

Subd. 3. For special aid to towns having large proportion of property paying gross earnings taxes, Laws 1939, Chapter 324, as amended by Laws 1943, Chapter 506, and pursuant to Laws 1943, Chapter 559	1,500	1,500
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Sec. 8. The state treasurer is hereby authorized to set aside in a separate account the counties' share of the vessel tonnage tax and to distribute the same to the counties entitled thereto at the end of each fiscal year, as provided by Mason's Minnesota Statutes 1927, Section 2291.

Sec. 9. The several appropriations herein include an amount calculated as the annual liability for one merit increase for each position below the maximum of its range, which shall be used solely for that purpose on the basis of liability for a full year and shall be the only moneys available for merit increases. When a position at the maximum is vacated, an additional amount equal to one merit increase for one year shall be available therefor.

Sec. 10. The unobligated balances on hand as of June 30, 1955, June 30, 1956, and June 30, 1957, in the several appropriations and accounts of each of the departments or divisions for which an appropriation is made herein out of the general revenue fund, are hereby cancelled into the general revenue fund as of June 30, 1956, and June 30, 1957, and the unobligated balances on hand as of June 30, 1956, and June 30, 1957, appropriated out of any other funds shall be cancelled into the fund from which they are appropriated as of June 30, 1956, and June 30, 1957. The provisions of this section shall not apply to aid contributions, or reimbursements received from the federal government by the state; and all such federal aid contributions, or reimbursements are hereby reappropriated for the purpose of supplementing the appropriations herein provided.

Approved April 25, 1955.

CHAPTER 820—H. F. No. 1050

[Coded in Part]

An act relating to fees to be paid to the State of Minnesota; amending Minnesota Statutes 1953, Section 29.042,

Subdivision 1; 31.185, Subdivision 2; 31.21; 31.22; 32.075; 32.09; 33.05; 46.13; 47.16; 54.27; 60.11; 80.20; 130.13; 168.27, Subdivision 3; 168.43; 184.05; 221.21; 232.02; 232.13; 300.49, Subdivision 1; 301.07; 301.33, Subdivision 3; 301.42, Subdivision 4; 301.60; 303.07; 303.13, Subdivision 1; 303.19; 303.21; 308.06; 326.334; 332.01, Subdivision 4; 332.05; 333.12; 340.02, Subdivision 4; 340.11; 340.113, Subdivision 2; 340.17; 340.402; 340.493, Subdivision 2; 359.01; 509.01; 540.152; 543.08; 522.13, Subdivision 3; 620.31; 620.33; and prescribing certain fees to be paid to the State of Minnesota for certain services to be rendered by the secretary of state.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. Minnesota Statutes 1953, Section 29.042, Subdivision 1, is amended to read :

29.042. **Dealers, licenses.** Subdivision 1. **Fees; applications, renewals.** No person shall engage in the business of buying, selling, dealing in, or trading in eggs without first obtaining a license therefor from the commissioner. Applications for such license shall be made in writing upon forms to be prepared by the commissioner, accompanied by a license fee as hereinafter provided. The annual license fee for such business shall be \$5 for each place or location whereat such business of the applicant is being or will be conducted. Every license shall expire on the 30th day of September next following the issuance thereof. Such licenses may be renewed for additional periods of one year upon written application therefor and payment of a \$5 fee for each place or location whereat such business is being or will be conducted.

Sec. 2. Minnesota Statutes 1953, Section 31.185, Subdivision 2, is amended to read :

Subd. 2. **Operators, licenses.** Every person engaged in the business of operating a frozen food locker plant shall apply for a license therefor to the commissioner in such form and shall furnish such information as he may require. Each application shall be accompanied by a fee of \$5 for the first 100 lockers or any fraction thereof, and \$2 for each additional 100 lockers or any fraction thereof and such sum shall be paid into the state treasury. This sum shall constitute the license fee in case license is granted. If the commissioner shall find that the applicant maintains a proper place for the storage of frozen foods, the commissioner shall issue to the applicant a license therefor. Such license shall expire on the 31st day of December, following its issue and no license shall be issued for a longer term than one year, and shall not be transferable from one person to another or from the ownership to whom issued

to another ownership or from one place to another place or location.

Sec. 3. Minnesota Statutes 1953, Section 31.21, is amended to read:

31.21 License, each plant. Any person desiring to manufacture frozen foods, ice cream mix, or ice cream mix base, shall apply to the department of agriculture, dairy, and food for a license for each plant or establishment, in such form as it may require. The application shall be accompanied by a fee of, *\$10 for each plant or establishment in this state, unless any such plant or establishment has an average volume of all such products of 20 gallons or less per day during the months of June, July, and August of the preceding calendar year, and for each such plant or establishment so qualified the license fee shall be \$5.* Such fees shall be paid into the state treasury and credited to the general revenue fund. If the department of agriculture, dairy, and food shall find that the applicant maintains a proper place and sanitary equipment, it shall issue to the applicant a license therefor.

Sec. 4. Minnesota Statutes 1953, Section 31.22, is amended to read:

31.22 Nonresident manufacturers, licenses. Any person who manufactures frozen foods, ice cream mix, or ice cream mix base outside of the state, for sale within the state, shall apply for registration with the department of agriculture, dairy, and food in such form, and furnish such information, as it may require. Samples of all frozen foods, ice cream mix, or ice cream mix base, so manufactured for sale and sold within this state, shall be submitted. Each application shall be accompanied by a fee of \$15, which shall constitute the registration fee in case certificate of registration is granted. If the department of agriculture, dairy, and food shall find that the samples so submitted are up to the accepted standards, and otherwise comply with the laws of this state, it shall issue to applicant a certificate of registration.

Sec. 5. Minnesota Statutes 1953, Section 32.075, is amended to read:

32.075 Licenses non-transferable. *Subdivision 1.* Every license issued by the commissioner shall be for a period ending on the thirty-first day of December next following, and shall not be transferable. The fee for each such annual license or renewal thereof shall be \$3 and shall be paid to the commissioner before any license or renewal thereof is issued. All

license fees received by the commissioner shall be paid to the state treasurer and deposited in the general revenue fund.

Subd. 2. This section shall take effect on January 1, 1956.

Sec. 6. Minnesota Statutes 1953, Section 32.09, is amended to read:

32.09 Creameries, condenseries, milk plants, cheese factories; licenses. No creamery, cheese factory, condensery, or milk plant for the manufacture of butter or other dairy products, or any cream station maintained for the purpose of purchasing, collecting, or storing cream or milk to be used in the manufacture of butter or cheese or other dairy products or for transportation, shall be operated in this state unless a license therefor shall be issued and be in force, as provided in sections 32.09 and 32.10. The owner, operator, or lessee of any such creamery, cheese factory, condensery, milk plant, or cream station shall apply to the commissioner for such license upon such form and shall furnish such information as he may require. *The application shall be accompanied by a fee which shall be based upon the butterfat intake of the applicant during the year ended on the last day of the month next preceding the date of application, as follows: If the butterfat intake for such period is 200,000 pounds or less, \$10; if the butterfat intake for such period is more than 200,000 pounds, \$25 for each place to be licensed, which shall be paid into the state treasury.* If the commissioner finds that such applicant maintains a proper place, with sufficient and proper machinery and equipment for the manufacture of butter or cheese or other dairy products, or for maintaining a cream station as required by law in this state and the rules and regulations of the commissioner, he shall issue the license so applied for. All such licenses shall expire on June thirtieth, of each year, unless sooner revoked as provided in section 32.10. A separate license shall be required and the prescribed fee shall be paid for each such creamery, cheese factory, condensery, milk plant, or cream station.

Sec. 7. Minnesota Statutes 1953, Section 33.05, is amended to read:

33.05 Oleomargarine, licenses. No person, firm, or corporation shall, by himself or itself, or by his or its agent or servant, nor shall any officer, agent, servant, or employee of any person, firm, or corporation, manufacture, sell, ship, consign, offer for sale, expose for sale, or have in possession with intent to sell, oleomargarine, without first having obtained a license granted by the commissioner, who shall pro-

vide a suitable blank form of application for the use of the applicant. The fee for license shall be \$3, and it shall expire June 30th next after its issue and no license shall be issued for a longer term than one year and it shall not be transferable from one person to another person, or from the ownership to whom issued to another ownership. A separate license shall be procured for each place from which sale is made, and shall be posted at all times at such place.

Sec. 8. Minnesota Statutes 1953, Section 46.13, Subdivision 2, is amended to read:

Subd. 2. **Fees; banks, trust companies.** In the case of state banks, trust companies, or savings banks, for each examination, a fee consisting of \$70 plus an amount equal to 17.5 cents for each \$1,000 of assets up to and including \$1,000,000, plus an amount equal to *nine* cents for each \$1,000 of assets in excess of \$1,000,000 and not exceeding \$5,000,000, plus an amount equal to 4.5 cents for each \$1,000 of assets in excess of \$5,000,000 and not exceeding \$20,000,000, plus an amount equal to 3.3 cents for each \$1,000 of assets in excess of \$20,000,000; and in the case of trust companies an additional amount equal to two cents for each \$1,000 value of properties held in trust for the benefit of others.

Sec. 9. Minnesota Statutes 1953, Section 46.13, Subdivision 3, is amended to read:

Subd. 3. **Fees; savings, building, and loan associations.** In the case of savings, building and loan associations, for each examination, a fee consisting of \$45, plus an amount equal to 22 cents per \$1,000 of assets up to and including \$1,000,000, plus an amount equal to 11 cents per \$1,000 of assets in excess of \$1,000,000 and not exceeding \$25,000,000, plus an amount equal to 5.5 cents per \$1,000 of assets in excess of \$25,000,000.

Sec. 10. Minnesota Statutes 1953, Section 46.13, Subdivision 4, is amended to read:

Subd. 4. **Fees; credit unions.** In the case of credit unions, for each examination; if the assets are less than \$2,000, a fee of \$16.50; if the assets are \$2,000 or more, a fee of \$33, plus an amount equal to \$1.10 per \$1,000 of assets up to and including \$100,000, plus an amount equal to 55 cents for each \$1,000 of assets in excess of \$100,000 and not exceeding \$500,000, plus an amount equal to 28 cents for each \$1,000 of assets in excess of \$500,000, and not exceeding \$1,500,000, plus an amount equal to 17 cents for each \$1,000 of assets in excess of \$1,500,000 and not exceeding \$3,000,000, plus an amount equal to 11 cents for each \$1,000 of assets in excess of \$3,000,000.

Sec. 11. Minnesota Statutes 1953, Section 47.16, is amended to read:

47.16 Certification by commissioner. *Subdivision 1.* If the commissioner of banks is satisfied that such corporation has been organized for legitimate purposes, and under such conditions as to merit and have public confidence, and that all provisions of law applicable to every branch of business in which, by the terms of its certificate, it is authorized to engage, have been complied with, he shall so certify. When the original certificate, with proof of publication thereof, and the certificate of the secretary of state to the regularity of its incorporation, shall be filed with the commissioner of banks, he shall, within 60 days thereafter, execute and deliver to it his certificate of authority.

Subd. 2. For issuing a certificate required by this act, relating to an original incorporation, the secretary of state shall be paid a fee of \$10. Where the certificate relates to the regularity of an amendment to the corporate articles, the secretary of state shall be paid a fee of \$5.

Sec. 12. Minnesota Statutes 1953, Section 54.27, is amended to read:

54.27. Supervision, examination fees. The persons, copartnerships, associations, and corporations mentioned or enumerated in section 54.26 are hereby put under the supervision of the commissioner of banks. The powers, authority, privileges, and duties conferred upon him for the purpose of examining, supervising, controlling, and regulating the action of, and for the liquidation of, each and every class of financial institutions to the full extent to which he may at any time lawfully exercise them, shall each and all, so far as applicable, be exercised by him personally or by deputy in the examination, supervision, control, regulation, and liquidation of the persons, copartnerships, associations, and corporations first hereinbefore mentioned. The fees for examination shall be determined as follows: For each examination, a minimum fee of \$50 plus an amount equal to 5.5 cents for each \$1,000 of assets in excess of \$150,000 and not exceeding \$500,000; a minimum fee of \$75 where the assets exceed \$500,000 and do not exceed \$2,000,000 plus 5.5 cents on each \$1,000 of assets in excess of \$150,000; a minimum fee of \$100 where the assets exceed \$2,000,000 and do not exceed \$5,000,000 plus 5.5 cents on each \$1,000 of assets in excess of \$150,000; a minimum fee of \$150 where the assets exceed \$5,000,000, plus 5.5 cents on each \$1,000 of assets in excess of \$150,000 and not exceeding \$5,000,000, plus 4.4 cents on each \$1,000 of assets in excess of \$5,000,000 and not

exceeding \$20,000,000, and plus 3.3 cents on each \$1,000 of assets in excess of \$20,000,000 and the actual necessary expenses incurred by the commissioner of banks in and tending toward the performance of his duties and the exercise of his powers herein referred to shall be paid by the persons, co-partnerships, associations, and corporations examined and supervised.

Sec. 13. Minnesota Statutes 1953, Section 60.11, is amended to read:

60.11 Fees. In addition to the fees and charges heretofore provided for, there shall be paid to the commissioner, and by him accounted for and paid into the state treasury, the following fees:

- (1) By township mutual fire insurance companies;
 - (a) For filing certificate of incorporation or amendments thereto, \$5;
 - (b) For filing annual statements, \$7.50;
 - (c) For each annual certificate of authority, \$7.50;
 - (d) For filing bylaws and amendments thereto, \$5;
- (2) By other domestic companies;
 - (a) For filing certified copy of certificates of incorporation and accompanying documents, for obtaining license, \$30;
 - (b) Each company's certificate of authority, \$10 annually;
- (3) By foreign companies:
 - (a) For filing certified copy of charter or certificate of incorporation and bylaws, \$30;
 - (b) For filing statement of financial condition, \$30;
 - (c) Each company's certificate of authority, \$10;
- (4) By all companies, including fraternal and reciprocal exchanges, but excepting township mutuals;
 - (a) For filing certified copy of amendment to articles of incorporation, \$20;
 - (b) For filing annual statement, \$30;
 - (c) For abstract or summary of annual statement for publication, when prepared by commissioner, \$20;
 - (d) For filing bylaws and amendments thereto, \$5;
- (5) General fees:
 - (a) For each certificate, including certified copy of certificate of authority, renewal, valuation of life policies, corporate condition or qualification, \$2.50;

(b) For each copy of paper on file in his office 25 cents per folio, and \$2.50 for certifying same;

(c) For license to procure fire insurance in unadmitted foreign companies, \$10;

(d) For receiving and forwarding copy of summons or process served upon commissioner of insurance, as attorney for any insurance company, *including reciprocal exchanges*, \$3 (which amount shall be paid by the party serving same and may be taxed as other costs in the action);

(e) For valuing the policies of life insurance companies, one cent per one thousand of insurance so valued;

(The commissioner may, in lieu of a valuation of the policies of any foreign life insurance company admitted, or applying for admission, to do business in this state, accept a certificate of valuation from such company's own actuary or from the commissioner of insurance of the state or territory in which such company shall be domiciled);

(f) For receiving and filing certificates of valuation of policies by the company's actuary, or by the commissioner of insurance of any other state or territory, \$50.

All fees received by the commissioner pursuant to the provisions of sections 60.04, 60.05, 60.07 to 60.11 shall be paid by him into the state treasury.

When, by the laws of any other state or nation, any fines, penalties, licenses, or fees additional to, or in excess of, those imposed by this section upon foreign insurance companies and their agents, are imposed upon insurance companies of this state or their agents doing business in such state, the same fines, penalties, licenses, and fees shall be imposed upon all insurance companies of that state and their agents doing business in this state, so long as such laws of such other state remain in force.

Sec. 14. Minnesota Statutes 1953, Section 80.20, is amended to read:

80.20 Fees. The following fees shall be paid to the commission:

(1) On application for registration, *an examination fee of \$10, and a fee of \$1 per \$1,000 on the total proposed sale price of the securities covered by such application, of which last stated amount \$25 shall be considered a filing fee and the remainder a registration fee; provided, that the minimum fee shall be \$35 and the maximum fee \$500.*

(2) On notification of intention to sell, *an examination fee of \$5, and a fee of 50 cents per \$1,000 on the total proposed sale price of the securities covered by such notification, of*

which *last stated* amount \$10 shall be considered a filing fee and the remainder a registration fee; provided, that the minimum fee shall be \$15 and the maximum fee \$200 except that the maximum fee shall be \$100 on securities outstanding for more than one year.

- (3) On application for brokers' licenses, \$50.
- (4) On application for agents' licenses, \$7.50.
- (5) On application for dealers' licenses, \$100.
- (6) On filing an offer under section 80.06, clause (8), \$10.

(7) On application for an amendment to a registration increasing the maximum selling price thereunder, \$10, plus an additional fee calculated in accordance with subparagraph (1) or (2) of this section, as the case may be, less the amount of all fees theretofore paid pursuant to subparagraph (1) or (2) of this section in connection with the registration the amendment of which is requested; and on any other application for an amendment, \$10.

(8) On annual reports of any investment company as now defined by section 3 of the "Investment Company Act of 1940" (Title I of Public No. 768—76th Congress, 3rd Session), \$100.

(9) On annual reports other than those covered by the preceding clause (8), \$10.

(10) On applications for investment adviser's licenses, \$75.

(11) For acceptance of service and mailing of process served upon the commissioner under any of the provisions of sections 80.05 to 80.27, \$2 for each person so served.

(12) The commission in the case of an application for registration, and the commissioner of securities in the case of notification of intention to sell, may order the return of registration fees provided for in subdivisions (1) and (2) when securities applications and notifications of intention to sell are permitted to be withdrawn. When such a withdrawal is made, the commissioner of securities shall certify to the state auditor the portion of the fee to be refunded to the applicant, and the auditor shall issue his warrant in payment thereof out of the fund to which such fee was credited in the manner provided by law. There is hereby appropriated to the persons entitled to such refunds from the fund in the state treasury to which such fees were credited an amount to make such refunds and payments.

No application, notification, request for amendment of a registration, service of process, annual report, or filing of offer shall be deemed to be filed or given any effect until the proper fee is paid. All fees and charges collected by the commission shall be covered into the state treasury.

Sec. 15. Minnesota Statutes 1953, Section 130.13, is amended to read:

130.13 Teachers certificates, fees. For the issuance, renewal, or extension of a certificate to teach, each applicant for such certificate shall pay a fee. For each elementary school limited certificate or renewal thereof the fee shall be \$2. For each permanent certificate the fee shall be \$10. For all others, the fee shall be \$3 for each certificate or renewal thereof. Such fees shall be paid to the state commissioner of education, who shall deposit them with the state treasurer, as provided by law, and report each month to the state auditor the amount of fees collected for each kind of certificate.

Sec. 16. Minnesota Statutes 1953, Section 168.27, Subdivision 3, is amended to read:

Subd. 3. Licenses, when granted. The registrar shall grant or deny the application for such license within 60 days after the filing of the application. If the application is granted, the registrar shall license the applicant as a motor vehicle dealer for the remainder of the calendar year, and issue a certificate of license therefor as the registrar may provide upon which shall be placed a distinguishing number of identification of such dealer. Each application for such licenses, and application for the renewal thereof, shall be accompanied by the sum of \$35, which shall be paid into the state treasury and credited to the general revenue fund. Such license, unless sooner revoked, as hereinafter provided, shall, upon the furnishing of proof as in the initial application herein provided for, satisfactory to the registrar, be renewed by the registrar annually upon application by the dealer and upon the making of all listings, registrations, notices, and reports required by the registrar, and upon the payment of all taxes, fees, and arrears due from such dealer.

This section becomes effective October 1, 1955.

Sec. 17. Minnesota Statutes 1953, Section 168.43, is amended to read:

168.43 Examination and license; application, fee; re-funds. Applications for examination and license hereunder shall be in writing upon such forms and shall contain such needed information as the secretary of state may prescribe,

and shall be accompanied by the payment of an examination and license fee of \$3. The fee for renewal of a chauffeur's license shall be \$2, if the application for renewal is made during the month of February; otherwise it shall be \$2.50. All fees collected pursuant to sections 168.39 to 168.45 shall be deposited in the general revenue fund. No fees, except overpayments and fees for renewals which are not allowed, that have been paid into the general revenue fund shall be refunded, but the secretary of state in his discretion, upon proper application within three months thereafter, may grant one re-examination without additional fee to a person who has been refused a license on a previous application. Refunds permitted by sections 168.39 to 168.45 shall be made in the manner provided by law for making refunds and paid out of the general revenue fund.

This section becomes effective February 1, 1956.

Sec. 18. Minnesota Statutes 1953, Section 184.05, is amended to read:

184.05 Application and Bond. *Subdivision 1.* Every application for a license shall be accompanied by a bond in the penal sum of \$2,000, with one or more sureties or a duly authorized surety company, to be approved by the commission and filed in the office of the secretary of state, conditioned that the agent will conform to and not violate any of the terms or requirements of this chapter or violate the covenants of any contract made by such agent in the conduct of said business. Action on this bond may be brought by and prosecuted in the name of any person damaged by any breach or any condition thereof, and successive actions may be maintained thereon.

Subd. 2. For a filing fee, the secretary of state shall be paid \$5.

Sec. 19. Minnesota Statutes 1953, Section 221.21, is amended to read:

221.21 Permits. Permits issued pursuant to the provisions of section 221.20 shall be effective for a 12 month period commencing on the first day of the month of their issuance or renewal. The permit holder shall pay into the treasury of the State of Minnesota a registration fee of \$12.50 on each vehicle operated by him under authority of such permit during said 12 month period or fraction thereof. Trailers used by applicant in combination with truck-tractors shall not be counted as vehicles in the computation of fees under this section, provided applicant pays the fees for such truck-tractors. The commission shall furnish a distinguishing plate for each

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vehicle or truck-tractor for which a fee has been paid, which plate shall at all times be displayed on the vehicle or truck-tractor to which it has been assigned. Plates may be reassigned to another vehicle or truck-tractor without fee by the commission upon application of the permit holder. Plates issued under the provisions of this section shall be good only for the period for which the permit is effective. The name and residence of the permit holder shall be stenciled or otherwise shown in a conspicuous place on each vehicle operated under his permit. In the event a permit has been suspended or revoked the commission may order a hearing upon an application for renewal thereof or upon an application for a permit to be issued to the holder of such suspended or revoked permit and may grant or deny such renewal or permit. *Auto transportation companies and petroleum carriers operating under this chapter, shall annually on or before January 1 of each calendar year, pay into the treasury of the state of Minnesota an annual registration fee of \$12.50 for each vehicle, including pick-up and delivery vehicles, operating during any calendar year. On vehicles registered under this section after March 31 of any calendar year, the registration fee shall be prorated on a quarterly basis as follows:*

<i>Vehicles registered after March 31</i>	<i>\$9.50</i>
<i>Vehicles registered after June 30</i>	<i>\$6.25</i>
<i>Vehicles registered after September 30</i>	<i>\$3.25</i>

The provisions of this section are applicable to auto transportation companies and petroleum carriers as well as to permit holders.

Sec. 20. Minnesota Statutes 1953, Section 232.02, is amended to read:

232.02 Licenses. Any person, firm, or corporation operating a public local grain warehouse shall be licensed to buy grain annually by the commission. Application for license must be filed with the commission and the license issued before transacting warehouse business.

Every license shall expire at midnight on the thirtieth day of June, the fee shall be \$10 for each license issued and a license shall be required for each such warehouse operated. The fees collected under this section shall be paid into the state treasury and credited to the *general revenue fund*. Such license shall be revocable by the commission for cause upon notice and hearing. All licenses, grade rules, and all rules regulating public local grain warehouses shall, upon receipt thereof by the warehouseman, be posted in a protected place in the driveway to his warehouse.

Any person, firm, or corporation, other than a licensed warehouseman, who shall purchase grain from the owner thereof for the purpose of resale shall first procure a license therefor from the commission before transacting such business and shall be subject to the same laws, rules, and regulations as may govern public local grain warehousemen insofar as they may apply. Such license shall be renewed annually and shall also expire on June thirtieth. The fee for each such buyer's license shall be \$10. Before any such license shall be issued the applicant therefor shall file with the commission a bond to the state with a corporate surety, approved by the commission, in a penal sum of not less than \$1,500, conditioned that the applicant will pay upon demand to such owner the purchase price of such grain. Nothing in this section shall apply to anyone purchasing seed grain for his own use or to any person who engages in the purchase of grain for his own use or consumption; but the word "use" or the word "consumption," as used herein, shall not be construed to mean or include the sale of such grain at retail or wholesale; provided that nothing herein contained shall apply to persons, firms or corporations or their employees buying or selling grain in any Chamber of Commerce, Board of Trade, or Grain Exchange.

Any public local grain warehouseman or such purchaser of grain operating without first obtaining such license shall be deemed guilty of a misdemeanor; each day of such operation shall constitute a separate offense for which such public local grain warehouseman, or purchaser of grain, shall forfeit to the state \$50 and such operation may be enjoined upon complaint of the commission.

Sec. 21. Minnesota Statutes 1953, Section 232.13, is amended to read:

232.13 Licenses; application. fee. Before receiving any grain in any public local grain warehouse for storage, the person, firm, or corporation operating the same shall first apply to and secure from the commission a grain storage license for such warehouse. A license fee of \$10 shall be paid to the commission for each license issued and shall be deposited in the state treasury and credited to the *general revenue fund*. All such licenses shall expire at midnight on the 30th day of June, following their issuance.

Before any such license is issued, the public local grain warehouseman shall file with the commission a bond in such sum as the commission may prescribe, which sum shall not be less than \$1,500. Such bonds shall be filed annually and cover the period of the license. Such bonds shall run to the State of Minnesota and be for the benefit of all persons storing grain in such warehouse. They shall be conditioned upon the faith-

ful performance by the public local grain warehouseman of all the provisions of law relating to the storage of grain by such warehouseman and the rules and regulations of the said commission relative thereto. The commission is authorized to require such increases in the amount of such bonds from time to time as it deems necessary for the protection of the storage receipt holders. The surety on such bonds shall be a surety company authorized to transact business in the state of Minnesota.

Only one bond need be given for any line of elevators, mills, or warehouses owned, controlled, or operated by one individual, firm or corporation.

Every such bond shall specify the location of each public local grain warehouse intended to be covered thereby and shall at all times be in a sufficient sum to protect the holders of outstanding storage receipts.

Any public local grain warehouseman who shall violate the provisions of this section shall forfeit to the state for each violation the sum of \$50 and such violation shall be cause for revocation of license.

Sec. 22. Minnesota Statutes 1953, Section 300.49, Subdivision 1, is amended to read:

300.49 Filing fees. Subdivision 1. **State treasurer.** Domestic corporations shall pay to the state treasurer the following fees:

(1) For filing articles of incorporation or instruments extending or renewing corporate existence, \$50 for the first \$25,000 or fraction thereof of the par value of its authorized shares, and \$1 for each additional \$1,000 or fraction thereof;

(2) For filing any amendment of articles of incorporation increasing the authorized number of shares, or the par value of shares previously authorized, or both, \$1 for each \$1,000 or fraction thereof of such increase.

Sec. 23. Minnesota Statutes 1953, Chapter 301, is amended by adding a section to read:

[301.071] Fees required to be paid by secretary of state, deposit. *Subdivision 1. In any case where the law requires the secretary of state to record instruments with a register of deeds, the person or corporation for whom the service is performed shall first deposit the fees required by law for such recordation with the secretary of state who, upon filing any instrument with a register of deeds, shall pay to that officer the fees prescribed by law.*

Subd. 2. In addition to the fees prescribed in subdivision 1, fees shall be paid to the secretary of state according to the following schedule, at the time the service is performed;

(a) Filing articles of incorporation and issuing a certificate of incorporation, \$10;

(b) Filing articles of amendment superseding original articles of incorporation as provided in section 301.37, subdivision 2, \$10;

(c) Filing articles of amendment, including the reduction of stated capital pursuant to section 301.39, as provided in section 301.37, subdivision 4, \$5;

(d) Filing an agreement of consolidation or merger and issuing a certificate of incorporation or merger as provided in section 301.42, \$20;

(e) Filing a certificate of resolution instituting voluntary proceedings for dissolution and appointing a trustee as provided in section 301.47, \$3;

(f) Filing a certificate of trustee in voluntary proceedings for dissolution as provided in section 301.56, \$3;

(g) Filing an order of dissolution as provided in section 301.56, \$5;

(h) Filing a certificate of change of registered office as provided in section 301.33, \$5;

(i) Filing a certificate of resolution fixing equality of shares as provided in section 301.14, \$5;

(j) Filing a consent to use of name or a notice of intention to procure incorporation as provided in section 301.05, \$3;

(k) Filing a certificate of resolution electing to accept or reject the provisions of Laws 1933, Chapter 300 and laws amendatory thereto, \$10;

(l) Filing any other instrument pursuant to the provisions of Minnesota Statutes, Chapter 301, \$5.

Sec. 24. Minnesota Statutes 1953, Section 301.07, is amended to read:

301.07 Secretary of state filing instruments with register of deeds. The secretary of state, after recording in his office any instrument in sections 301.01 to 301.61 provided to be filed for record in his office, shall file the same, or a copy thereof, certified by him, for record in the office of the register of deeds of the county in which the registered office of the

corporation is situated, for which service there shall be paid to the secretary of state *the fees prescribed by this act.*

Sec. 25. Minnesota Statutes 1953, Section 301.33, Subdivision 3, is amended to read:

Subd. 3. **Filing of articles.** If the effect of any change shall be to designate a place in a county other than that in which the registered office has theretofore been located: (1) the articles of incorporation, or a certified copy thereof, shall be filed by the secretary of state for record in the office of the register of deeds of the county in which the new registered office is located; and (2) such certificate of change of location shall be recorded by the secretary of state and by him be filed for record in the offices of the registers of deeds of the counties from and to which such change of location of the registered office is effected. *For this service the corporation shall pay to the secretary of state the fees prescribed by this act.*

Sec. 26. Minnesota Statutes 1953, Section 301.42, Subdivision 4, is amended to read:

Subd. 4. **Filing.** The agreement so adopted, certified and acknowledged shall be filed for record with the secretary of state. If the same conforms to law, he shall, when the fees and charges provided in subdivision 5 of this section have been paid, record the same, and issue a certificate of incorporation or merger, as the case may be. Upon the issuance of such certificate of incorporation the corporate existence of the consolidated corporation shall begin, and upon the issuance of such certificate of merger shall be effective. The certificate of incorporation, or the certificate of merger, and the agreement bearing the endorsement of the fact and time of delivery thereof to the secretary of state, for a copy of such agreement certified by him, shall be filed by the secretary of state for record in the offices of the registers of deeds of the counties in which the corporate parties to the agreement have their registered offices, for which service there shall be paid to the secretary of state *the fees prescribed by this act.*

Sec. 27. Minnesota Statutes 1953, Section 301.60, Subdivision 2, is amended to read:

Subd. 2. **Election not to accept provisions.** Such election shall be effective only if made by resolution of the stockholders adopted by a majority vote of all stockholders then entitled to vote and voting at an annual meeting or at a special meeting duly called for that purpose; and, if a copy of the resolution, certified by the president or vice president, and the secretary or assistant secretary, shall be filed with the secretary

of state and if a copy thereof, duly certified by the secretary of state, shall be filed for record in the office of the register of deeds of the county in which the corporation's principal place of business is located, together with the payment of *the fees prescribed by this act* to the secretary of state within the one-year period provided in subdivision 1.

Sec. 28. Minnesota Statutes 1953, Section 301.60, Subdivision 4, is amended to read:

Subd. 4. **Resolutions; filing, recordation.** The secretary of state, upon *receiving payment of the fees prescribed by this act*, shall record each resolution of acceptance whenever filed, if the same conforms to the requirements of this section.

Sec. 29. Minnesota Statutes 1953, Section 303.07, is amended to read:

303.07 **Initial license fee.** At the time of making application for a certificate of authority the foreign corporation making such application shall pay to the state treasurer the sum of \$100 as an initial license fee.

Sec. 30. Minnesota Statutes 1953, Section 303.13, Subdivision 1, is amended to read:

303.13 **Service of process.** Subdivision 1. **Foreign corporation.** A foreign corporation shall be subject to service of process, as follows:

(1) By service thereof on its registered agent;

(2) When any foreign corporation authorized to transact business in this state shall fail to appoint or maintain in this state a registered agent upon whom service of process may be had, or whenever any such registered agent cannot be found at its registered office in this state, as shown by the return of the sheriff of the county in which such registered office is situated, or whenever any corporation shall have withdrawn from the state, or whenever the certificate of authority of any foreign corporation shall have been revoked or canceled, then, and in every such case, service may be made by delivering to and leaving with the secretary of state, or with any deputy or clerk in the corporation department of his office, three copies thereof and a fee of \$6; provided, that after a foreign corporation shall have withdrawn from the state, pursuant to section 303.16, service upon such corporation may be made pursuant to the provisions of this section only when based upon a liability or obligation of such corporation incurred within this state or arising out of any business done in this state by such

corporation prior to the issuance of a certificate of withdrawal.

Sec. 31. Minnesota Statutes 1953, Section 303.21, is amended to read:

303.21 Fees. *Subdivision 1. The secretary of state shall collect a fee of \$1 to be transmitted to the register of deeds for recordation of any instrument required by this act to be forwarded by the secretary of state to a register of deeds.*

Subd. 2. In addition to the fees prescribed by subdivision 1, the secretary of state shall collect when he files:

(a) An application for a certificate of authority and issues a certificate of authority, \$15;

(b) An annual report, \$10;

(c) Articles of amendment or an instrument evidencing reduction of stated capital, except articles of amendment changing the corporate name, duration, or registered office, \$5;

(d) An instrument changing the registered office, the corporate name, or duration, \$10;

(e) A revocation or change of appointment of a registered agent, \$2;

(f) An application for reinstatement of a certificate of authority and issues a certificate of reinstatement, \$15;

(g) An application for withdrawal and final report, and issues a certificate of withdrawal, \$10;

(h) Articles of merger or consolidation and issues amended certificate of authority, \$15;

(i) For filing or issuing another instrument pursuant to the provisions of this chapter, \$5.

Sec. 32. Minnesota Statutes 1953, Section 308.06, is amended to read:

308.06 Incorporation, duration. A cooperative association may be organized under the provisions of sections 308.05 to 308.18 by five or more incorporators, who may act for themselves as individuals or as the agents of other cooperative associations, whether organized under sections 308.05 to 308.18 or otherwise.

Persons forming a cooperative association under sections 308.05 to 308.18 shall sign and acknowledge written articles of incorporation. The articles of incorporation of any association organized under or subject to the provisions hereof shall always contain provisions specifying (1) the name of the asso-

ciation, its purpose, the general nature of its business, and the principal place of transacting the same. Such name shall distinguish it from all other corporations, domestic or foreign, doing business in the state and shall be preserved to it during its corporate existence; (2) the period of its duration, which may be limited or perpetual; (3) if organized on a capital stock basis the total authorized number of shares and the par value of each share; a description of the classes of shares, if the shares are to be classified; a statement of the number of shares in each class and relative rights, preferences, and restrictions granted to or imposed upon the shares of each class, and a provision that only common stockholders shall have voting powers; (4) that individuals owning common stock shall be restricted to one vote in the affairs of the association; (5) that shares of stock shall be transferable only with the approval of the board of directors of the association; (6) that dividends upon capital stock of the association shall not exceed six percent annually; (7) in what governing board its management shall be vested, the time of the annual meeting of the stockholders at which such governing boards shall be elected, and the names and places of residence of those who shall compose such governing board until the first annual meeting of the stockholders; and (8) that net income in excess of dividends and additions to reserves shall be distributed on the basis of patronage, and that the records of the associations may show the interest of patrons; stockholders and members in the reserves. The articles of incorporation may contain any other lawful provision. Cooperative associations may be incorporated for any of the purposes for which an association may also be formed upon a membership basis and without capital stock. Such associations organized on a capital stock basis may be organized, and shall have the same powers and authority as are conferred upon such associations, and the articles of incorporation of any such non-stock associations shall contain the provisions required in the articles of incorporation of an association organized upon a capital stock basis wherever the same are applicable to an association organized upon a membership basis. No member of an association organized upon a membership basis shall have more than one vote. Common stockholders shall be deemed to be members of associations organized on a capital stock basis.

Cooperative associations organized under or subject to the provisions hereof shall be subject to the provisions of Chapter 80, except as specifically provided in section 80.05.

The original articles of incorporation, or a certified copy thereof, verified as such by the affidavits of two of the incorporators, shall be filed with the secretary of state and a copy

thereof, certified as above required, shall be recorded in the office of the register of deeds of the county in which the principal place of business of the association is located. For filing the articles of incorporation, or amendments thereto, with the secretary of state there shall be paid to the state treasurer a fee of \$10.

Sec. 33. Minnesota Statutes 1953, Section 326.334, is amended to read:

326.334. Fees. Each such applicant shall pay to the secretary of state a fee, if an individual, of \$100 or if a partnership or corporation of \$200, which fee shall be returned to the applicant if the application for license be denied. Upon the receipt of any such application, the secretary of state forthwith shall post notice and shall notify persons who specifically request notification thereof in his office, and if within ten days of such posting no person has objected in writing to the secretary of state to the issuance of such license, and if it shall appear that the statements in the application are true, then the secretary of state shall issue a license to such applicant. Any such license so issued shall be kept conspicuously posted in the office or place of business of the licensee for whom issued.

Sec. 34. Minnesota Statutes 1953, Section 332.01, Subdivision 4, is amended to read:

Subd. 4. Bonds; execution, approval. The bond shall be executed by the persons, partnerships, associations, or corporations as principal, with at least two good and sufficient sureties who shall be residents and owners of real estate within the state. The bond shall not be accepted unless approved by the secretary of state and, upon such approval, it shall be filed in his office. *For such service the secretary of state shall be paid a fee of \$10.* The bond of a surety company may be received, if approved as aforesaid, or cash may be accepted in lieu of sureties.

Sec. 35. Minnesota Statutes 1953, Section 332.05, is amended to read:

332.05 Application, filing. Any person, copartnership, association, or corporation desiring to engage in such business shall file with the secretary of state an application to engage in such business, in such form as the secretary of state may provide, *together with a fee of \$10.* Upon the filing of any such application the secretary of state shall refer a copy of the application to the county attorney of the county in which such person, copartnership, association, or corporation proposes to

establish its business, and the county attorney shall forthwith inquire into the fitness of such person to conduct such business, having in mind the character of the applicant, or, in case of a copartnership, association, or corporation, the character and fitness of copartners, officers, and directors, together with their ability and fitness to conduct the business in the interest of the debtor, and report such findings, with his recommendation, to the secretary of state.

Sec. 36. Minnesota Statutes 1953, Section 333.12, is amended to read:

333.12 **Fees.** The *fee* of the secretary of state for registration, alteration, cancelation, searches made by him, and certificates issued by him, pursuant to sections 333.07 to 333.11, shall be \$10. The fees so collected shall be paid by the secretary of state into the state treasury.

Sec. 37. Minnesota Statutes 1953, Section 340.02, Subdivision 4, is amended to read:

Subd. 4. The liquor control commissioner may issue an "on sale" license to any railroad company operating within the state which shall permit such railroad company to sell non-intoxicating malt liquors in its dining cars, buffet cars, cafe cars, and observation cars; such company shall keep a duplicate of such license posted in each car where such malt liquors are served. Each railroad company applying for such license shall pay to the liquor control commissioner a fee of \$25 for such license and \$2 for each duplicate thereof, which fee shall be paid into the state treasury. The commissioner may issue wholesale licenses upon application and payment of a license fee of \$10 per annum, which license shall permit the licensee to sell non-intoxicating malt beverages to holders of on or off-sale retail licenses. The fee therefor shall be paid into the state treasury. Any person licensed under Minnesota Statutes, Section 340.402 shall not be required to obtain any such license and may sell non-intoxicating malt beverages at wholesale without further license.

Sec. 38. Minnesota Statutes 1953, Section 340.11, Subdivision 2, is amended to read:

Subd. 2. The liquor control commissioner may issue a license or permit to any railroad company, dining car company, or sleeping car company, water transportation company, or other common carrier operating in this state, to sell intoxicating liquors referred to in this chapter upon any vessel, dining car, buffet, observation, or cafe car where meals or lunches are served. Each such company applying for such license shall

pay to the liquor control commissioner a fee of \$50 per annum. A duplicate of such license shall be posted in each car and for each duplicate of such license a fee of \$5 shall be paid. Such license shall cover and permit the sale of such intoxicating liquor in the state, or any political subdivision thereof, in any vessel, dining car, buffet, observation, or cafe car which is a part of a train or which is about to become a part of a train then being operated or to be operated in this state. Such liquor to be sold only to bona fide passengers or persons actually being transported.

Sec. 39. Minnesota Statutes 1953, Section 340.11, Subdivision 12, is amended to read:

Subd. 12. The license fees to be paid before the issuance of licenses shall be as *provided in clauses (a), (b), (c), (d).*

(a) *Except as provided in clauses (b), (c) and (d), any manufacturer shall pay to the state annually a license fee of \$3,000, and a fee of \$2,500 for each duplicate thereof.*

(b) *Any manufacturer of wines containing not more than 25 percent of alcohol by volume shall pay to the state annually a fee of \$300.*

(c) *Except as provided in clauses (g), (h), (i), (j), any wholesaler shall pay to the state annually a license fee of \$3,000, and a fee of \$2,500 for each duplicate thereof.*

(d) *Any wholesaler of wines containing not more than 25 percent of alcohol by volume shall pay to the state annually a fee of \$300.*

(e) The maximum license fee for an "Off sale" license in the cities of the first class shall be the sum of which, together with any occupation tax that may be imposed by a municipality issuing said "Off sale" license, will not exceed the sum of \$1,000 annually; in all cities and villages of over 10,000 population, except cities of the first class, the maximum license fee for an "Off sale" license shall be \$200; in all cities and villages with a population between 5,000 and 10,000 the maximum license fee shall be \$150; in all cities, villages and boroughs of 5,000 population, or less, the maximum license fee shall be \$100. All such license fees for "Off sale" licenses shall be payable to the municipalities issuing the license. Where such licenses shall be issued for less than one year, a fee may be a pro rata share of the annual license fee.

Sec. 40. Minnesota Statutes 1953, Section 340.113, Subdivision 2, is amended to read:

Subd. 2. **License, application, renewal.** Such licenses shall be issued by the liquor control commissioner for the term

of one year, and must be renewed annually. Application for such a license shall be made to the liquor control commissioner. The form of application shall contain an agreement on the part of the applicant that he will observe all of the laws of this state relating to the importation and sale of intoxicating liquor, and such other information and statements as the liquor control commissioner may require. Any person who has violated any of the laws of this state relating to intoxicating liquor shall not be entitled to such a license. The fee for each annual license shall be \$100 which shall accompany the application for license.

Sec. 41. Minnesota Statutes 1953, Section 340.17, is amended to read:

340.17 Sacramental wine. The provisions of sections 340.07 to 340.40 shall not be deemed to prohibit the importation and introduction into the state or purchase within the state by any regularly appointed or ordained rabbi, priest, minister, or pastor or any church or established religious organization of wine for sacramental purposes. Any person may be licensed to import, purchase, and to sell wine to be used exclusively for sacramental purposes, but upon condition that such wine shall be sold only to a rabbi, priest, minister, or pastor of a duly organized church or established religious organization upon the written certificate of such rabbi, priest, minister, or pastor that the amount so sold to him is reasonably required for sacramental purposes in religious exercises and will be used only for those purposes. Such purchasers may supply the wine so purchased to individual worshippers of religious organizations and congregations who practice religious rites and ceremonies in their homes in which wine is used by virtue of established tenets of such organizations.

Licenses for such purposes shall be issued by the liquor control commissioner upon payment of a license fee of \$25 per annum and giving of a penal bond in the sum of \$1,000 conditioned for compliance with this section.

Sec. 42. Minnesota Statutes 1953, Section 340.402, is amended to read:

340.402 Licenses, fees. No person shall engage in business as a brewer or wholesaler of intoxicating malt liquor nor shall any person, directly or indirectly, by any device, manufacture for sale or sell, at wholesale any intoxicating malt liquor unless licensed to do so by the commissioner.

Application for license shall be made in writing, filed with the commissioner in the form prescribed by him and verified by the applicant or, if a corporation, by one of its officers

having knowledge of the facts. At the time of filing an application the applicant shall file with the commissioner his bond and pay the license fee herein provided for.

The annual fees for license are: for a brewer, the sum of \$750; for a wholesaler, the sum of \$150, and a wholesaler's malt beverage duplicate license the sum of \$10.

A brewer holding a license to manufacture intoxicating malt liquor may sell his products at wholesale without another license.

Sec. 43. Minnesota Statutes 1953, Section 340.493, Subdivision 2, is amended to read:

Subd. 2. **Licenses; application, renewal.** Such licenses shall be issued by the liquor control commissioner for one year and must be renewed annually. The application for such license shall contain an agreement on the part of the applicant that he will observe all laws of this state relating to the importation and taxation of such fermented malt beverages and such other information and statements as the commissioner requires. Any person who has violated any laws of this state relating to fermented malt beverages or intoxicating liquor is not entitled to such license. The fee for each annual license is \$50 which shall accompany the application for license. If an examination of the financial responsibility of any such applicant for license indicates that a bond is necessary for the protection of the revenue, the commissioner may require the applicant to file a bond to be approved by the commissioner, payable to the state in an amount not less than \$1,000 and not more than \$5,000 conditioned upon the payment of all excise taxes to become payable to the state.

Sec. 44. Minnesota Statutes 1953, Section 359.01, is amended to read:

359.01 **Commission.** The governor may appoint and commission as notaries public, by and with the advice and consent of the senate, as many citizens of this state, over the age of 21 years, resident in the county for which appointed, as he deems necessary. The fee for each commission shall not exceed \$5, and shall be paid to the governor's private secretary.

Sec. 45. Minnesota Statutes 1953, Section 509.01, is amended to read:

509.01 **Recordation.** Any person engaged in, or any corporation or association whose members are engaged in, manufacturing, bottling, or selling soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, small beer, lager beer, Weiss beer, beer, white beer, malt extract, other bev-

erages, milk, cream, ice cream, or butter in any kind of receptacle having the name of such person, corporation, or association, or other mark or device printed, stamped, engraved, etched, blown, impressed, riveted, or otherwise produced or permanently fixed upon the same, may file in the office of the secretary of state for record a description of the name, mark, or device so used and cause such description to be printed once in each week for three successive weeks in a newspaper published in the county in which the principal place of business of such person, corporation, or association is located, or if the principal place of business of such person, corporation, or association is located in another state, then in the county wherein the principal office or depot within this state is located. It shall be the duty of the secretary of state to issue to the person, corporation, or association so filing for record a description of such name, mark, or device in his office a duly attested certificate of the record of the same for which he shall receive a fee of \$10. Such certificate in all prosecutions under sections 509.01 to 509.06 shall be prima facie evidence of the adoption of such name, mark, or device and of the right of the person, corporation, or association named therein to adopt and use the same.

Sec. 46. Minnesota Statutes 1953, Section 522.13, Subdivision 3, is amended to read:

Subd. 3. **Filing officer; duties, fee.** It shall be the duty of the filing officer to mark each statement filed with a consecutive file number, and with the date and hour of filing, and to keep such statement in a separate file; and to note and index the filing in a suitable index, indexed according to the name of the trustee and containing a notation of the trustee's chief place of business as given in the statement. The fee for such filing shall be \$5.

Sec. 47. Minnesota Statutes 1953, Section 540.152, is amended to read:

540.152 Secretary of state as agent for service of process. The transaction of any acts, business or activities within the State of Minnesota by any officer, agent, representative, employee or member of any union or other groups or associations having officer, agents, members or property without the state on behalf of such union or other groups or associations or any of its members or affiliated local unions shall be deemed an appointment by such union or other groups or associations of the secretary of state of the State of Minnesota to be the true and lawful attorney of such union or other groups or associations, upon whom may be served all legal processes or notices in any action or proceeding against or involving said

union or other groups or associations growing out of such acts, business or activities within the State of Minnesota resulting in damage or loss to person or property or giving rise to any cause of action under the laws of the State of Minnesota or to any matters or proceedings arising under the Minnesota Labor Relations Act, and such acts, business or activities shall be a signification of the agreement of said union or other groups or associations and its members that any such process or notice in any action, matter, or proceeding against or involving it, which is so served, shall be of the same legal force and validity as if served upon such union or other groups or associations and its members personally. Service of such process or notice shall be made by filing a copy thereof in the office of the secretary of state together with payment of a fee of \$5 and such service shall be sufficient service upon said union or other groups or associations and its members; and notice of such service and a copy of the process or notice shall, within ten days thereafter, be sent by mail by the person who caused the same to be served to such union or other groups or associations at its last known address and an affidavit of compliance with the provisions of this chapter shall be filed with the court or other state agency or department before which the action, matter, or proceeding is pending.

Sec. 48. Minnesota Statutes 1953, Section 543.08, is amended to read:

543.08 Summons, service upon certain domestic corporations. If such domestic corporation have no officer within the state upon whom service can be so made, of which fact the return of the sheriff that none can be found in his county shall be conclusive evidence, service of the summons upon it may be made by depositing two copies thereof, *together with a fee of \$5* with the secretary of state, which shall be deemed personal service upon such corporation. One of such copies shall be filed by such secretary, and the other forthwith mailed by him to the corporation, if the place of its main office be known to him or be disclosed by the files of his office. If a foreign insurance corporation, two copies shall be delivered to the insurance commissioner, who shall file one in his office and forthwith mail the other postage prepaid to the defendant at its home office.

Sec. 49. Minnesota Statutes 1953, Section 620.31, is amended to read:

620.31 Registration. Every such label, trademark, term, device, design, or form of advertisement may be filed for record in the office of the secretary of state on payment

of a fee of \$10 each. In so filing the same, two copies, counterparts, or facsimiles thereof, shall be left with such secretary, together with a sworn statement, specifying the names of the persons, association, or union in whose behalf the same is filed, the class and description of the goods or products of labor to which it is or is intended to be appropriated, that the party in whose behalf the same is filed has the sole right to its use, and that the counterparts or facsimiles filed are correct. No label, trademark, term, design, device, or form of advertisement shall be so filed or recorded which could reasonably be mistaken for one theretofore filed.

Sec. 50. Minnesota Statutes 1953, Section 620.33, is amended to read:

620.33 Illegal use of certificate of registration. Such secretary shall deliver to the person, association, or union filing any such label, trademark, term, design, or form of advertisement such number of certificates of the record thereof as shall be applied for, on payment of a fee of \$2 for each certificate, and such certificates shall in all cases be prima facie evidence of the adoption of such label, trademark, term, design, device, or form of advertisement. Every person who, without authority of the owner thereof, shall use or display the genuine label, trademark, term, design, device, or form of advertisement of any such person, association, or union shall be guilty of a misdemeanor.

Sec. 51. Minnesota Statutes 1953, Section 303.19, Subdivision 2, is amended to read:

Subd. 2. Fee. If the certificate of authority was revoked by the Secretary of State pursuant to Section 303.17, the corporation shall pay to the state treasurer \$200 before it may be reinstated.

If the certificate of authority was canceled by a judgment pursuant to section 303.18, the corporation shall pay to the state treasurer \$500 before it may be reinstated.

Sec. 52. *Except as specified otherwise, this act becomes effective July 1, 1955.*

Approved April 25, 1955.

CHAPTER 821—H. F. No. 1107

An act relating to special aid for the education of handicapped children; amending Minnesota Statutes 1953, Section 128.13.