

door, other than through the United States mail, samples of drugs, medicines, razor blades, or aerosol cans without cost shall be guilty of a misdemeanor.

Sec. 2. [325.925] Subd. 2. This act does not apply where the receiver is a doctor, pharmacist, dentist, or retail outlet.

Sec. 3. This act is effective July 1, 1971.

Approved June 4, 1971.

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### CHAPTER 833—H.F.No.1165

*An act relating to mortgage foreclosures, attorney's fees in connection therewith; amending Minnesota Statutes 1969, Sections 580.30 and 582.01.*

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

Section 1. Minnesota Statutes 1969, Section 580.30, is amended to read:

**580.30 MORTGAGES; FORECLOSURES; ATTORNEY'S FEES.** In any proceedings for the foreclosure of a real estate mortgage, whether by action or by advertisement, if at any time before the sale of the premises under such foreclosure the mortgagor, the owner, or any holder of any subsequent encumbrance or lien, or any one for them, shall pay or cause to be paid to the holder of the mortgage so being foreclosed, or to the attorney foreclosing the same, or to the sheriff of the county, the amount actually due thereon and constituting the default actually existing in the conditions of the mortgage at the time of the commencement of the foreclosure proceedings, including insurance, delinquent taxes, if any, upon the premises, interest to date of payment, cost of publication and services of process or notices, attorney's fees not exceeding ~~\$100~~ \$150 or one half of the attorney's fees authorized by section 582.01, whichever is greater, together with other lawful disbursements necessarily incurred in connection with the proceedings by the party foreclosing, then, and in that event, the mortgage shall be fully reinstated and further proceedings in such foreclosure shall be thereupon abandoned.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Sec. 2. Minnesota Statutes 1969, Section 582.01, is amended to read:

**582.01 ATTORNEY'S FEES.** Subdivision 1. The mortgagor may, in the mortgage, covenant to pay or authorize the mortgagee to retain an attorney's fee in case of foreclosure; but such fees in case of foreclosure by advertisement shall not exceed the following amounts, and any provision for fees in excess thereof shall be void to the extent of the excess:

~~(1) When the debt secured by the mortgage does not exceed \$500, the fee shall not exceed \$50;~~

~~(2) When the debt exceeds \$500, but does not exceed \$1,000, the fee shall not exceed \$75;~~

~~(3) When the debt exceeds \$1,000, but does not exceed \$5,000, the fee shall not exceed \$125;~~

~~(4) When the debt exceeds \$5,000, but does not exceed \$10,000, the fee shall not exceed \$175;~~

~~(5) When the debt exceeds \$10,000, the fee shall not exceed \$225 plus \$50 for each added \$10,000 or major fraction thereof.~~

<u>The original principal amount secured by the mortgage</u>	<u>Date of execution of mortgage</u>		
	<u>Before June 2, 1953</u>	<u>After June 1, 1953 and before June 1, 1971</u>	<u>After May 31, 1971</u>
<u>Less than \$500</u>	<u>\$ 25</u>	<u>\$50</u>	<u>\$150</u>
<u>\$500 - \$1,000</u>	<u>50</u>	<u>75</u>	<u>150</u>
<u>\$1,000 - \$5,000</u>	<u>75</u>	<u>125</u>	<u>150</u>
<u>\$5,000 - \$10,000</u>	<u>100</u>	<u>175</u>	<u>225</u>
<u>Exceeding \$10,000</u>	<u>200</u>	<u>225 plus \$50 for each additional \$10,000 or major fraction thereof</u>	<u>275 plus \$35 for each additional \$5,000 or major fraction thereof</u>

Subd. 2. The court shall establish the amount of the attorney's fee in case of foreclosure by action.

Changes or additions indicated by underline, deletions by ~~strikeout~~.

Subd. 3. ~~This section shall apply only to mortgages executed after June 1, 1953.~~

If at the time of the commencement of the foreclosure proceedings, all of the items constituting said default were less than 30 days past due, then upon redemption the mortgagor shall not be required to pay the attorney's fee authorized in section 582.01. This subdivision shall apply only to mortgages executed after May 31, 1971.

Approved June 4, 1971.

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#### CHAPTER 834—H.F.No.1200

[Not Coded]

*An act appropriating money to the Mayo Foundation to aid in the operation of an undergraduate medical school.*

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

Section 1. **MAYO FOUNDATION; APPROPRIATION FOR OPERATION OF UNDERGRADUATE MEDICAL SCHOOL.** The Minnesota state legislature, being cognizant of the health care needs of the people of this state and recognizing the potential benefits to the people of the state which would arise from the training of physicians at the medical school proposed by the Mayo Foundation, hereby appropriates the sum of \$320,000 from the general fund in the state treasury to the Mayo Foundation to provide such foundation with the sum of \$8,000 per academic school year for each Minnesota resident enrolled in its undergraduate medical school. The Mayo Foundation shall not increase the size of the present class of 40 students without prior consultation and approval of the legislature. The Mayo Foundation shall submit to the state auditor a report of the number of Minnesota residents enrolled at the commencement of the school year. Final determination of residency status shall rest with the university board of review for residence classification which shall apply the same criteria as applied to medical students enrolled in the university medical school. Any portion of the money hereby appropriated not paid to the Mayo Foundation by December 31, 1972 shall cancel.

Approved June 4, 1971.

Changes or additions indicated by underline, deletions by ~~strikeout~~.