

CHAPTER 5

SECRETARY OF STATE

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5.03 CLERK OF GOVERNMENT SURVEYS.

There is hereby created in the office of the secretary of state the position of clerk of government surveys and documents for the purpose of receiving and for the safe-keeping of all the records and archives of the office of United States surveyor general for the state as soon as they shall be received from the commissioner of the general land office at Washington, D.C. The secretary of state shall maintain a copy of government survey documents for public inspection. The original documents shall be preserved in a climate controlled environment prescribed by the secretary of state. The documents shall be maintained so that they are available for public inspection.

History: 1991 c 205 s 1

5.16 CORRECTION OF DOCUMENTS.

[For text of subs 1 to 4, see M.S.1990]

Subd. 5. Fees. The secretary of state shall collect a fee of \$35 for filing articles of correction.

History: 1991 c 205 s 2

5.23 REMOVAL OF DOCUMENTS FROM THE PUBLIC RECORD.

Subdivision 1. Failure to pay filing fee. If an instrument authorized to be filed with the secretary of state has been submitted with a draft or other negotiable instrument that is returned without being honored, the secretary may remove the instrument from the public record. The secretary may also pursue collection of the dishonored draft or negotiable instrument and recover the face amount of the draft or negotiable instrument, any service fee, and any additional collection costs incurred to collect the amount. If the draft or negotiable instrument is honored, the instrument must be returned to the public record as of the date the draft or negotiable instrument is honored and the secretary may impose restrictions on the manner of payment that will be accepted for any future filings. This subdivision does not apply to financing statements filed under chapter 336.

Subd. 2. Failure to pay fee. If a party enters into a continuing agreement with the secretary of state for the receipt of information or products containing information and payment for services or products is made by a draft or other negotiable instrument that is returned without being honored, the secretary shall immediately terminate the agreement. The secretary may also pursue collection of the dishonored draft or negotiable instrument and recover the face amount of the draft or negotiable instrument and any additional costs incurred to collect the amount. If the draft or negotiable instrument is honored, the agreement may be reinstated and the secretary may impose restrictions on the manner of payment that will be accepted during the course of the agreement.

Subd. 3. Failure to pay direct access charges. If a customer who has subscribed with the secretary of state for direct computer access to the secretary's data bases makes payment for information received with a draft or other negotiable instrument that is returned without being honored, the secretary shall immediately terminate the customer's access to the data bases. The secretary may also pursue collection of the dishonored draft or negotiable instrument and recover the face amount of the draft or negotiable instrument and any additional costs incurred to collect the amount. If the draft or nego-

tiable instrument is honored, access may be restored and the secretary may impose restrictions on the methods of payment that will be acceptable.

Subd. 4. Collection of all amounts. The secretary of state must collect the face amount of the dishonored draft or negotiable instrument, any service fee, and all costs of collection in every possible instance. Collection must occur whether or not the instrument is returned to the public record or the customer continues to receive the information products or access to the data base. Uncollectible drafts must be processed according to applicable Minnesota law.

History: 1991 c 205 s 3

5.24 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.

History: 1991 c 205 s 4