
CHAPTER 51—S.F.No.70

[Coded]

An act relating to judgments; providing for enforcement of foreign judgments in courts of this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. [548.26] UNIFORM ENFORCEMENT OF FOREIGN JUDGMENTS ACT, DEFINITION. "Foreign judgment" means any judgment, decree, or order of a court of the United States or of any other court which is entitled to full faith and credit in this state.

Sec. 2. [548.27] FILING AND STATUS OF FOREIGN JUDGMENTS. A copy of any foreign judgment authenticated in accordance with the act of Congress or the statutes of this state may be filed in the office of the clerk of any district court of this state. The clerk shall treat the foreign judgment in the same manner as a judgment of any district court or the supreme court of this state. A judgment so filed has the same effect and is subject to the same procedures, defenses and proceedings for reopening, vacating, or staying as a judgment of a district court or the supreme court of this state, and may be enforced or satisfied in like manner.

Sec. 3. [548.28] NOTICE OF FILING. Subdivision 1. At the time of the filing of the foreign judgment, the judgment creditor or his lawyer shall make and file with the clerk of court an affidavit setting forth the name and last known post office address of the judgment debtor, and the judgment creditor.

Subd. 2. Promptly upon the filing of the foreign judgment and the affidavit, the clerk shall mail notice of the filing of the foreign judgment to the judgment debtor at the address given and shall make a note of the mailing in the docket. The notice shall include the name and post office address of the judgment creditor and the judgment creditor's lawyer, if any, in this state. In addition, the judgment creditor may mail a notice of the filing of the judgment to the judgment debtor and may file proof of mailing with the clerk. Failure of the clerk to mail notice of filing shall not affect the enforcement proceedings if proof of mailing by the judgment creditor has been filed.

Subd. 3. No execution or other process for enforcement of a foreign judgment filed hereunder shall issue until 20 days after the date the judgment is filed.

Sec. 4. [548.29] STAY. Subdivision 1. If the judgment debtor shows the district court that an appeal from the foreign judgment is pending or will be taken, or that a stay of execution has been granted, the court shall, upon proof that the judgment debtor has furnished the security for the satisfaction of the judgment required by the state in which it was rendered, stay enforcement of the foreign judgment until the appeal is concluded, the time for appeal expires, or the stay of execution expires or is vacated.

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Subd. 2. If the judgment debtor at any time shows the district court any ground upon which enforcement of a judgment of any district court or the supreme court of this state would be stayed, the court shall stay enforcement of the foreign judgment for an appropriate period, upon requiring the same security for satisfaction of the judgment which is required in this state.

Sec. 5. [548.30] FEES. Any person filing a foreign judgment shall pay to the clerk of court such amount as is determined by the judges of the court in which the judgment is filed. Fees for docketing, transcription or other enforcement proceedings shall be as provided for judgments of any district court of this state.

Sec. 6. [548.31] OPTIONAL PROCEDURE. The right of a judgment creditor to bring an action to enforce his judgment instead of proceeding under sections 1 to 5 remains unimpaired.

Sec. 7. [548.32] UNIFORMITY OF APPLICATION AND CONSTRUCTION. This act shall be so applied and construed as to effectuate its general purpose to make uniform the law with respect to the subject of this act among those states which enact it.

Sec. 8. [548.33] CITATION. This act may be cited as the uniform enforcement of foreign judgments act.

Sec. 9. EFFECTIVE DATE. This act takes effect on July 1, 1977.

Approved May 4, 1977.

CHAPTER 52—S.F.No.72

An act relating to natural resources; authorizing the conveyance by the state of certain lands known as Battle Point to Todd county; amending Minnesota Statutes 1976, Section 84.163.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 1976, Section 84.163, is amended to read:

84.163 BATTLE POINT; CONVEYANCE TO TODD COUNTY. The governor, upon the recommendation of the commissioner of natural resources is hereby granted power to enter into agreements with quitclaim and convey to the county of Todd ~~or Douglas or with any municipality of said counties to permit such counties or municipalities~~ the state's interests in the lands described below, and any state structures located thereon, on the condition that the county agree to improve and maintain for the benefit of the public for the purposes of fishing, hunting, picnicking, camping, playing of athletic games, access to the lake, and general recreational purposes, the following described lands located in Todd county: Commencing at the westerly corner of a triangular tract of land in section 5, township 128, range 35, designated as tract "A" of

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