

A bill for an act

relating to government operations; modifying provisions for general legislative and administrative expenses of state government; regulating state and local government operations; establishing a statewide electronic licensing system; requiring reports; appropriating money; amending Minnesota Statutes 2008, sections 5.12, subdivision 1; 5.29; 5.32; 5A.03; 10A.31, subdivision 4; 16A.133, subdivision 1; 16B.24, subdivision 5; 43A.49; 45.24; 270C.63, subdivision 13; 302A.821; 303.14; 303.16, subdivision 4; 308A.995; 308B.121, subdivisions 1, 2; 317A.823; 321.0206; 321.0210; 321.0810; 322B.960; 323A.1003; 333.055; 336A.04, subdivision 3; 336A.09, subdivision 2; 359.01, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 5; 16E; repealing Minnesota Statutes 2008, section 240A.08.

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

**ARTICLE 1**

**STATE GOVERNMENT APPROPRIATIONS**

Section 1. **SUMMARY OF APPROPRIATIONS.**

The amounts shown in this section summarize direct appropriations, by fund, made in this article.

	<b><u>2010</u></b>		<b><u>2011</u></b>		<b><u>Total</u></b>
<u>General</u>	\$ <u>303,394,000</u>	\$	<u>301,902,000</u>	\$	<u>605,296,000</u>
<u>Health Care Access</u>	<u>1,939,000</u>		<u>1,927,000</u>		<u>3,866,000</u>
<u>State Government Special Revenue</u>	<u>2,227,000</u>		<u>2,227,000</u>		<u>4,454,000</u>
<u>Environmental Remediation</u>	<u>448,000</u>		<u>448,000</u>		<u>896,000</u>
<u>Special Revenue</u>	<u>250,000</u>		<u>250,000</u>		<u>500,000</u>
<u>Highway User Tax Distribution</u>	<u>3,839,000</u>		<u>3,839,000</u>		<u>7,678,000</u>
<u>Workers' Compensation</u>	<u>2,183,000</u>		<u>2,183,000</u>		<u>4,366,000</u>
	<u>7,350,000</u>		<u>7,350,000</u>		<u>14,700,000</u>

2.1 **Total** \$ 321,630,000 \$ 320,126,000 \$ 641,756,000

2.2 Sec. 2. **STATE GOVERNMENT APPROPRIATIONS.**

2.3 The sums shown in the columns marked "appropriations" are appropriated to the  
 2.4 agencies and for the purposes specified in this article. The appropriations are from the  
 2.5 general fund, or another named fund, and are available for the fiscal years indicated  
 2.6 for each purpose. The figures "2010" and "2011" used in this article mean that the  
 2.7 appropriations listed under them are available for the fiscal year ending June 30, 2010, or  
 2.8 June 30, 2011, respectively. "The first year" is fiscal year 2010. "The second year" is fiscal  
 2.9 year 2011. "The biennium" is fiscal years 2010 and 2011.

		<b><u>APPROPRIATIONS</u></b>	
		<b><u>Available for the Year</u></b>	
		<b><u>Ending June 30</u></b>	
		<b><u>2010</u></b>	<b><u>2011</u></b>
2.14	Sec. 3. <b><u>LEGISLATURE</u></b>	<b><u>\$ 66,391,000</u></b>	<b><u>\$ 66,532,000</u></b>
2.15	<b><u>Subdivision 1. Total Appropriation</u></b>	<b><u>\$ 66,391,000</u></b>	<b><u>\$ 66,532,000</u></b>

<b><u>Appropriations by Fund</u></b>		
	<b><u>2010</u></b>	<b><u>2011</u></b>
2.17		
2.18	<b><u>66,213,000</u></b>	<b><u>66,354,000</u></b>
2.19	<b><u>178,000</u></b>	<b><u>178,000</u></b>

2.20 The amounts that may be spent for each  
 2.21 purpose are specified in the following  
 2.22 subdivisions.

2.23	<b><u>Subd. 2. Senate</u></b>	<b><u>21,810,000</u></b>	<b><u>21,810,000</u></b>
2.24	<b><u>Subd. 3. House of Representatives</u></b>	<b><u>29,323,000</u></b>	<b><u>29,323,000</u></b>
2.25	<b><u>Subd. 4. Legislative Coordinating Commission</u></b>	<b><u>15,258,000</u></b>	<b><u>15,399,000</u></b>

<b><u>Appropriations by Fund</u></b>		
	<b><u>2010</u></b>	<b><u>2011</u></b>
2.26		
2.27	<b><u>15,080,000</u></b>	<b><u>15,221,000</u></b>
2.28	<b><u>178,000</u></b>	<b><u>178,000</u></b>

2.29 (a) \$5,540,000 the first year and \$5,540,000  
 2.30 the second year are for the Office of the  
 2.31 Revisor of Statutes.

3.1 (b) \$1,351,000 the first year and \$1,351,000  
3.2 the second year are for the Legislative  
3.3 Reference Library.

3.4 (c) \$5,712,000 the first year and \$5,712,000  
3.5 the second year are for the Office of the  
3.6 Legislative Auditor.

3.7 (d) \$141,000 the first year is for the expenses  
3.8 of the redistricting commission established  
3.9 in 2009 S.F. No. 182, if enacted. This  
3.10 appropriation is available until June 30, 2011.  
3.11 The appropriation base is \$47,000 for fiscal  
3.12 year 2012 and zero for fiscal year 2013.

3.13 **Sec. 4. GOVERNOR AND LIEUTENANT**  
3.14 **GOVERNOR**

**\$ 3,516,000 \$ 3,516,000**

3.15 (a) This appropriation is to fund the Office  
3.16 of the Governor and Lieutenant Governor.  
3.17 \$19,000 the first year and \$19,000 the  
3.18 second year are for necessary expenses in  
3.19 the normal performance of the governor's  
3.20 and lieutenant governor's duties for which no  
3.21 other reimbursement is provided.

3.22 (b) By September 1 of each year, the  
3.23 commissioner of finance shall report to the  
3.24 chairs of the senate State Government Budget  
3.25 Division and the house of representatives  
3.26 State Government Finance Division any  
3.27 personnel costs incurred by the Office of  
3.28 the Governor and Lieutenant Governor that  
3.29 were supported by appropriations to other  
3.30 agencies during the previous fiscal year.  
3.31 The Office of the Governor shall inform the  
3.32 chairs of the divisions before initiating any  
3.33 interagency agreements.

3.34 **Sec. 5. STATE AUDITOR**

**\$ 9,106,000 \$ 9,106,000**

**S.F. No. 2082, as introduced - 86th Legislative Session (2009-2010) [09-3716]**

4.1 \$1,000,000 of the balance in the tax  
 4.2 increment financing enforcement account  
 4.3 established in Minnesota Statutes, section  
 4.4 469.177, subdivision 11, is canceled to the  
 4.5 general fund on July 1, 2009. This is a  
 4.6 onetime cancellation.

4.7 Sec. 6. **ATTORNEY GENERAL** \$ **25,235,000** \$ **25,235,000**

4.8 Appropriations by Fund

	<u>2010</u>	<u>2011</u>
4.9 <u>General</u>	<u>23,013,000</u>	<u>23,013,000</u>
4.10 <u>State Government</u>		
4.11 <u>Special Revenue</u>	<u>1,827,000</u>	<u>1,827,000</u>
4.12 <u>Environmental</u>	<u>145,000</u>	<u>145,000</u>
4.13 <u>Remediation</u>	<u>250,000</u>	<u>250,000</u>

4.15 Sec. 7. **SECRETARY OF STATE** \$ **5,910,000** \$ **5,909,000**

4.16 Any funds available in the account  
 4.17 established in Minnesota Statutes, section  
 4.18 5.30, pursuant to the Help America Vote Act,  
 4.19 are appropriated for the purposes and uses  
 4.20 authorized by federal law.

4.21 Sec. 8. **CAMPAIGN FINANCE AND PUBLIC**  
 4.22 **DISCLOSURE BOARD** \$ **748,000** \$ **1,768,000**

4.23 \$1,020,000 the second year is for transfer  
 4.24 to the general account of the state elections  
 4.25 campaign fund. This is a onetime  
 4.26 appropriation.

4.27 Sec. 9. **INVESTMENT BOARD** \$ **151,000** \$ **151,000**

4.28 Sec. 10. **OFFICE OF ENTERPRISE**  
 4.29 **TECHNOLOGY** \$ **3,626,000** \$ **1,495,000**

4.30 \$2,131,000 the first year is for information  
 4.31 technology security. The chief information  
 4.32 officer, in consultation with the commissioner  
 4.33 of finance, shall develop and implement a

5.1 cost recovery plan to bill state agencies,  
 5.2 constitutional officers, and other state entities  
 5.3 for the cost of information technology  
 5.4 security. By February 15, 2010, the chief  
 5.5 information officer shall report the plan and  
 5.6 the rates charged to agencies to the chairs and  
 5.7 ranking minority members of the legislative  
 5.8 committee divisions with jurisdiction over  
 5.9 the budget for the office.

5.10 The requirements imposed on the  
 5.11 commissioner of finance and the chief  
 5.12 information officer under Laws 2007, chapter  
 5.13 148, article 1, section 10, paragraph (e),  
 5.14 regarding the determination of the savings  
 5.15 attributable to the electronic licensing  
 5.16 system and information technology security  
 5.17 improvements are inoperative.

5.18 Sec. 11. **ADMINISTRATIVE HEARINGS**      \$      **7,590,000** \$      **7,590,000**

5.19	<u>Appropriations by Fund</u>		
5.20		<u>2010</u>	<u>2011</u>
5.21	<u>General</u>	<u>340,000</u>	<u>340,000</u>
5.22	<u>Workers'</u>		
5.23	<u>Compensation</u>	<u>7,250,000</u>	<u>7,250,000</u>

5.24 \$65,000 each year is for performance of the  
 5.25 duties required under Minnesota Statutes,  
 5.26 section 211B.37. Amounts remaining  
 5.27 unspent at the end of the biennium must be  
 5.28 canceled to the general account of the state  
 5.29 elections campaign fund.

5.30 Sec. 12. **ADMINISTRATION**

5.31 **Subdivision 1. Total Appropriation**      \$      **17,937,000** \$      **17,857,000**

5.32 The amounts that may be spent for each  
 5.33 purpose are specified in the following  
 5.34 subdivisions.

6.1	<u>Subd. 2. Government and Citizen Services</u>	<u>16,211,000</u>	<u>16,131,000</u>
6.2	<u>(a) \$802,000 the first year and \$802,000</u>		
6.3	<u>the second year are for the Land</u>		
6.4	<u>Management Information Center. Of the total</u>		
6.5	<u>appropriation, \$10,000 per year is intended</u>		
6.6	<u>for preparation of township acreage data as</u>		
6.7	<u>provided in Laws 2008, chapter 366, article</u>		
6.8	<u>17, section 7, subdivision 3.</u>		
6.9	<u>(b) \$74,000 the first year and \$74,000</u>		
6.10	<u>the second year are for the Council on</u>		
6.11	<u>Developmental Disabilities.</u>		
6.12	<u>(c) \$250,000 the first year and \$170,000 the</u>		
6.13	<u>second year are to fund activities to prepare</u>		
6.14	<u>for and promote the 2010 census.</u>		
6.15	<u>(d) \$206,000 the first year and \$206,000 the</u>		
6.16	<u>second year are for the Office of the State</u>		
6.17	<u>Archaeologist.</u>		
6.18	<u>(e) \$7,888,000 the first year and \$7,888,000</u>		
6.19	<u>the second year are for office space costs of</u>		
6.20	<u>the legislature and veterans organizations,</u>		
6.21	<u>for ceremonial space, and for statutorily free</u>		
6.22	<u>space.</u>		
6.23	<u>(f) \$2,161,000 of the balance in the facilities</u>		
6.24	<u>repair and replacement account in the special</u>		
6.25	<u>revenue fund is canceled to the general</u>		
6.26	<u>fund on July 1, 2009. This is a onetime</u>		
6.27	<u>cancellation.</u>		
6.28	<u>(g) The requirements imposed on</u>		
6.29	<u>the commissioner of finance and the</u>		
6.30	<u>commissioner of administration under</u>		
6.31	<u>Laws 2007, chapter 148, article 1, section</u>		
6.32	<u>12, subdivision 2, paragraph (b), relating</u>		
6.33	<u>to the savings attributable to the real</u>		

**S.F. No. 2082, as introduced - 86th Legislative Session (2009-2010) [09-3716]**

7.1 property portfolio management system are  
7.2 inoperative.

7.3 Subd. 3. Administrative Management Support                      1,726,000                      1,726,000

7.4 **Sec. 13. CAPITOL AREA**  
7.5 **ARCHITECTURAL AND PLANNING**  
7.6 **BOARD**    **\$                      354,000 \$                      354,000**

7.7 **Sec. 14. FINANCE**    **\$                      19,177,000 \$                      19,177,000**

7.8 **Sec. 15. REVENUE**  
7.9 **Subdivision 1. Total Appropriation**                      **\$                      125,289,000 \$                      125,277,000**

7.10                      Appropriations by Fund

	<u>2010</u>	<u>2011</u>
7.11 <u>General</u>	<u>121,042,000</u>	<u>121,042,000</u>
7.12 <u>Health Care Access</u>	<u>1,761,000</u>	<u>1,749,000</u>
7.13 <u>Highway User Tax</u>		
7.14 <u>Distribution</u>	<u>2,183,000</u>	<u>2,183,000</u>
7.15 <u>Environmental</u>	<u>303,000</u>	<u>303,000</u>

7.17 The amounts that may be spent for each  
7.18 purpose are specified in subdivisions 2 and 3.

7.19 Subd. 2. Tax System Management                      101,603,000                      101,591,000

7.20                      Appropriations by Fund

7.21 <u>General</u>	<u>97,356,000</u>	<u>97,356,000</u>
7.22 <u>Health Care Access</u>	<u>1,761,000</u>	<u>1,749,000</u>
7.23 <u>Highway User Tax</u>		
7.24 <u>Distribution</u>	<u>2,183,000</u>	<u>2,183,000</u>
7.25 <u>Environmental</u>	<u>303,000</u>	<u>303,000</u>

7.26 The requirements imposed on the  
7.27 commissioners of finance and revenue under  
7.28 Laws 2007, chapter 148, article 1, section  
7.29 16, subdivision 2, paragraph (d), relating to  
7.30 the determination of savings attributable to  
7.31 implementing the integrated tax software  
7.32 package are inoperative.

7.33 Subd. 3. Accounts Receivable Management                      23,686,000                      23,686,000

7.34 **Sec. 16. GAMBLING CONTROL**    **\$                      2,940,000 \$                      2,940,000**

**S.F. No. 2082, as introduced - 86th Legislative Session (2009-2010) [09-3716]**

8.1 These appropriations are from the lawful  
 8.2 gambling regulation account in the special  
 8.3 revenue fund.

8.4 Sec. 17. **RACING COMMISSION**                     **\$           899,000 \$           899,000**

8.5 These appropriations are from the racing  
 8.6 and card playing regulation accounts in the  
 8.7 special revenue fund.

8.8 Sec. 18. **STATE LOTTERY**

8.9 Notwithstanding Minnesota Statutes, section  
 8.10 349A.10, subdivision 3, the operating budget  
 8.11 must not exceed \$28,111,000 in fiscal year  
 8.12 2010 and \$28,740,000 in fiscal year 2011.

8.13 Sec. 19. **TORT CLAIMS**                                 **\$           161,000 \$           161,000**

8.14 These appropriations are to be spent by  
 8.15 the commissioner of finance according  
 8.16 to Minnesota Statutes, section 3.736,  
 8.17 subdivision 7. If the appropriation for either  
 8.18 year is insufficient, the appropriation for the  
 8.19 other year is available for it.

8.20 Sec. 20. **MINNESOTA STATE RETIREMENT**  
 8.21 **SYSTEM**

8.22 Subdivision 1. **Total Appropriation**                     **\$           2,346,000 \$           2,405,000**

8.23 The amounts that may be spent for each  
 8.24 purpose are specified in the following  
 8.25 subdivisions.

8.26 Subd. 2. **Legislators**   **1,889,000           1,937,000**

8.27 Under Minnesota Statutes, sections 3A.03,  
 8.28 subdivision 2; 3A.04, subdivisions 3 and 4;  
 8.29 and 3A.115.

8.30 Subd. 3. **Constitutional Officers**                                 **457,000           468,000**

8.31 Under Minnesota Statutes, section 352C.001.



9.1 If an appropriation in this section for either  
9.2 year is insufficient, the appropriation for the  
9.3 other year is available for it.

9.4	Sec. 21. <b><u>MINNEAPOLIS EMPLOYEES</u></b>			
9.5	<b><u>RETIREMENT FUND</u></b>	\$	<b><u>9,000,000</u></b>	\$ <b><u>9,000,000</u></b>

9.6 These amounts are estimated to be needed  
9.7 under Minnesota Statutes, section 422A.101,  
9.8 subdivision 3.

9.9	Sec. 22. <b><u>TEACHERS RETIREMENT</u></b>			
9.10	<b><u>ASSOCIATION</u></b>	\$	<b><u>15,454,000</u></b>	\$ <b><u>15,454,000</u></b>

9.11 The amounts estimated to be needed are as  
9.12 follows:

9.13 (a) Special direct state aid. \$12,954,000 the  
9.14 first year and \$12,954,000 the second year  
9.15 are for special direct state aid authorized  
9.16 under Minnesota Statutes, section 354A.12,  
9.17 subdivisions 3a and 3c.

9.18 (b) Special direct state matching aid.  
9.19 \$2,500,000 the first year and \$2,500,000  
9.20 the second year are for special direct state  
9.21 matching aid authorized under Minnesota  
9.22 Statutes, section 354A.12, subdivision 3b.

9.23	Sec. 23. <b><u>ST. PAUL TEACHERS</u></b>			
9.24	<b><u>RETIREMENT FUND</u></b>	\$	<b><u>2,827,000</u></b>	\$ <b><u>2,827,000</u></b>

9.25 The amounts estimated to be needed for  
9.26 special direct state aid to first class city  
9.27 teachers retirement funds authorized under  
9.28 Minnesota Statutes, section 354A.12,  
9.29 subdivisions 3a and 3c.

9.30	Sec. 24. <b><u>DULUTH TEACHERS</u></b>			
9.31	<b><u>RETIREMENT FUND</u></b>	\$	<b><u>346,000</u></b>	\$ <b><u>346,000</u></b>

9.32 The amounts estimated to be needed for  
9.33 special direct state aid to first class city

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10.1 teachers retirement funds authorized under  
 10.2 Minnesota Statutes, section 354A.12,  
 10.3 subdivisions 3a and 3c.

10.4 **Sec. 25. AMATEUR SPORTS COMMISSION \$ 270,000 \$ 270,000**

10.5 The amount available for appropriation to  
 10.6 the commission under Laws 2005, chapter  
 10.7 156, article 2, section 43, is reduced in the  
 10.8 first year and the second year by the amounts  
 10.9 appropriated in this section.

10.10 **Sec. 26. COUNCIL ON BLACK**  
 10.11 **MINNESOTANS \$ 316,000 \$ 316,000**

10.12 **Sec. 27. COUNCIL ON CHICANO/LATINO**  
 10.13 **AFFAIRS \$ 298,000 \$ 298,000**

10.14 **Sec. 28. COUNCIL ON ASIAN-PACIFIC**  
 10.15 **MINNESOTANS \$ 275,000 \$ 275,000**

10.16 **Sec. 29. INDIAN AFFAIRS COUNCIL \$ 468,000 \$ 468,000**

10.17 **Sec. 30. GENERAL CONTINGENT**  
 10.18 **ACCOUNTS \$ 1,000,000 \$ 500,000**

	<u>Appropriations by Fund</u>	
	<u>2010</u>	<u>2011</u>
10.21 <u>General</u>	<u>500,000</u>	<u>-0-</u>
10.22 <u>State Government</u>		
10.23 <u>Special Revenue</u>	<u>400,000</u>	<u>400,000</u>
10.24 <u>Workers'</u>		
10.25 <u>Compensation</u>	<u>100,000</u>	<u>100,000</u>

10.26 (a) The appropriations in this section  
 10.27 may only be spent with the approval of  
 10.28 the governor after consultation with the  
 10.29 Legislative Advisory Commission pursuant  
 10.30 to Minnesota Statutes, section 3.30.

10.31 (b) If an appropriation in this section for  
 10.32 either year is insufficient, the appropriation  
 10.33 for the other year is available for it.

11.1 (c) If a contingent account appropriation  
11.2 is made in one fiscal year, it should be  
11.3 considered a biennial appropriation.

11.4 **ARTICLE 2**

11.5 **STATE GOVERNMENT OPERATIONS**

11.6 Section 1. **[5.001] DEFINITIONS.**

11.7 Subdivision 1. **Applicability.** As used in this chapter, the terms defined in this  
11.8 section have the meanings given them.

11.9 Subd. 2. **Business entity.** "Business entity" means an organization that is formed  
11.10 under chapters 300, 301, 302A, 303, 308, 308A, 308B, 315, 317, 317A, 318, 319, 319A,  
11.11 321, 322A, 322B, 323, or 323A and that has filed documents with the secretary of state.

11.12 Subd. 3. **Business entity filings.** "Business entity filings" means any filing from a  
11.13 business entity and also includes filings made under chapter 333.

11.14 Subd. 4. **Bulk data.** "Bulk data" means data that has commercial value and is a  
11.15 substantial or discrete portion of or an entire formula, pattern, compilation, program,  
11.16 device, method, technique, process, database, or system.

11.17 Sec. 2. **[5.002] E-MAIL ADDRESSES.**

11.18 The secretary of state is authorized to provide a field on each of the forms and on  
11.19 each online entry screen used for business entity filings, Uniform Commercial Code  
11.20 records, and central notification system filings, for the collection of an e-mail address to  
11.21 which the secretary of state can forward official notices required by law and other notices  
11.22 to the business entity, assumed name, or the person filing the Uniform Commercial Code  
11.23 or central notification system record. The e-mail address may be updated by or on behalf  
11.24 of the business entity by sending a notification of the change to the secretary of state. No  
11.25 fee shall be charged for an e-mail address update. E-mail addresses collected by the  
11.26 secretary of state pursuant to this section must not be provided as bulk data.

11.27 **EFFECTIVE DATE.** This section is effective 30 days after the secretary of state  
11.28 certifies that the information systems of the Office of the Secretary of State have been  
11.29 modified to implement this section.

11.30 Sec. 3. Minnesota Statutes 2008, section 5.12, subdivision 1, is amended to read:

11.31 Subdivision 1. **Fees.** The secretary of state shall charge a fee of \$5 for each  
11.32 certificate or certification of a copy or electronically transmitted image of any document

12.1 filed in the Office of the Secretary of State. The secretary of state shall charge a fee of  
12.2 \$3 for a copy or electronically transmitted image of an original ~~filing of a corporation,~~  
12.3 ~~limited partnership, assumed name, or trade or service mark~~ business entity filing. The  
12.4 secretary of state shall charge a fee of \$3 for a copy or electronically transmitted image of  
12.5 ~~any or all each~~ subsequent ~~filings of a corporation, limited partnership, assumed name,~~  
12.6 ~~or trade or service mark~~ business entity filing. The secretary of state shall charge a fee  
12.7 of ~~\$1 per page for copies~~ \$3 for a copy or electronically transmitted image of any other  
12.8 ~~nonuniform commercial code documents~~ document filed with the secretary of state. At the  
12.9 time of filing, the secretary of state may provide at the public counter, without charge, a  
12.10 copy of a filing, ten or fewer pages in length, to the person making the filing.

12.11 **EFFECTIVE DATE.** This section is effective 30 days after the secretary of state  
12.12 certifies that the information systems of the Office of the Secretary of State have been  
12.13 modified to implement this section.

12.14 Sec. 4. Minnesota Statutes 2008, section 5.29, is amended to read:

12.15 **5.29 BULK AGENT NAME AND ADDRESS CHANGES GLOBAL FILINGS.**

12.16 ~~The filing fee charged for filing an amendment is charged for each document~~  
12.17 ~~filed~~ (a) When a registered agent for multiple business entities files an instrument that  
12.18 changes its name or office address pursuant to sections ~~302A.123, subdivision 3; 303.10;~~  
12.19 ~~308A.025, subdivision 5; 317A.123, subdivision 3; 318.02; and 322B.135, subdivision~~  
12.20 ~~3; and chapters 321; 323; and 323A, but the cumulative fee shall not exceed \$10,000 for~~  
12.21 ~~entities governed by the provisions of chapters 302A, 303, 308A, 317A, 318, 322A, 322B,~~  
12.22 ~~323, and 323A, the change for each business entity must be filed online as a separate~~  
12.23 ~~transaction, and a separate filing fee charged.~~

12.24 (b) When a secured party wishes to file an amendment to a financing statement  
12.25 making a change in secured party or debtor name and address information, each  
12.26 amendment must be filed online as a separate transaction and a separate filing fee charged.

12.27 **EFFECTIVE DATE.** This section is effective 30 days after the secretary of state  
12.28 certifies that the information systems of the Office of the Secretary of State have been  
12.29 modified to implement this section.

12.30 Sec. 5. Minnesota Statutes 2008, section 5.32, is amended to read:

12.31 **5.32 TEMPORARY TECHNOLOGY SURCHARGE.**

13.1 Subdivision 1. **Surcharge.** For fiscal years 2008 ~~and~~, 2009, 2010, and 2011, the  
13.2 following technology surcharges are imposed on the filing fees required under the  
13.3 following statutes:

13.4 (1) \$25 for articles of incorporation filed under section 302A.151;

13.5 (2) \$25 for articles of organization filed under section 322B.17;

13.6 (3) \$25 for applications for certificates of authority to transact business in Minnesota  
13.7 filed under section 303.06;

13.8 (4) \$20 for annual reports filed by non-Minnesota corporations under section  
13.9 303.14; and

13.10 (5) \$50 for reinstatements to authority to transact business in Minnesota filed under  
13.11 section 303.19.

13.12 Subd. 2. **Deposit.** The surcharges listed in subdivision 1 shall be deposited into the  
13.13 uniform commercial code account.

13.14 Subd. 3. **Expiration.** This section expires June 30, ~~2009~~ 2011.

13.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

13.16 Sec. 6. **[5.34] ANNUAL RENEWAL FILINGS.**

13.17 Any business registered with the secretary of state required to file an annual renewal  
13.18 in order to maintain its active status, good standing, or existence under Minnesota Statutes  
13.19 shall file that renewal, whether online or otherwise, in a format that states:

13.20 (1) the name in Minnesota of the organization for which the renewal is filed;

13.21 (2) the name of the organization in the jurisdiction in which it is organized, if  
13.22 different;

13.23 (3) the address of the registered office or designated office and the name of the  
13.24 registered agent of the organization for service of process, if any;

13.25 (4) the jurisdiction in which the organization is organized, if that jurisdiction is  
13.26 not Minnesota;

13.27 (5) the name and business address of the officer or other person exercising the  
13.28 principal functions of the president of a nonprofit corporation, manager of a limited  
13.29 liability company, or chief executive officer of a corporation or cooperative;

13.30 (6) the address of the principal executive office of a domestic business corporation  
13.31 or of a limited liability company or the principal place of business of a cooperative, if  
13.32 different from the registered office address;

13.33 (7) the address of the designated office and the name, street, and mailing address of  
13.34 the agent for service of process in Minnesota of a limited partnership or foreign limited  
13.35 partnership;

- 14.1           (8) the street and mailing address of the principal office of a limited partnership;  
14.2           (9) the street and mailing address of the chief executive office of a partnership and, if  
14.3 different, the street address of an office of a partnership in Minnesota, if any;  
14.4           (10) the name, street, mailing address, and telephone number of an individual  
14.5 who may be contacted for purposes other than services of process on behalf of a  
14.6 limited partnership or a limited liability partnership, if the agent for the limited liability  
14.7 partnership, limited partnership, or foreign limited partnership is not an individual; and  
14.8           (11) the e-mail address of the organization to which notices from the secretary of  
14.9 state will be directed, if the organization has an e-mail address.

14.10        Sec. 7. Minnesota Statutes 2008, section 5A.03, is amended to read:

14.11           **5A.03 ORGANIZATION APPLICATION FOR REGISTRATION.**

14.12        (a) An application for registration as an international student exchange visitor  
14.13 placement organization must be submitted in the form prescribed by the secretary of  
14.14 state. The application must include:

14.15           (1) evidence that the organization meets the standards established by the secretary of  
14.16 state by rule;

14.17           (2) the name, address, and telephone number of the organization, its chief executive  
14.18 officer, and the person within the organization who has primary responsibility for  
14.19 supervising placements within the state;

14.20           (3) the organization's unified business identification number, if any;

14.21           (4) the organization's United States Information Agency number, if any;

14.22           (5) evidence of Council on Standards for International Educational Travel listing, if  
14.23 any;

14.24           (6) whether the organization is exempt from federal income tax; and

14.25           (7) a list of the organization's placements in Minnesota for the previous academic  
14.26 year including the number of students placed, their home countries, the school districts in  
14.27 which they were placed, and the length of their placements.

14.28        (b) The application must be signed by the chief executive officer of the organization  
14.29 and the person within the organization who has primary responsibility for supervising  
14.30 placements within Minnesota. If the secretary of state determines that the application is  
14.31 complete, the secretary of state shall file the application and the applicant is registered.

14.32        (c) Organizations that have registered shall inform the secretary of state of any  
14.33 changes in the information required under paragraph (a), clause (1), within 30 days of the  
14.34 change. There is no fee to amend a registration.

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15.1 (d) Registration under this chapter is valid for one year. The registration may be  
15.2 renewed annually. The fee to renew a registration is \$50 per year.

15.3 (e) Organizations registering for the first time in Minnesota must pay an initial  
15.4 registration fee of \$150.

15.5 (f) Fees collected by the secretary of state under this section must be deposited in the  
15.6 state treasury and credited to the general fund ~~and are added to the appropriation from~~  
15.7 ~~which registration costs are paid.~~

15.8 Sec. 8. Minnesota Statutes 2008, section 10A.31, subdivision 4, is amended to read:

15.9 Subd. 4. **Appropriation.** ~~(a)~~ The amounts designated by individuals for the state  
15.10 elections campaign fund, less three percent, are appropriated from the general fund, must  
15.11 be transferred and credited to the appropriate account in the state elections campaign fund,  
15.12 and are annually appropriated for distribution as set forth in subdivisions 5, 5a, 6, and 7.  
15.13 The remaining three percent must be kept in the general fund for administrative costs.

15.14 ~~(b) In addition to the amounts in paragraph (a), \$1,250,000 for each general election~~  
15.15 ~~is appropriated from the general fund for transfer to the general account of the state~~  
15.16 ~~elections campaign fund.~~

15.17 ~~Of this appropriation, \$65,000 each fiscal year must be set aside to pay assessments~~  
15.18 ~~made by the Office of Administrative Hearings under section 211B.37. Amounts~~  
15.19 ~~remaining after all assessments have been paid must be canceled to the general account.~~

15.20 Sec. 9. Minnesota Statutes 2008, section 16A.133, subdivision 1, is amended to read:

15.21 Subdivision 1. **Payroll direct deposit and deductions.** An agency head in the  
15.22 executive, judicial, and legislative branch shall, upon written request signed by an  
15.23 employee, directly deposit all or part of an employee's pay to those credit unions or  
15.24 financial institutions, as defined in section 47.015, designated by the employee.

15.25 An agency head ~~may~~ must, upon written request of an employee, deduct from the  
15.26 pay of the employee a requested amount to be paid to the Minnesota Benefit Association,  
15.27 or to any ~~organization~~ organizations contemplated by section 179A.06, of which the  
15.28 employee is a member. ~~If an employee has more than one account with the Minnesota~~  
15.29 ~~Benefit Association or more than one organization under section 179A.06, only the~~  
15.30 ~~Minnesota Benefit Association and one organization, as defined under section 179A.06,~~  
15.31 ~~may be paid money by payroll deduction from the employee's pay.~~

15.32 Sec. 10. Minnesota Statutes 2008, section 16B.24, subdivision 5, is amended to read:

16.1 Subd. 5. **Renting out state property.** (a) **Authority.** The commissioner may rent  
16.2 out state property, real or personal, that is not needed for public use, if the rental is not  
16.3 otherwise provided for or prohibited by law. The property may not be rented out for  
16.4 more than five years at a time without the approval of the State Executive Council and  
16.5 may never be rented out for more than 25 years. A rental agreement may provide that  
16.6 the state will reimburse a tenant for a portion of capital improvements that the tenant  
16.7 makes to state real property if the state does not permit the tenant to renew the lease at  
16.8 the end of the rental agreement.

16.9 (b) **Restrictions.** Paragraph (a) does not apply to state trust fund lands, other state  
16.10 lands under the jurisdiction of the Department of Natural Resources, lands forfeited for  
16.11 delinquent taxes, lands acquired under section 298.22, or lands acquired under section  
16.12 41.56 which are under the jurisdiction of the Department of Agriculture.

16.13 (c) **Rental of living accommodations.** The commissioner shall establish rental rates  
16.14 for all living accommodations provided by the state for its employees. Money collected as  
16.15 rent by state agencies pursuant to this paragraph must be deposited in the state treasury  
16.16 and credited to the general fund.

16.17 (d) **Lease of space in certain state buildings to state agencies.** The commissioner  
16.18 may lease portions of the state-owned buildings under the custodial control of the  
16.19 commissioner to state agencies and the court administrator on behalf of the judicial branch  
16.20 of state government and charge rent on the basis of space occupied. Notwithstanding any  
16.21 law to the contrary, all money collected as rent pursuant to the terms of this section shall  
16.22 be deposited in the state treasury. Money collected as rent:

16.23 (1) to recover the bond interest costs of a building funded from the state bond  
16.24 proceeds fund ~~shall be credited to the general fund. Money collected as rent;~~

16.25 (2) to recover the depreciation costs of a building funded from the state bond  
16.26 proceeds fund; and ~~money collected as rent~~

16.27 (3) to recover capital expenditures from capital asset preservation and replacement  
16.28 appropriations and statewide building access appropriations shall be credited to a  
16.29 ~~segregated asset preservation and replacement account in a special revenue fund. Fifty~~  
16.30 ~~percent of the money credited to the account each fiscal year must be transferred to the~~  
16.31 ~~general fund. The remaining money in the account is appropriated to the commissioner to~~  
16.32 ~~be expended for asset preservation projects as determined by the commissioner.~~

16.33 Money collected as rent to recover the depreciation and interest costs of a building built  
16.34 with other state dedicated funds shall be credited to the dedicated fund which funded the  
16.35 original acquisition or construction. All other money received shall be credited to the  
16.36 general services revolving fund.



17.1 (e) **Lease of space in Andersen and Freeman buildings.** The commissioner may  
17.2 lease space in the Elmer L. Andersen and Orville L. Freeman buildings to state agencies  
17.3 and charge rent on the basis of space occupied. Money collected as rent under this  
17.4 paragraph to fund future building repairs must be credited to a segregated account for each  
17.5 building in the special revenue fund and is appropriated to the commissioner to make  
17.6 the repairs. When the state acquires title to each building, the account for that building  
17.7 must be abolished and any balance remaining in the account must be transferred to the  
17.8 appropriate asset preservation and replacement account created under paragraph (d).

17.9 Sec. 11. **[16E.22] STATEWIDE ELECTRONIC LICENSING SYSTEM.**

17.10 Subdivision 1. **Account established; appropriation.** The statewide electronic  
17.11 licensing account is created in the special revenue fund. Receipts credited to the account  
17.12 are appropriated to the state chief information officer for completion of the Minnesota  
17.13 electronic licensing system, for transferring licensing agencies to the system, and for  
17.14 operation and maintenance of the system during the completion and transfer period.

17.15 Subd. 2. **Temporary licensing surcharge.** Except as provided in subdivision 5,  
17.16 executive branch state agencies shall collect a temporary surcharge of ten percent of the  
17.17 licensing fee, but no less than \$5 and no more than \$150 on each business, commercial,  
17.18 professional, or occupational license that:

17.19 (1) requires a fee; and

17.20 (2) will be transferred to the Minnesota electronic licensing system, as determined  
17.21 by the state chief information officer.

17.22 The surcharge applies to initial license applications and license renewals. Each agency  
17.23 that issues a license subject to this subdivision shall collect the surcharge for the license  
17.24 for up to six years between July 1, 2009, and June 30, 2015, as directed by the state  
17.25 chief information officer. Receipts from the surcharge shall be deposited in the statewide  
17.26 licensing account established in subdivision 1.

17.27 Subd. 3. **Contract authority.** The state chief information officer may enter into  
17.28 a risk-share or phased agreement with a vendor to complete the Minnesota electronic  
17.29 licensing system and to transfer licensing agencies to the system, provided that the  
17.30 payment for the vendor's services under the agreement is limited to the revenue from the  
17.31 surcharge enacted under subdivision 2, after payment of state operating and maintenance  
17.32 costs. The agreement must clearly indicate that the state chief information officer may  
17.33 only expend amounts actually collected from the surcharge, after state operations and  
17.34 maintenance costs have been paid, in payment for the vendor's services and that the vendor  
17.35 assumes this risk when performing work under the contract. This section does not require

18.1 the state chief information officer to pay the vendor the entire amount of the surcharge  
18.2 revenue that remains after payment of state operations and maintenance costs. Before  
18.3 entering into a contract under this subdivision, the state chief information officer must  
18.4 consult with the commissioner of finance regarding the implementation of the surcharge  
18.5 and the terms of the contract.

18.6 Subd. 4. **Unused funds.** Money remaining in the statewide electronic licensing  
18.7 account after payment of all costs of completing the Minnesota electronic licensing  
18.8 system, transferring licensing agencies to the system, and operating and maintaining  
18.9 the system during the completion and transfer period is appropriated for the costs of  
18.10 operating and maintaining the Minnesota electronic licensing system after the system  
18.11 has been completed.

18.12 Subd. 5. **Exemptions.** (a) The licenses included within the electronic licensing  
18.13 system established under section 45.24 are not subject to the surcharge required under  
18.14 subdivision 2.

18.15 (b) This section does not apply to a license already included within an electronic  
18.16 licensing system in use on January 1, 2009, if the license is for a health professional  
18.17 licensed by a health board regulated by chapter 214.

18.18 Subd. 6. **Expiration.** This section expires on June 30, 2017.

18.19 Sec. 12. Minnesota Statutes 2008, section 43A.49, is amended to read:

18.20 **43A.49 VOLUNTARY UNPAID LEAVE OF ABSENCE.**

18.21 (a) Appointing authorities in state government may allow each employee to take  
18.22 unpaid leaves of absence for up to 1,040 hours between June 1, ~~2007~~ 2009, and June 30,  
18.23 ~~2009~~ 2011. The 1,040 hour limit replaces, and is not in addition to, limits set in prior laws.  
18.24 Each appointing authority approving such a leave shall allow the employee to continue  
18.25 accruing vacation and sick leave, be eligible for paid holidays and insurance benefits,  
18.26 accrue seniority, and accrue service credit and credited salary in the state retirement plans  
18.27 as if the employee had actually been employed during the time of leave. An employee  
18.28 covered by the unclassified plan may voluntarily make the employee contributions to the  
18.29 unclassified plan during the leave of absence. If the employee makes these contributions,  
18.30 the appointing authority must make the employer contribution. If the leave of absence  
18.31 is for one full pay period or longer, any holiday pay shall be included in the first payroll  
18.32 warrant after return from the leave of absence. The appointing authority shall attempt  
18.33 to grant requests for the unpaid leaves of absence consistent with the need to continue  
18.34 efficient operation of the agency. However, each appointing authority shall retain  
18.35 discretion to grant or refuse to grant requests for leaves of absence and to schedule and

19.1 cancel leaves, subject to the applicable provisions of collective bargaining agreements  
19.2 and compensation plans.

19.3 (b) To receive eligible service credit and credited salary in a defined benefit plan,  
19.4 the member shall pay an amount equal to the applicable employee contribution rates.  
19.5 If an employee pays the employee contribution for the period of the leave under this  
19.6 section, the appointing authority must pay the employer contribution. The appointing  
19.7 authority may, at its discretion, pay the employee contributions. Contributions must be  
19.8 made in a time and manner prescribed by the executive director of the Minnesota State  
19.9 Retirement Association.

19.10 **EFFECTIVE DATE.** This section is effective June 1, 2009.

19.11 Sec. 13. Minnesota Statutes 2008, section 45.24, is amended to read:

19.12 **45.24 LICENSE TECHNOLOGY FEES.**

19.13 (a) The commissioner may establish and maintain an electronic licensing database  
19.14 system for license origination, renewal, and tracking the completion of continuing  
19.15 education requirements by individual licensees who have continuing education  
19.16 requirements, and other related purposes.

19.17 (b) The commissioner shall pay for the cost of operating and maintaining the  
19.18 electronic database system described in paragraph (a) through a technology surcharge  
19.19 imposed upon the fee for license origination and renewal, for individual licenses that  
19.20 require continuing education.

19.21 (c) The surcharge permitted under paragraph (b) shall be up to \$40 for each two-year  
19.22 licensing period, except as otherwise provided in paragraph (f), and shall be payable at the  
19.23 time of license origination and renewal.

19.24 (d) The Commerce Department technology account is hereby created as an account  
19.25 in the special revenue fund.

19.26 (e) The commissioner shall deposit the surcharge permitted under this section in  
19.27 the account created in paragraph (d), and funds in the account are appropriated to the  
19.28 commissioner in the amounts needed for purposes of this section. After licenses subject to  
19.29 this section are included in the statewide electronic licensing system, the commissioner  
19.30 of finance shall transfer an amount determined by the commissioner of commerce from  
19.31 the account to the statewide electronic licensing system account under section 16E.22  
19.32 for the costs incurred by the statewide licensing system attributable to the inclusion of  
19.33 licenses subject to this section.

20.1 (f) The commissioner shall temporarily reduce or suspend the surcharge as necessary  
20.2 if the balance in the account created in paragraph (d) exceeds \$2,000,000 as of the end of  
20.3 any calendar year and shall increase or decrease the surcharge as necessary to keep the  
20.4 fund balance at an adequate level but not in excess of \$2,000,000.

20.5 Sec. 14. Minnesota Statutes 2008, section 270C.63, subdivision 13, is amended to read:

20.6 Subd. 13. **Lien search fees.** Upon request of any person, the filing officer shall issue  
20.7 a certificate showing whether there is recorded in that filing office, on the date and hour  
20.8 stated in the certificate, any notice of lien or certificate or notice affecting any lien filed  
20.9 on or after ten years before the date of the search certificate, naming a particular person,  
20.10 and giving the date and hour of filing of each notice or certificate naming the person. The  
20.11 fee for a certificate shall be as provided by section 336.9-525 or 357.18, subdivision 1,  
20.12 clause (3). Upon request, the filing officer shall furnish a copy of any notice of state lien,  
20.13 or notice or certificate affecting a state lien, for a fee of ~~50 cents~~ \$1 per page, except that  
20.14 after July 1, 2009, section 5.12, subdivision 1, governs the fee charged by the secretary of  
20.15 state for a copy or electronically transmitted image.

20.16 Sec. 15. Minnesota Statutes 2008, section 302A.821, is amended to read:

20.17 **302A.821 MINNESOTA CORPORATE ~~REGISTRATION~~ RENEWAL.**

20.18 Subdivision 1. **Annual ~~registration~~ renewal.** (a) The secretary of state ~~must~~ may  
20.19 send annually to each corporation ~~at the registered office of the corporation a postcard,~~  
20.20 using the information provided by the corporation pursuant to section 5.002 or 5.34 or  
20.21 the articles of incorporation, a notice announcing the need to file the annual ~~registration~~  
20.22 ~~renewal~~ and informing the corporation that the annual ~~registration~~ renewal may be filed  
20.23 online and that paper filings may also be made, and informing the corporation that failing  
20.24 to file the annual ~~registration~~ renewal will result in an administrative dissolution of the  
20.25 corporation.

20.26 (b) Each calendar year beginning in the calendar year following the calendar year  
20.27 in which a corporation incorporates, the corporation must file with the secretary of state  
20.28 by December 31 of each calendar year a ~~registration~~ renewal containing the information  
20.29 listed in subdivision 2.

20.30 Subd. 2. **Information required; manner of filing.** The ~~registration must include:~~  
20.31 filing must be made pursuant to section 5.34.

20.32 ~~(1) the name of the corporation;~~

20.33 ~~(2) the address of its principal executive office, if different from the registered~~  
20.34 ~~office address;~~

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21.1 ~~(3) the address of its registered office and the name of the registered agent, if any;~~  
21.2 ~~(4) the state of incorporation; and~~  
21.3 ~~(5) the name and business address of the officer or other person exercising the~~  
21.4 ~~principal functions of the chief executive officer of the corporation.~~

21.5 ~~Subd. 3. **Information public.** The information required by subdivision 2 is public~~  
21.6 ~~data. Chapter 13 does not apply to this information.~~

21.7 Subd. 4. **Penalty; reinstatement.** (a) A corporation that has failed to file a  
21.8 ~~registration pursuant to the requirements of subdivision 2~~ renewal complying with section  
21.9 5.34 must be dissolved by the secretary of state as described in paragraph (b).

21.10 (b) If the corporation has not filed the ~~registration~~ renewal during any calendar year,  
21.11 the secretary of state must issue a certificate of administrative dissolution and the certificate  
21.12 must be filed in the Office of the Secretary of State. The secretary of state must make  
21.13 available in an electronic format the names of the dissolved corporations. A corporation  
21.14 dissolved in this manner is not entitled to the benefits of section 302A.781. The liability, if  
21.15 any, of the shareholders of a corporation dissolved in this manner shall be determined and  
21.16 limited in accordance with section 302A.557, except that the shareholders shall have no  
21.17 liability to any director of the corporation under section 302A.559, subdivision 2.

21.18 (c) After administrative dissolution, filing a ~~registration~~ renewal complying with  
21.19 section 5.34 and the \$25 fee with the secretary of state:

21.20 (1) returns the corporation to good standing as of the date of the dissolution;

21.21 (2) validates contracts or other acts within the authority of the articles, and the  
21.22 corporation is liable for those contracts or acts; and

21.23 (3) restores to the corporation all assets and rights of the corporation to the extent  
21.24 they were held by the corporation before the dissolution occurred, except to the extent that  
21.25 assets or rights were affected by acts occurring after the dissolution or sold or otherwise  
21.26 distributed after that time.

21.27 Sec. 16. Minnesota Statutes 2008, section 303.14, is amended to read:

21.28 **303.14 ANNUAL ~~REPORT~~ RENEWAL.**

21.29 Subdivision 1. ~~Filed with secretary of state; contents~~ **Notice; filing.** Each calendar  
21.30 year beginning in the calendar year following the calendar year in which a corporation  
21.31 receives a certificate of authority to do business in Minnesota, the secretary of state  
21.32 ~~must mail by first class mail an annual registration form to the registered office of each~~  
21.33 ~~corporation as shown on the records of the secretary of state. The form must include the~~  
21.34 ~~following~~ may send to the corporation, using the information provided by the corporation  
21.35 pursuant to section 5.002 or 5.34 or the application for certificate of authority, a notice:

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22.1 announcing the need to file the annual renewal and informing the corporation that the  
22.2 annual renewal may be filed online and that paper filings may also be made, and informing  
22.3 the corporation that failing to file the annual renewal will result in an administrative  
22.4 dissolution or revocation of certificate of authority to do business in Minnesota.

22.5 ~~"NOTICE: Failure to file this form by December 31 of this year will result in the~~  
22.6 ~~revocation of the authority of this corporation to transact business in Minnesota without~~  
22.7 ~~further notice from the secretary of state, pursuant to Minnesota Statutes, section 303.17."~~

22.8 The corporation will submit a \$115 fee with the annual registration renewal and will  
22.9 set forth on the form: the items required by section 5.34.

22.10 ~~(1) the name of the corporation, and, if the corporation has designated an alternate~~  
22.11 ~~name pursuant to section 303.05, subdivision 1, that alternate name;~~

22.12 ~~(2) the name of the registered agent of the corporation in Minnesota;~~

22.13 ~~(3) the address of its registered office;~~

22.14 ~~(4) the state of incorporation; and~~

22.15 ~~(5) the name and business address of the officer or other person exercising the~~  
22.16 ~~principal functions of the chief executive officer of the corporation.~~

22.17 Sec. 17. Minnesota Statutes 2008, section 303.16, subdivision 4, is amended to read:

22.18 Subd. 4. **Approval; filing.** The application for withdrawal shall be delivered to  
22.19 the secretary of state. Upon receiving and examining the same, and upon finding that it  
22.20 conforms to the provisions of this chapter, the secretary of state shall, when all license  
22.21 fees, filing fees, and other charges other than the fee required by section 303.14 have been  
22.22 paid as required by law, file the same and shall issue and record a certificate of withdrawal.  
22.23 Upon the issuance of the certificate, the authority of the corporation to transact business  
22.24 in this state shall cease.

22.25 Sec. 18. Minnesota Statutes 2008, section 308A.995, is amended to read:

22.26 **308A.995 PERIODIC REGISTRATION ANNUAL RENEWAL.**

22.27 Subdivision 1. ~~Periodic registration in certain years~~ **Annual renewal.** Each  
22.28 cooperative governed by this chapter must file ~~a periodic registration~~ an annual renewal  
22.29 with the secretary of state in each odd-numbered calendar year following the calendar year  
22.30 in which the cooperative was incorporated. ~~In these years,~~ The secretary of state ~~must~~ may  
22.31 ~~mail by first class mail a registration form to the registered office of each cooperative as~~  
22.32 ~~shown on the records of the secretary of state, or if no such address is in the records, to the~~  
22.33 ~~location of the principal place of business shown on the records of the secretary of state.~~  
22.34 ~~The form must include the following notice:~~ send annually to the cooperative, using the

23.1 information provided by the cooperative pursuant to section 5.002 or 5.34 or the articles of  
23.2 incorporation, a notice announcing the need to file the annual renewal and informing the  
23.3 cooperative that the annual renewal may be filed online and that paper filings may also be  
23.4 made, and informing the cooperative that failing to file the annual renewal will result in an  
23.5 administrative dissolution of the cooperative.

23.6 ~~"NOTICE: Failure to file this form by December 31 of this year will result in the~~  
23.7 ~~dissolution of this cooperative without further notice from the secretary of state, pursuant~~  
23.8 ~~to Minnesota Statutes, section 308A.995, subdivision 4, paragraph (b)."~~

23.9 Subd. 2. **Minnesota cooperative ~~registration~~ renewal form.** In each calendar year  
23.10 in which a ~~registration~~ renewal is to be filed, a cooperative must file with the secretary of  
23.11 state ~~a registration~~ an annual renewal by December 31 of that calendar year containing:  
23.12 the items required by section 5.34.

23.13 ~~(1) the name of the cooperative;~~

23.14 ~~(2) the address of its registered office;~~

23.15 ~~(3) the address of its principal place of business, if different from the registered~~  
23.16 ~~office address; and~~

23.17 ~~(4) the name and business address of the officer or other person exercising the~~  
23.18 ~~principal functions of the chief executive officer of the cooperative.~~

23.19 ~~Subd. 3. **Information public.** The information required by subdivision 1 is public~~  
23.20 ~~data.~~

23.21 Subd. 4. **Penalty; dissolution.** (a) A cooperative that has failed to file a ~~registration~~  
23.22 renewal pursuant to the requirements of this section by December 31 of the calendar year  
23.23 for which the ~~registration~~ renewal was required must be dissolved by the secretary of  
23.24 state as described in paragraph (b).

23.25 (b) If the cooperative has not filed the ~~registration~~ renewal by December 31 of that  
23.26 calendar year, the secretary of state must issue a certificate of involuntary dissolution, and  
23.27 the certificate must be filed in the Office of the Secretary of State. The secretary of state  
23.28 must make available in an electronic format the names of the dissolved cooperatives. A  
23.29 cooperative dissolved in this manner is not entitled to the benefits of section 308A.981.

23.30 Subd. 5. **Reinstatement.** A cooperative may retroactively reinstate its existence  
23.31 by filing a single annual ~~registration~~ renewal and paying a \$25 fee. Filing the annual  
23.32 ~~registration~~ renewal with the secretary of state:

23.33 (1) returns the cooperative to active status as of the date of the dissolution;

23.34 (2) validates contracts or other acts within the authority of the articles, and the  
23.35 cooperative is liable for those contracts or acts; and

24.1 (3) restores to the cooperative all assets and rights of the cooperative and its  
24.2 shareholders or members to the extent they were held by the cooperative and its  
24.3 shareholders or members before the dissolution occurred, except to the extent that  
24.4 assets or rights were affected by acts occurring after the dissolution or sold or otherwise  
24.5 distributed after that time.

24.6 **EFFECTIVE DATE.** This section is effective 30 days after the secretary of state  
24.7 certifies that the information systems of the Office of the Secretary of State have been  
24.8 modified to implement this section.

24.9 Sec. 19. Minnesota Statutes 2008, section 308B.121, subdivision 1, is amended to read:

24.10 Subdivision 1. ~~Periodic registration in certain years~~ Annual renewal. Each  
24.11 cooperative governed by this chapter ~~and each foreign cooperative registered under~~  
24.12 ~~section 308B.151~~ must file a ~~periodic registration~~ an annual renewal with the secretary  
24.13 of state ~~with the initial articles and any amendment of the articles in each odd-numbered~~  
24.14 calendar year after the calendar year in which the cooperative incorporated. ~~In these years,~~  
24.15 The secretary of state ~~must mail by first class mail a registration form to the registered~~  
24.16 ~~office of each cooperative and registered foreign cooperative as shown in the records of~~  
24.17 ~~the secretary of state, or if no such address is in the records, to the location of the principal~~  
24.18 ~~place of business shown in the records of the secretary of state. For a cooperative, the~~  
24.19 ~~form must include the following notice:~~ may send annually to each cooperative, using the  
24.20 information provided by the cooperative pursuant to section 5.002 or 5.34 or the articles of  
24.21 organization, a notice announcing the need to file the annual renewal and informing the  
24.22 cooperative that the annual renewal may be filed online and that paper filings may also  
24.23 be made, and informing the cooperative that failing to file the annual renewal will result  
24.24 in an administrative dissolution.

24.25 ~~"NOTICE: Failure to file this form by December 31 of this year will result in the~~  
24.26 ~~dissolution of this cooperative without further notice from the secretary of state, under~~  
24.27 ~~Minnesota Statutes, section 308B.121, subdivision 4, paragraph (b)."~~

24.28 ~~For a foreign cooperative, the form must contain the following notice:~~

24.29 ~~"NOTICE: Failure to file this form by December 31 of this year will result in the~~  
24.30 ~~loss of good standing and the authority to do business in Minnesota."~~

24.31 **EFFECTIVE DATE.** This section is effective 30 days after the secretary of state  
24.32 certifies that the information systems of the Office of the Secretary of State have been  
24.33 modified to implement this section.



25.1 Sec. 20. Minnesota Statutes 2008, section 308B.121, subdivision 2, is amended to read:

25.2 Subd. 2. **Registration Renewal form.** In each calendar year in which a ~~registration~~  
25.3 renewal is to be filed, a cooperative must file with the secretary of state ~~a registration~~ by  
25.4 December 31 of that calendar year a renewal containing the items required by section  
25.5 5.34.

25.6 ~~(1) the name of the cooperative;~~

25.7 ~~(2) the address of its registered office;~~

25.8 ~~(3) the address of its principal place of business, if different from the registered~~  
25.9 ~~office address; and~~

25.10 ~~(4) the name and business address of the officer or other person exercising the~~  
25.11 ~~principal functions of the chief executive officer of the cooperative.~~

25.12 **EFFECTIVE DATE.** This section is effective 30 days after the secretary of state  
25.13 certifies that the information systems of the Office of the Secretary of State have been  
25.14 modified to implement this section.

25.15 Sec. 21. Minnesota Statutes 2008, section 317A.823, is amended to read:

25.16 **317A.823 ANNUAL CORPORATE ~~REGISTRATION~~ RENEWAL.**

25.17 Subdivision 1. **Annual ~~registration~~ renewal.** (a) The secretary of state ~~must~~ may  
25.18 send annually to each corporation ~~at the registered office of the corporation,~~ using the  
25.19 information provided by the corporation pursuant to section 5.002 or 5.34 or the articles of  
25.20 incorporation, a ~~postcard~~ notice announcing the need to file the annual ~~registration~~ renewal  
25.21 and informing the corporation that the annual ~~registration~~ renewal may be filed online and  
25.22 that paper filings may also be made, and informing the corporation that failing to file the  
25.23 annual ~~registration~~ renewal will result in an administrative dissolution of the corporation.

25.24 (b) Each calendar year beginning in the calendar year following the calendar year  
25.25 in which a corporation incorporates, a corporation must file with the secretary of state  
25.26 by December 31 of each calendar year a registration containing the information ~~listed~~  
25.27 ~~in paragraph (c)~~ required by section 5.34.

25.28 ~~(c) The registration must include:~~

25.29 ~~(1) the name of the corporation;~~

25.30 ~~(2) the address of its registered office;~~

25.31 ~~(3) the name of its registered agent, if any; and~~

25.32 ~~(4) the name and business address of the officer or other person exercising the~~  
25.33 ~~principal functions of president of the corporation.~~

26.1 Subd. 2. **Penalty.** (a) A corporation that has failed to file a ~~registration~~ renewal  
26.2 pursuant to ~~the requirements of~~ subdivision 1 must be dissolved by the secretary of state  
26.3 as described in paragraph (b).

26.4 (b) If the corporation has not filed the delinquent ~~registration~~ renewal, the secretary  
26.5 of state must issue a certificate of involuntary dissolution, and the certificate must be filed  
26.6 in the Office of the Secretary of State. The secretary of state must also make available in  
26.7 an electronic format the names of the dissolved corporations. A corporation dissolved in  
26.8 this manner is not entitled to the benefits of section 317A.781.

26.9 Sec. 22. Minnesota Statutes 2008, section 321.0206, is amended to read:

26.10 **321.0206 DELIVERY TO AND FILING OF RECORDS BY SECRETARY OF**  
26.11 **STATE; EFFECTIVE TIME AND DATE.**

26.12 (a) A record authorized or required to be delivered to the secretary of state for filing  
26.13 under this chapter must be captioned to describe the record's purpose, be in a medium  
26.14 permitted by the secretary of state, and be delivered to the secretary of state. Unless the  
26.15 secretary of state determines that a record does not comply with the filing requirements  
26.16 of this chapter, and if the appropriate filing fees have been paid, the secretary of state  
26.17 shall file the record and:

26.18 (1) for a statement of dissociation, send:

26.19 (A) a copy of the filed statement to the person which the statement indicates has  
26.20 dissociated as a general partner; and

26.21 (B) a copy of the filed statement to the limited partnership;

26.22 (2) for a statement of withdrawal, send:

26.23 (A) a copy of the filed statement to the person on whose behalf the record was  
26.24 filed; and

26.25 (B) if the statement refers to an existing limited partnership, a copy of the filed  
26.26 statement to the limited partnership; and

26.27 (3) for all other records, send a copy of the filed record to the person on whose  
26.28 behalf the record was filed.

26.29 (b) Upon request and payment of a fee, the secretary of state shall send to the  
26.30 requester a certified copy of the requested record.

26.31 (c) Except as otherwise provided in sections 321.0116 and 321.0207, a record  
26.32 delivered to the secretary of state for filing under this chapter may specify an effective  
26.33 time and a delayed effective date. Except as otherwise provided in this chapter, a record  
26.34 filed by the secretary of state is effective:

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27.1 (1) if the record does not specify an effective time and does not specify a delayed  
27.2 effective date, on the date and at the time the record is filed as evidenced by the secretary  
27.3 of state's endorsement of the date and time on the record;

27.4 (2) if the record specifies an effective time but not a delayed effective date, on the  
27.5 date the record is filed at the time specified in the record;

27.6 (3) if the record specifies a delayed effective date but not an effective time, at 12:01  
27.7 a.m. on the earlier of:

27.8 (A) the specified date; or

27.9 (B) the 30th day after the record is filed; or

27.10 (4) if the record specifies an effective time and a delayed effective date, at the  
27.11 specified time on the earlier of:

27.12 (A) the specified date; or

27.13 (B) the 30th day after the record is filed.

27.14 (d) The appropriate fees for filings under this chapter are:

27.15 (1) for filing a certificate of limited partnership, \$100;

27.16 (2) for filing an amended certificate of limited partnership, \$50;

27.17 (3) for filing a name reservation for a limited partnership name, \$35;

27.18 ~~(3)~~ (4) for filing any other record, other than the annual ~~report~~ renewal required by  
27.19 section 321.0210, for which no fee must be charged, required or permitted to be delivered  
27.20 for filing, ~~\$35~~ \$50;

27.21 ~~(4)~~ (5) for filing a certificate requesting authority to transact business in Minnesota  
27.22 as a foreign limited partnership, ~~\$85~~ \$100;

27.23 ~~(5)~~ (6) for filing an application of reinstatement, \$25;

27.24 ~~(6)~~ (7) for filing a name reservation for a foreign limited partnership name, \$35; and

27.25 ~~(7)~~ (8) for filing any other record, other than the annual ~~report~~ renewal required by  
27.26 section 321.0210, for which no fee must be charged, required or permitted to be delivered  
27.27 for filing on a foreign limited partnership authorized to transact business in Minnesota,  
27.28 \$50.

27.29 Sec. 23. Minnesota Statutes 2008, section 321.0210, is amended to read:

27.30 **321.0210 ANNUAL ~~REPORT~~ RENEWAL FOR SECRETARY OF STATE.**

27.31 (a) Subject to subsection (b):

27.32 (1) in each calendar year following the calendar year in which a limited partnership  
27.33 becomes subject to this chapter, the limited partnership must deliver to the secretary of  
27.34 state for filing an annual ~~registration~~ renewal containing the information required by  
27.35 subsection (c); and

28.1 (2) in each calendar year following the calendar year in which there is first on file  
28.2 with the secretary of state a certificate of authority under section 321.0904 pertaining to a  
28.3 foreign limited partnership, the foreign limited partnership must deliver to the secretary  
28.4 of state for filing an annual ~~registration~~ renewal containing the information required by  
28.5 subsection (c).

28.6 (b) A limited partnership's obligation under subsection (a) ends if the limited  
28.7 partnership delivers to the secretary of state for filing a statement of termination under  
28.8 section 321.0203 and the statement becomes effective under section 321.0206. A foreign  
28.9 limited partnership's obligation under subsection (a) ends if the secretary of state issues  
28.10 and files a certificate of revocation under section 321.0906 or if the foreign limited  
28.11 partnership delivers to the secretary of state for filing a notice of cancellation under  
28.12 section 321.0907(a) and that notice takes effect under section 321.0206. If a foreign  
28.13 limited partnership's obligations under subsection (a) end and later the secretary of state  
28.14 files, pursuant to section 321.0904, a new certificate of authority pertaining to that foreign  
28.15 limited partnership, subsection (a)(2), again applies to the foreign limited partnership and,  
28.16 for the purposes of subsection (a)(2), the calendar year of the new filing is treated as the  
28.17 calendar year in which a certificate of authority is first on file with the secretary of state.

28.18 (c) The annual ~~registration~~ renewal must contain: ~~the items required by section 5.34.~~

28.19 ~~(1) the name of the limited partnership or foreign limited partnership;~~

28.20 ~~(2) the address of its designated office and the name and street and mailing address~~  
28.21 ~~of its agent for service of process in Minnesota and, if the agent is not an individual, the~~  
28.22 ~~name, street and mailing address, and telephone number of an individual who may be~~  
28.23 ~~contacted for purposes other than service of process with respect to the limited partnership;~~

28.24 ~~(3) in the case of a limited partnership, the street and mailing address of its principal~~  
28.25 ~~office; and~~

28.26 ~~(4) in the case of a foreign limited partnership, the name of the state or other~~  
28.27 ~~jurisdiction under whose law the foreign limited partnership is formed and any alternate~~  
28.28 ~~name adopted under section 321.0905(a).~~

28.29 (d) The secretary of state shall:

28.30 (1) administratively dissolve under section 321.0809 a limited partnership that has  
28.31 failed to file a ~~registration~~ renewal pursuant to subsection (a); and

28.32 (2) revoke under section 321.0906 the certificate of authority of a foreign limited  
28.33 partnership that has failed to file a ~~registration~~ renewal pursuant to subsection (a).

29.1 Sec. 24. Minnesota Statutes 2008, section 321.0810, is amended to read:

29.2 **321.0810 REINSTATEMENT FOLLOWING ADMINISTRATIVE**  
29.3 **DISSOLUTION.**

29.4 (a) A limited partnership that has been administratively dissolved or a foreign  
29.5 limited partnership that has had its certificate of authority revoked may ~~apply to the~~  
29.6 ~~secretary of state for reinstatement~~ reinstate after the effective date of dissolution. ~~The~~  
29.7 ~~application~~ To reinstate, the annual renewal required by section 5.34 must be delivered to  
29.8 the secretary of state for filing ~~and state:~~ with the reinstatement fee of \$25.

29.9 ~~(1) the name of the limited partnership and the effective date of its administrative~~  
29.10 ~~dissolution;~~

29.11 ~~(2) that the grounds for dissolution either did not exist or have been eliminated; and~~

29.12 ~~(3) that the limited partnership's name satisfies the requirements of section 321.0108.~~

29.13 ~~The application must also include any documents that were required to be delivered~~  
29.14 ~~for filing to the secretary of state but which were not so delivered.~~

29.15 (b) If the secretary of state determines that ~~an application~~ an annual renewal contains  
29.16 the information required by subsection (a) and that the information is correct and ~~the~~  
29.17 ~~application includes~~ is accompanied by the appropriate fee, the secretary of state shall file  
29.18 the ~~reinstatement application and serve the limited partnership with a copy~~ renewal and  
29.19 reinstate the limited partnership or foreign limited partnership.

29.20 (c) When reinstatement becomes effective, it relates back to and takes effect as of the  
29.21 effective date of the administrative dissolution or revocation and the limited partnership  
29.22 may resume its activities as if the administrative dissolution or revocation had never  
29.23 occurred, except that for the purposes of section 321.0103(c) and (d) the reinstatement  
29.24 is effective only as of the date the reinstatement is filed.

29.25 Sec. 25. Minnesota Statutes 2008, section 322B.960, is amended to read:

29.26 **322B.960 ANNUAL ~~REGISTRATION~~ RENEWAL.**

29.27 Subdivision 1. **Annual ~~registration~~ renewal form.** (a) The secretary of state  
29.28 ~~must~~ may send annually to each limited liability company ~~at the registered office of the~~  
29.29 ~~corporation a postcard,~~ using the information provided by the limited liability company  
29.30 pursuant to section 5.002 or 5.34 or the articles of organization, a notice announcing the  
29.31 need to file the annual ~~registration~~ renewal and informing the limited liability company  
29.32 that the annual ~~registration~~ renewal may be filed online and that paper filings may also be  
29.33 made, and informing the limited liability company that failing to file the annual ~~registration~~  
29.34 renewal will result in an administrative termination of the limited liability company or the  
29.35 revocation of the authority of the limited liability company to do business in Minnesota.

30.1 (b) Each calendar year beginning in the calendar year following the calendar year in  
30.2 which a limited liability company files articles of organization, a limited liability company  
30.3 must file with the secretary of state by December 31 of each calendar year a ~~registration~~  
30.4 renewal containing the ~~information listed in subdivision 2~~ items required by section 5.34.

30.5 ~~Subd. 2. Information required; fees.~~ The registration must include:

30.6 ~~(1) the name of the limited liability company or the name under which a foreign~~  
30.7 ~~limited liability company has registered in this state;~~

30.8 ~~(2) the address of its principal executive office, if different from the registered~~  
30.9 ~~address;~~

30.10 ~~(3) the address of its registered office;~~

30.11 ~~(4) the name of its registered agent, if any;~~

30.12 ~~(5) the state or jurisdiction of organization; and~~

30.13 ~~(6) the name and business address of the manager or other person exercising the~~  
30.14 ~~principal functions of the chief manager of the limited liability company.~~

30.15 Subd. 4. **Penalty.** (a) A domestic limited liability company that has not filed  
30.16 a ~~registration renewal~~ pursuant to ~~the requirements of subdivision 2~~, this section is  
30.17 administratively terminated. The secretary of state shall issue a certificate of administrative  
30.18 termination which must be filed in the office of the secretary of state. The secretary of  
30.19 state must also make available in an electronic format the names of the terminated limited  
30.20 liability companies.

30.21 (b) A non-Minnesota limited liability company that has not filed a ~~registration~~  
30.22 renewal pursuant to ~~the requirements of subdivision 2~~, this section shall have its authority  
30.23 to do business in Minnesota revoked. The secretary of state must issue a certificate of  
30.24 revocation which must be filed in the Office of the Secretary of State. The secretary  
30.25 of state must also make available in an electronic format the names of the revoked  
30.26 non-Minnesota limited liability companies.

30.27 Subd. 5. **Reinstatement.** If a limited liability company is administratively  
30.28 terminated or has its authority to do business in Minnesota revoked, it may retroactively  
30.29 reinstate its existence or authority to do business by filing a single annual ~~registration~~  
30.30 renewal and paying a \$25 fee.

30.31 (a) For a domestic limited liability company, filing the annual ~~registration renewal~~  
30.32 with the secretary of state:

30.33 (1) returns the limited liability company to active status as of the date of the  
30.34 administrative termination;

30.35 (2) validates contracts or other acts within the authority of the articles, and the  
30.36 limited liability company is liable for those contracts or acts; and

31.1 (3) restores to the limited liability company all assets and rights of the limited  
31.2 liability company and its members to the extent they were held by the limited liability  
31.3 company and its members before the administrative termination occurred, except to the  
31.4 extent that assets or rights were affected by acts occurring after the termination, sold, or  
31.5 otherwise distributed after that time.

31.6 (b) For a non-Minnesota limited liability company, filing the annual ~~registration~~  
31.7 renewal restores the limited liability company's ability to do business in Minnesota and  
31.8 the rights and privileges which accompany that authority.

31.9 Sec. 26. Minnesota Statutes 2008, section 323A.1003, is amended to read:

31.10 **323A.1003 ANNUAL ~~REGISTRATION~~ RENEWAL.**

31.11 (a) Each calendar year beginning in the calendar year following the calendar year  
31.12 in which a partnership files a statement of qualification or in which a foreign partnership  
31.13 becomes authorized to transact business in this state, the secretary of state ~~must mail by~~  
31.14 ~~first class mail an annual registration form to the street address of the partnership's chief~~  
31.15 ~~executive office, if located in Minnesota, the office in this state, if the chief executive~~  
31.16 ~~office is not located in Minnesota, or address of the registered agent of the partnership~~  
31.17 ~~as shown on the records of the secretary of state when the chief executive office is not~~  
31.18 ~~located in Minnesota and no other Minnesota office exists~~ may send annually to the  
31.19 partnership or foreign partnership, using the information provided by the limited liability  
31.20 partnership pursuant to section 5.002 or 5.34 or the limited liability partnership statement  
31.21 of qualification, a notice. The ~~form must include the following~~ notice: will announce the  
31.22 need to file the annual renewal and will inform the partnership or foreign partnership that  
31.23 the annual renewal may be filed online and that paper filings may also be made and that  
31.24 ~~"NOTICE: failure to file this form~~ the notice by December 31 ~~of this year~~ will result  
31.25 in the revocation of the statement of qualification of this limited liability partnership.  
31.26 ~~without further notice from the secretary of state pursuant to Minnesota Statutes, section~~  
31.27 ~~323A.1003, subsection (d)."~~

31.28 (b) A limited liability partnership, and a foreign limited liability partnership  
31.29 authorized to transact business in this state, shall file an annual ~~registration~~ renewal in the  
31.30 office of the secretary of state which contains: the information required by section 5.34.

31.31 ~~(1) the name of the limited liability partnership and the state or other jurisdiction~~  
31.32 ~~under whose laws the foreign limited liability partnership is formed;~~

31.33 ~~(2) the street address, including the zip code, of the partnership's chief executive~~  
31.34 ~~office and, if different, the street address, including the zip code, of an office of the~~  
31.35 ~~partnership in this state, if any;~~

32.1 ~~(3) if the partnership does not have an office in this state, the name and street address,~~  
32.2 ~~including the zip code, of the partnership's current agent for service of process; and~~

32.3 ~~(4) if the agent for service of process under clause (3) is not an individual, the name,~~  
32.4 ~~street address, and telephone number of an individual who may be contacted for purposes~~  
32.5 ~~other than service of process with respect to the limited liability partnership.~~

32.6 (c) An annual registration renewal must be filed once each calendar year beginning  
32.7 in the year following the calendar year in which a partnership files a statement of  
32.8 qualification or a foreign partnership becomes authorized to transact business in this state.

32.9 (d) The secretary of state must revoke the statement of qualification of a partnership  
32.10 that fails to file an annual registration renewal when due or pay the required filing fee. The  
32.11 secretary of state must issue a certificate of revocation which must be filed in the office  
32.12 of the secretary of state. The secretary of state must also make available in an electronic  
32.13 format the names of the revoked limited liability companies.

32.14 (e) A revocation under subsection (d) only affects a partnership's status as a limited  
32.15 liability partnership and is not an event of dissolution of the partnership.

32.16 (f) A partnership whose statement of qualification has been revoked may apply  
32.17 to the secretary of state for reinstatement ~~within one year after the effective date of~~  
32.18 ~~the revocation~~. A partnership must file an annual registration renewal to apply for  
32.19 reinstatement and pay a reinstatement fee of ~~\$135~~ \$160.

32.20 (g) A reinstatement under subsection (f) relates back to and takes effect as of  
32.21 the effective date of the revocation, and the partnership's status as a limited liability  
32.22 partnership continues as if the revocation had never occurred.

32.23 Sec. 27. Minnesota Statutes 2008, section 333.055, is amended to read:

32.24 **333.055 TERM OF CERTIFICATE.**

32.25 Subdivision 1. **Application and renewal.** Filing of a certificate hereunder shall be  
32.26 ~~effective for a term of ten years from the date of filing and upon application filed within~~  
32.27 ~~the six-month period prior to the expiration of such term or a renewal thereof, on a form~~  
32.28 ~~prescribed by the secretary of state, upon filing and shall remain in effect as long as an~~  
32.29 annual renewal for the certificate may be renewed for additional ten-year terms. A renewal  
32.30 fee as specified herein, payable to the secretary of state, shall accompany the application  
32.31 for renewal. is filed in each calendar year following the calendar year in which the original  
32.32 filing was filed. The certificate expires in the calendar year following a calendar year in  
32.33 which the annual renewal was not filed. Notice of the annual renewal requirement must be  
32.34 provided to the person or entity submitting the certificate at the time of the original filing.



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33.1 ~~The secretary of state shall notify each business holding a certificate hereunder of~~  
33.2 ~~the necessity of renewal thereof by writing to the last known address of the business at~~  
33.3 ~~least six months prior to the certificate's expiration date.~~

33.4 Assumed name certificates on file with the secretary of state upon the effective  
33.5 date of this section are exempt from the renewal requirements of this section until the  
33.6 expiration of the original ten-year term.

33.7 Subd. 2. ~~**Existing certificates Reinstatement.** Any assumed name certificate of~~  
33.8 ~~record in the district courts and in force on July 1, 1978 shall continue in force without~~  
33.9 ~~the necessity of another filing under section 333.01 until July 31, 1979, at which time all~~  
33.10 ~~such certificates shall expire unless renewed as hereinafter provided. Any certificate~~  
33.11 ~~may be renewed by filing an application with the secretary of state on a form prescribed~~  
33.12 ~~by the secretary and paying the renewal fee prescribed by subdivision 3 within the six~~  
33.13 ~~month period prior to the expiration of the certificate that expires as a result of failing~~  
33.14 ~~to file the annual renewal may be reinstated by filing the annual renewal with the \$25~~  
33.15 ~~reinstatement fee.~~

33.16 Subd. 2a. **Annual renewal; contents.** The annual renewal filed under subdivision 1  
33.17 must include the assumed name and the address of the principal place of business.

33.18 Subd. 3. **Fees.** The secretary of state shall charge and collect: a fee of \$30 for  
33.19 each filing submitted with respect to an assumed name except for the annual renewal,  
33.20 for which no fee will be charged.

33.21 ~~(a) for the filing of each certificate or amended certificate of an assumed name - \$25;~~  
33.22 ~~(b) certificate renewal fee - \$25.~~

33.23 Subd. 4. **Secretary of state duties.** The secretary of state shall accept for filing all  
33.24 certificates and renewals thereof which comply with the provisions of sections 333.001 to  
33.25 333.06 and which are accompanied by the prescribed fees, notwithstanding the fact that  
33.26 the assumed name disclosed therein may not be distinguishable from one or more other  
33.27 assumed names already filed with the secretary of state. The secretary of state shall not  
33.28 accept for filing a certificate that discloses an assumed name that is not distinguishable  
33.29 from a corporate, limited liability company, limited liability partnership, cooperative, or  
33.30 limited partnership name in use or reserved in this state by another or a trade or service  
33.31 mark registered with the secretary of state, unless there is filed with the certificate a written  
33.32 consent, court decree of prior right, or affidavit of nonuser of the kind required by section  
33.33 302A.115, subdivision 1, clause (d). The secretary of state shall determine whether a name  
33.34 is distinguishable from another name for purposes of this subdivision.

33.35 **EFFECTIVE DATE; APPLICATION.** This section is effective 30 days after the  
33.36 secretary of state certifies that the information systems of the Office of the Secretary of

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34.1 State have been modified to implement this section, and this section applies to all existing  
34.2 and new assumed name certificates on and after that date.

34.3 Sec. 28. Minnesota Statutes 2008, section 336A.04, subdivision 3, is amended to read:

34.4 Subd. 3. **Fees.** The fee for filing and indexing a standard form or format for a lien  
34.5 notice, effective financing statement, or continuation statement, and stamping the date and  
34.6 place of filing on a copy of the filed document furnished by the filing party is ~~\$15 until~~  
34.7 ~~June 30, 2005. Effective July 1, 2005, the fee for each filing will be~~ as follows:

34.8 (1) \$20 for each effective financing statement and \$15 for each lien notice or other  
34.9 filing made through the Web interface of the Office of the Secretary of State; and

34.10 (2) \$25 for each effective financing statement and \$20 for each lien notice or other  
34.11 filing submitted in any other manner; and

34.12 (3) no fee will be charged for filing a termination statement.

34.13 Filing fees collected by a satellite office must be deposited in the general fund of the  
34.14 county in which the satellite office is located.

34.15 Sec. 29. Minnesota Statutes 2008, section 336A.09, subdivision 2, is amended to read:

34.16 Subd. 2. **Searches; fees.** (a) If a person makes a request, the filing officer shall  
34.17 conduct a search of the computerized filing system for effective financing statements or  
34.18 lien notices and statements of continuation of a particular debtor. The filing officer shall  
34.19 produce a report including the date, time, and results of the search by issuing:

34.20 (1) a listing of the file number, date, and hour of each effective financing statement  
34.21 found in the search and the names and addresses of each secured party on the effective  
34.22 financing statements or of each lien notice found in the search and the names and address  
34.23 of each lienholder on the lien notice; or

34.24 (2) upon request, both the report and photocopies of the effective financing  
34.25 statements or lien notices.

34.26 (b) The uniform fee for conducting a search and for preparing a report is \$20 per  
34.27 debtor name. ~~If an oral or facsimile response is requested, there is an additional fee of \$5~~  
34.28 ~~per debtor name requested. A fee of \$1 per page as set by section 5.12 will be charged for~~  
34.29 photocopies of effective financing statements, lien notices, continuation statements, or  
34.30 termination statements.

34.31 (c) Search fees collected by a satellite office must be deposited in the general fund of  
34.32 the county where the satellite office is located.

34.33 Sec. 30. Minnesota Statutes 2008, section 359.01, subdivision 3, is amended to read:

35.1 Subd. 3. **Fees.** (a) When making application for a commission the applicant must  
35.2 submit, along with the information required by the secretary of state, a nonrefundable  
35.3 fee of \$40.

35.4 (b) All fees shall be retained by the secretary of state and are nonreturnable, except  
35.5 ~~that for an overpayment of a fee is the subject of a refund upon proper application.~~

35.6 Sec. 31. **RACING LICENSE FEE RATIFICATION.**

35.7 The license fees in Minnesota Rules, part 7877.0120, are ratified by this act.

35.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.

35.9 Sec. 32. **TRAINING SERVICES.**

35.10 During the biennium ending June 30, 2011, state executive branch agencies must  
35.11 consider using services provided by government training services before contracting with  
35.12 other outside vendors for similar services.

35.13 Sec. 33. **REPEALER.**

35.14 Minnesota Statutes 2008, section 240A.08, is repealed.

APPENDIX  
Article locations in 09-3716

ARTICLE 1 STATE GOVERNMENT APPROPRIATIONS ..... Page.Ln 1.14  
ARTICLE 2 STATE GOVERNMENT OPERATIONS ..... Page.Ln 11.4