which oath shall be attached to the report of the appraisal. The commissioner of natural resources may pay less than the appraised value, but shall not agree to pay more than ten percent above the appraised value, except that if the commissioner pays less than the appraised value for a parcel of land, the difference between the purchase price and the appraised value may be used to apply to purchases at more than the appraised value. The sum of accumulated differences between appraised amounts and purchases for more than the appraised amount may not exceed the sum of accumulated differences between appraised amounts and purchases for less than the appraised amount. New appraisals may be made at the discretion of the commissioner of natural resources.

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