

CHAPTER 619—H. F. No. 1828

An act relating to non-profit corporations; amending Minnesota Statutes 1953, Section 317.27, Subdivision 5.

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

Section 1. Minnesota Statutes 1953, Section 317.27, Subdivision 5, is amended to read:

Subd. 5. **Amendments; execution, filing.** When an amendment has been adopted, the president or vice-president and the secretary or assistant secretary shall execute and acknowledge articles of amendment which shall set forth the amendment and the manner of its adoption. The articles of amendment shall be filed for record with the secretary of state. If the articles conform to law and the fees prescribed by section 317.67 have been paid, the secretary of state shall record the articles and thereupon the amendment becomes effective.

Before any amendment to articles of incorporation may be filed under this section, every corporation now subject to this act, but incorporated under a law which required articles of incorporation and amendments thereof to be filed with a public office other than the secretary of state, shall file with the secretary of state a copy of all such articles and amendments certified as true, correct and complete by the public officer having custody of the original documents.

Approved April 24, 1957.

CHAPTER 620—H. F. No. 1837

[Coded in Part]

An act relating to fees of clerks of district courts in certain counties; amending Minnesota Statutes 1953, Section 357.03 and repealing Section 357.02.

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

Section 1. [357.021] **Fees.** Subdivision 1. The fees to be charged and collected by the clerk of the district court shall be as follows, and no other or greater fees shall be charged for:

- (1) Entering an action, \$1;
- (2) Entering an appearance, 25 cents;

- (3) Filing and entering each instrument, 20 cents;
- (4) Indexing, 25 cents for each plaintiff and 25 cents for each defendant;
- (5) Entering an action on calendar, \$1;
- (6) Entering a continuance, setting for trial, or striking from calendar, 50 cents;
- (7) Entering a dismissal, 50 cents for each plaintiff and each defendant;
- (8) Issuing a subpoena, 50 cents for each name;
- (9) Swearing each witness, 25 cents;
- (10) Swearing each officer to take charge of a jury, 25 cents;
- (11) Calling and swearing a jury, \$1;
- (12) Entering each motion and order, in term, 50 cents;
- (13) Receiving and recording a verdict, \$1.50;
- (14) Taxing costs, \$1.50;
- (15) Entering a judgment, \$1 for the first three folios, 25 cents for each additional folio;
- (16) Copy of judgment to be attached to the judgment roll, \$1 for the first three folios, 25 cents for each additional folio;
- (17) Docketing judgment, 75 cents for each judgment debtor;
- (18) Mailing each clerk's notice and making note in records, 50 cents;
- (19) Issuing a writ, \$1.50;
- (20) Issuing an execution and filing the return thereof, \$2;
- (21) Issuing a transcript of judgment docket, \$2;
- (22) Filing and entering a satisfaction of judgment, partial satisfaction of judgment, or assignment of judgment, \$1;
- (23) Entering a default judgment for recovery of money only, \$7.50, and 25 cents for each additional plaintiff and each additional defendant, and 75 cents for each additional judgment debtor;

(24) Entering a transcript of judgment, \$3.50, and 25 cents for each additional plaintiff and each additional defendant, and 75 cents for each additional judgment debtor;

(25) All services in change of name proceedings, \$3.50, and \$1.50 for each certified copy of order;

(26) Approving a bond and sureties thereon, \$1;

(27) Transmitting a change of venue, \$1.50;

(28) Issuing a commission to take a deposition, \$1;

(29) Each certificate of clerk, 50 cents;

(30) Certificate of exemplification, \$1.50;

(31) Certified copy, \$1 for the first three folios, 25 cents for each additional folio, and 50 cents for the certificate;

(32) *Certificate as to existence or non-existence of judgments docketed*, 50 cents for each name certified to and 50 cents for each judgment certified to;

(33) Searching the records and files, 25 cents for each year searched;

(34) Filing and indexing trade name, \$1;

(35) Certified copy of application or certificate of marriage, \$1;

(36) Recording notary commission, \$1;

(37) Recording license or certificate of ordination of clergyman, \$1;

(38) Recording basic science certificate, \$1;

(39) Recording certificates of physicians, dentists, osteopaths, chiropractors, veterinarians and optometrists, \$1;

(40) All other services required by law for which no fee is herein provided, such fee as compares favorably with those herein provided, or such as may be fixed by rule or order of the court; except, however, no fee shall be allowed the clerk of court for receiving and paying over any money deposited with the clerk of court where the money is paid or deposited by or for the State of Minnesota, pursuant to section 117.10.

Sec. 2. [Subd. 2.] This section shall not apply to the clerk of court in any county containing a city of the first class.

Sec. 3. Minnesota Statutes 1953, Section 357.03, is amended to read:

357.03 **Extra fees of clerk of district court.** In any county of this state where incumbents of the office of clerk of the district court prior to the incumbent holding office at the time of the passage of this section have neglected for six years to enter or file papers or other documents or index the same in such office which should have been entered or filed by them, and as a result thereof the county records are incomplete, the board of county commissioners may agree with the clerk of the district court to properly enter or file all such papers and documents and index the same, and for such work may pay such clerk, in addition to the salary and clerk hire provided by law, the fees provided for such work by section 1 of this act; provided, that no such extra fee shall be paid for the doing of any work which should have been done by such incumbent.

Sec. 4. **Repealer.** Minnesota Statutes 1953, Section 357.02, is repealed.

Approved April 24, 1957.

CHAPTER 621—H. F. No. 1872

An act relating to taxes on and measured by net income providing for the treatment of corporate distributions and adjustments; amending Minnesota Statutes 1953, Section 290.01, Subdivision 21, as amended, Section 290.07, Subdivision 5, as amended, Section 290.12, Subdivision 2, as amended, Section 290.13, Subdivisions 1, 2 and 4, Section 290.14, as amended; repealing Section 290.13, Subdivisions 3, 6, 7 and 8.

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

Section 1. [290.131] **Distribution by corporations; effects on recipients.** *Subdivision 1. Distributions of property. (a) Except as otherwise provided in chapter 290, a distribution of property (as defined in section 3, subdivision 2 (a)) made by a corporation to a shareholder with respect to its stock shall be treated in the manner provided in clause (c).*

(b) *Amount distributed:*

(1) *For purposes of this subdivision, the amount of any distribution shall be;*

(A) *If the shareholder is not a corporation, the amount of money received, plus the fair market value of the other property received.*