

may not grant a transfer or provisional discharge on terms or conditions that were not presented to the commissioner or the special review board.

Presented to the governor March 19, 1998

Signed by the governor March 23, 1998, 10:50 a.m.

CHAPTER 314—S.F.No. 2725

An act relating to real estate; authorizing additional methods for recorder and registrar functions; amending Minnesota Statutes 1996, sections 386.40; 386.41; 508.32; 508.38; and 508A.38; proposing coding for new law in Minnesota Statutes, chapters 386; 508; and 508A.

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

Section 1. Minnesota Statutes 1996, section 386.40, is amended to read:

386.40 SEAL.

Every county recorder shall have an official seal and affix the same to all documents requiring the recorder's official signature, except the endorsement mentioned in section 386.41. The seal may be affixed by a stamp that will print a seal that legibly reproduces under photographic or electronic methods. The seal also may be a printed facsimile or it may be electronically generated.

Sec. 2. [386.409] COUNTY RECORDER'S OFFICIAL SIGNATURE.

When the county recorder's official signature, or that of a deputy is required under section 386.41, an electronically generated facsimile signature or name may be used.

Sec. 3. Minnesota Statutes 1996, section 386.41, is amended to read:

386.41 CERTIFICATE OF RECORD.

Every county recorder shall endorse upon each instrument recorded, over the recorder's official signature, OFFICE OF THE COUNTY RECORDER, ... COUNTY, MINNESOTA, CERTIFIED, FILED, AND/OR RECORDED ON, the date and time when it was received recorded and the document number and/or book and page in which it was recorded; and every instrument shall be considered as recorded at the time so noted.

Sec. 4. [386.459] OFFICIAL RECORDS; COMPILATION, MAINTENANCE, AND STORAGE OF INFORMATION.

The county recorder may select and use alternative methods for the compilation, maintenance, and storage of the information contained in the official records listed in sections 386.03, 386.04, 386.05, 386.19, and 386.32, subject to the following conditions:

(1) the methods selected must provide for access to the information contained in the records by those authorized by law to have access to that information; and

(2) the methods selected must provide for the preservation of the information contained in the records to the extent specified by law.

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Sec. 5. Minnesota Statutes 1996, section 508.32, is amended to read:

508.32 UNDER CONTROL OF COURT; AFFIXING SEAL.

The registrar of titles shall be at all times under the control of the court, which may adopt such rules governing the conduct of office as it may deem wise. Every registrar of titles shall have an official seal and affix the same to all documents requiring the registrar's official signature. Provided, however, that instead of affixing the said official seal to certificates of title the registrar may use a printed facsimile thereof at all points in said certificate where the official seal is required. The seal may be affixed by a stamp that will print a seal that legibly reproduces under photographic or electronic methods. The seal also may be a printed facsimile or it may be electronically generated.

Sec. 6. [508.349] OFFICIAL SIGNATURE OF REGISTRAR OF TITLES.

When the official signature of the registrar of titles, or that of a deputy, is required under Minnesota Statutes, section 508.35 or 508.38, an electronically generated facsimile signature or name may be used.

Sec. 7. [508.381] OFFICIAL RECORDS; COMPILATION, MAINTENANCE, AND STORAGE OF INFORMATION.

The registrar of titles may select and use alternative methods for the compilation, maintenance, and storage of the information contained in the official records set forth in sections 508.34 and 508.37, subject to the following conditions:

(1) the methods selected must provide for access to the information contained in the records by those authorized by law to have access to that information; and

(2) the methods selected must provide for the preservation of the information contained in the records to the extent specified by law.

Sec. 8. Minnesota Statutes 1996, section 508.38, is amended to read:

508.38 FORMS OF RECORDS ADOPTED.

Every instrument affecting the title to land, filed with the registrar, shall be numbered by the registrar consecutively, and the registrar shall endorse upon the same the number thereof over the registrar's official signature, OFFICE OF THE REGISTRAR OF TITLES, ... COUNTY, MINNESOTA, CERTIFIED FILED ON, together with the date, hour, and minute when the same is filed, the document number thereof, and a reference to its proper certificate of title. Every such instrument shall be retained by the registrar and regarded as registered from the time of filing except that such instruments may be copied or reproduced as provided by section 15.17, as amended, and the copies or reproductions thereof substituted for the originals with the equal force and effect of the same, which originals may be then destroyed as provided by said section 15.17. When the memorial of any instrument is made upon any certificate, the date, number, and time of filing thereof shall likewise be endorsed upon such certificate. All records and papers relating to registered land in the office of the registrar, shall be open to the inspection of the public at such times and under such conditions as the court may prescribe. Duplicates of all instruments, voluntary or involuntary, filed and registered with the registrar, may be presented with the originals, and shall thereupon be endorsed with the file number, and other memoranda on the originals, and may be attested and sealed by the registrar, and returned

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to the person presenting the same. The registrar shall furnish certified copies of the instruments filed and registered in the registrar's office, upon payment of a fee as provided in section 357.18. The court shall adopt general forms of memorials and notations to be used by the registrars in registering the common forms of conveyance and other instruments.

Sec. 9. [508A.349] OFFICIAL SIGNATURE OF REGISTRAR OF TITLES.

When the official signature of the registrar of titles, or that of a deputy, is required under section 508A.35 or 508A.38, an electronically generated facsimile signature or name may be used.

Sec. 10. [508A.381] OFFICIAL RECORDS; COMPILATION, MAINTENANCE, AND STORAGE OF INFORMATION.

The registrar of titles may select and use alternative methods for the compilation, maintenance, and storage of the information contained in the official records listed in sections 508A.34 and 508A.37, subject to the following conditions:

(1) the methods selected must provide for access to the information contained in the records by those authorized by law to have access to that information; and

(2) the methods selected must provide for the preservation of the information contained in the records to the extent specified by law.

Sec. 11. Minnesota Statutes 1996, section 508A.38, is amended to read:

508A.38 FORMS OF RECORDS ADOPTED.

Every instrument affecting the title to land, filed with the registrar pursuant to sections 508A.01 to 508A.85, shall be numbered by the registrar who shall endorse upon it the number of it the same over the registrar's official signature, OFFICE OF THE REGISTRAR OF TITLES, ... COUNTY, MINNESOTA, CERTIFIED AND FILED ON, together with the date, hour, and minute when the same is filed, the document number thereof, and a reference to its proper CPT. Every instrument shall be retained by the registrar and regarded as registered from the time of filing except that the instruments may be copied or reproduced as provided by section 15.17, and the copies or reproductions of them substituted for the originals with the equal force and effect as they have. The originals may be then destroyed as provided by section 15.17. When the memorial of any instrument is made upon any CPT, the date, number, and time of filing of it shall also be endorsed upon the CPT. All records and papers relating to registered land in the office of the registrar shall be open to the inspection of the public at the times and under the conditions as the court may prescribe. Duplicates of all instruments, voluntary or involuntary, filed and registered with the registrar, may be presented with the originals, and shall thereupon be endorsed with the file number, and other memoranda on the originals, and may be attested and sealed by the registrar, and returned to the person presenting it. The registrar shall furnish certified copies of the instruments filed and registered in the registrar's office, upon payment of a fee as provided in section 357.18. The court shall adopt general forms of memorials and notations to be used by the registrars in registering the common forms of conveyance and other instruments.

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