

*and instructors by reason of any claim for bodily injury, death or property damage made upon any such director or instructor by reason of the performance of their duties under this act. Such policy of insurance shall contain a waiver of governmental immunity and such immunity shall not be raised as a defense by the insured, the state, or the county.*

Sec. 6. Minnesota Statutes 1953, Section 98.47, Subdivision 1, is amended as follows:

98.47 **Exemptions.** Subdivision 1. Residents under the age of 16 years may fish and trap fur bearing animals except beaver or otter without procuring a license. *Residents under the age of 12 years may take small game without a license. Residents under the age of 16 years and over 12 may take small game without a license provided they have in their possession while hunting a valid firearm safety certificate as herein provided.* Non-residents under the age of 16 years may take fish without procuring a license, if accompanied by a parent or legal guardian who has obtained a non-resident fishing license. Any non-resident under the age of 16 years who is attending a camp adjacent to any public waters of the state conducted by a social, charitable, or welfare organization or institution, not for profit, may take fish in such waters or other adjacent waters without procuring a license, provided the organization or institution conducting the camp shall have a certificate from the commissioner that the camp is qualified hereunder, describing the waters affected as determined by the commissioner, and each such non-resident shall carry with him at all times while taking or attempting to take fish in such waters a certificate identifying him and describing the waters, in such form as the commissioner shall prescribe, signed and dated by the officer or agent of the organization or institution in charge of the camp within the current calendar year.

Sec. 7. **Repealer.** Laws 1955, Chapter 704, is hereby repealed.

Sec. 8. This act shall be effective upon its passage.

Approved April 20, 1957.

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#### CHAPTER 538—H. F. No. 418

*An act relating to foreign corporations; amending Minnesota Statutes 1953, Section 303.13, Subdivision 1, as amended.*

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

Section 1. Minnesota Statutes 1953, Section 303.13, Subdivision 1, as amended by Laws 1955, Chapter 820, Section 30, is amended to read :

**303.13 Service of process.** Subdivision 1. **Foreign corporations.** 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.

(3) *If a foreign corporation makes a contract with a resident of Minnesota to be performed in whole or in part by either party in Minnesota, or if such foreign corporation commits a tort in whole or in part in Minnesota against a resident of Minnesota, such acts shall be deemed to be doing business in Minnesota by the foreign corporation and shall be deemed equivalent to the appointment by the foreign corporation of the secretary of the State of Minnesota and his successors to be its true and lawful attorney upon whom may be served all lawful process in any actions or proceedings against the foreign corporation arising from or growing out of such contract or tort. Such process shall be served in duplicate upon the secretary of state, together with a fee of \$6 and the secretary of state shall mail one copy thereof to the corporation at its last known address, and the corporation shall have 20 days within which to answer from the date of such mailing, notwithstanding any other provision of the law. The making*

*of the contract or the committing of the tort shall be deemed to be the agreement of the foreign corporation that any process against it which is so served upon the secretary of state shall be of the same legal force and effect as if served personally within the State of Minnesota.*

Approved April 20, 1957.

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CHAPTER 539—H. F. No. 478

[Not Coded]

*An act authorizing the creation of hospital districts by certain counties, the construction, equipment, acquisition and operation of district hospitals therein, and the issuance of bonds therefor.*

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

**Section 1. Hospital districts, certain counties authorized to create.** In any county of this state having over 14,000 and less than 15,000 inhabitants according to the 1950 federal census and over 30 and less than 56 full and fractional congressional townships, the board of county commissioners may, when requested so to do by resolution of the governing body of each of one or more cities, towns and villages within the county, by resolution create a hospital district comprising part of or the entire area of such cities, villages and towns, provided that the most recent assessed valuation of all taxable property within the area is not less than \$1,000,000 and no non-contiguous areas are included therein.

**Sec. 2. District hospital board, members.** The board of county commissioners may also authorize and direct the construction and equipment or the acquisition and equipment of a district hospital in any such district, to be operated under the supervision of a district hospital board. The hospital board shall consist of six members appointed by the county board. Two members of the first board shall be appointed for a two year term, two for a four year term and two for a six year term and each shall hold office until their respective successors are appointed and qualified. Successors to original board members shall be appointed for six year terms and shall serve until other members are chosen and qualified. The expense of operation and debt retirement of any such hospital shall be paid from the revenue derived therefrom and to the extent necessary, from ad valorem taxes to be levied solely upon the tax-