

additional and supplemental to any provision which, by specific reference, is applicable to federal associations and the members or stockholders thereof.

Sec. 30. Minnesota Statutes 1980, Section 51A.52, is amended to read:

51A.52 DIRECTORS, EMPLOYEES, AND MEMBERS, AND STOCKHOLDERS OF ASSOCIATION MAY ACKNOWLEDGE INSTRUMENTS TO WHICH IT IS A PARTY.

No public officer qualified to take acknowledgments or proofs of written instruments shall be disqualified from taking the acknowledgment or proof of any instrument in writing in which an association is interested by reason of his membership in, stockholder interest in, or employment by an association so interested, and any ~~such~~ acknowledgments or proofs heretofore taken are hereby validated.

Sec. 31. Minnesota Statutes 1980, Section 51A.53, is amended to read:

51A.53 POWERS OF FEDERAL SAVINGS AND LOAN ASSOCIATIONS; APPROVAL.

Subject to the approval of the commissioner, any savings and loan association organized under sections 51A.01 to 51A.57 is hereby vested with all the powers conferred upon a federal savings and loan association organized under the laws and regulations of the United States or its agencies, as amended, as fully and completely as if ~~such~~ the powers were specifically enumerated and described herein, provided that the same are not specifically prohibited by state law.

Sec. 32. **REPEALER.**

Minnesota Statutes 1980, Sections 51A.06, Subdivisions 1 and 2; and 51A.49, are repealed.

Sec. 33. **EFFECTIVE DATE.**

Sections 1 to 32 are effective the day following final enactment.

Approved May 28, 1981

CHAPTER 277 — H.F.No. 1044

An act relating to attachment; prescribing the grounds when a writ of attachment may be issued for purposes of securing property or acquiring quasi in rem jurisdiction over defendants; amending Minnesota Statutes 1980, Section 570.02.

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

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

Section 1. Minnesota Statutes 1980, Section 570.02, is amended to read:

570.02 CONTENTS OF AFFIDAVIT GROUNDS FOR ATTACHMENT; AFFIDAVIT.

Subdivision 1. AFFIDAVIT. To obtain ~~such~~ the writ of attachment, the plaintiff, his agent or attorney, shall make affidavit that a cause of action exists against the defendant, specifying the amount of the claim and the ground thereof, ~~and alleging:~~

- (1) ~~That the debt was fraudulently contracted; or~~
- (2) ~~That defendant is a foreign corporation, or not a resident of this state; or~~
- (3) ~~That he has departed from the state, as affiant verily believes, with intent to defraud or delay his creditors, or to avoid the service of a summons, or keeps himself concealed therein with like intent; or~~
- (4) ~~That he has assigned, secreted, or disposed of his property, or is about to do so, with intent to delay or defraud his creditors.~~

Subd. 2. GROUND. (a) A writ of attachment which serves to acquire quasi in rem jurisdiction over a defendant may be issued in the following situations:

- (1) When the defendant's property, present within the state, is the subject of or directly related to the controversy between the parties; or
- (2) When a nonresident or foreign corporation owns or has an interest in tangible property which is permanently or regularly present within the state; or
- (3) When a resident, domiciliary, or domestic corporation owns or has an interest in tangible property which is present, no matter how irregularly, within the state; or
- (4) When a person, resident or nonresident, or a corporation, domestic or foreign, owns or has an interest in any kind of property, tangible or intangible, which is present within the state, and no more convenient forum exists in the United States; or
- (5) When a person, resident or nonresident, or corporation, domestic or foreign, owning or having an interest in any kind of property, tangible or intangible, which is present within the state, would be subject to in personam jurisdiction under the due process clause, even though the state jurisdictional statutes do not so provide.

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(b) An order of attachment which serves only to secure property and not to acquire jurisdiction over the defendant may be issued in the following situations:

(1) When a person, resident or nonresident, a corporation, domestic or foreign, owns or has any interest in any kind of property, tangible or intangible, which is present within the state and may be applied to the satisfaction of a valid in personam judgment against the defendant; or

(2) When a valid in personam action has been instituted and a person, resident or nonresident, or corporation, domestic or foreign, owns or has an interest in any kind of property, tangible or intangible, which is present within the state and may be applied to the satisfaction of a valid in personam judgment, when rendered, against the defendant, if:

(i) That person or corporation has removed or is about to remove property from this state; or

(ii) That person or corporation has assigned, disposed of, or secreted or is about to assign, dispose of, or secrete, property.

Approved May 28, 1981

CHAPTER 278 — H.F.No. 1051

An act relating to health; changing the claim limitations on cost of removing nuisances; authorizing the commissioner of health to issue orders concerning well water quality; requiring a report to the legislature on groundwater thermal exchange; clarifying the commissioner's authority over water wells and exploratory boring to include repairs and abandonment; changing the penalties for violations; imposing a moratorium on certain uranium drilling; amending Minnesota Statutes 1980, Sections 145.22; 156A.02, Subdivisions 1, 2, and 3; 156A.03, Subdivisions 1 and 2; 156A.05; 156A.07, Subdivisions 1 and 4; 156A.071, Subdivision 7; and 156A.08; proposing new law coded in Minnesota Statutes, Chapter 156A.

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

Section 1. Minnesota Statutes 1980, Section 145.22, is amended to read:

145.22 HEALTH OFFICER; DUTIES RELATIVE TO FILTH AND CAUSES OF SICKNESS.

When any nuisance, source of filth, or cause of sickness is found on any property, the health officer of the city or town shall order the owner or occupant thereof to remove the same, at his the owner's expense, within a time

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