

vided the adjutant general authorizes such licenses. All provisions of chapter 340 shall apply to the sale of intoxicating liquor pursuant to such permits, provided that no municipal approval or licensing of premises shall be required.

Sec. 2. **EFFECTIVE DATE.** This act is effective on the day following its final enactment.

Approved April 3, 1976.

CHAPTER 161—S.F.No.2373

An act relating to estates; clarifies aspects of the law concerning administration of estates; harmonizes relevant registered land law with probate code; modifies document verification requirements; changes notice requirements; eliminates de novo appeals from probate court; authorizes the probate court to waive inheritance tax liens in supervised administrations; eliminates notice to attorney general for certain charitable devises; amending Minnesota Statutes 1974, Sections 524.1-310; 524.3-505; 524.3-908; 524.3-1003; 524.3-1007; 524.3-1201; 525.72; amending Minnesota Statutes, 1975 Supplement, Sections 501.79, Subdivision 2; 508.68; 524.1-401; 524.3-301; 524.3-306; 524.3-310; 524.3-403; 524.3-603; 524.3-801; 524.3-803; 524.3-806; 524.3-910; 524.3-1204; 524.4-204; and 525.31.

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

Section 1. Minnesota Statutes, 1975 Supplement, Section 501.79, is amended to read:

501.79 PROBATE PROCEEDINGS; ESTATES; BREACH OF TRUST; PROCEEDINGS TO SECURE COMPLIANCE. Subdivision 1. The attorney general may institute appropriate proceedings to secure compliance with the provisions of sections 501.71 to 501.81 and to secure the proper administration of any charitable trust. The powers and duties of the attorney general provided herein are in addition to his existing powers and duties.

Subd. 2. Except as provided in subdivision 3, the attorney general shall be notified of and has the right to participate as a party in all court proceedings:

(a) To terminate a charitable trust or to liquidate or distribute its assets, or

(b) To modify or depart from the objects or purposes of a charitable trust as are set forth in the instrument governing the trust, including any proceeding for the application of the doctrine of cy pres, or

(c) To construe the provisions of an instrument with respect to a

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charitable trust, or

(d) To review an accounting of a charitable trust submitted by a trustee, or

(e) Any other proceeding involving a charitable trust when the interests of the uncertain or indefinite charitable beneficiaries may be affected.

Subd. 3. No notice need be provided to the attorney general of a charitable devise under a will for which no charitable trust is created.

Subd. ~~2-4~~. A judgment or order rendered in proceedings without service of process and pleadings upon the attorney general, are voidable, unenforceable, and may be set aside at the option of the attorney general upon his motion seeking relief. With respect to those proceedings, no compromise, settlement agreement, contract or judgment agreed to by any or all of the parties having or claiming to have an interest in any charitable trust is valid unless the attorney general was made a party to the proceedings and joined in the compromise, settlement agreement, contract or judgment, or unless the attorney general, in writing waives his right to participate. The attorney general is expressly authorized to enter into a compromise, settlement agreement, contract or judgment as in his opinion may be in the best interests of the people of the state and the uncertain or indefinite beneficiaries.

Subd. ~~4-5~~. Whenever a will provides for a bequest or devise to a charitable trust, the personal representative shall send to the attorney general a copy of the petition or application for probate together with a copy of the last will and testament, including any codicils which have been admitted to probate. Whenever objections are filed to any will or codicil containing any bequest or devise to a charitable trust, the person filing such objections, at least 14 days prior to the hearing thereon, shall send to the attorney general a copy of such objections, together with a copy of the petition or application for probate and a copy of the will, together with any codicils thereto which have been offered for probate. Any notice or documents required to be sent to the attorney general pursuant to this section shall be served by certified mail, return receipt requested. Upon receiving any such notice or documents the attorney general may become a party in the estate proceedings.

Subd. ~~5-6~~. The failure of a trustee to register as required by section 501.75, or to file annual reports as required by section 501.76, or to administer and manage property held for charitable purposes in accordance with law or consistent with his fiduciary obligations constitutes a breach of trust.

Subd. ~~6-7~~. The attorney general may institute a civil action in order to remedy and redress a breach of trust, as described in subdivision ~~5-6~~ or as otherwise provided by law, committed by a trustee subject to the provisions of sections 501.71 to 501.81. Whenever it

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appears to the attorney general that a breach of trust has been committed, he is entitled to sue for and have:

(a) Injunctive relief in any court of competent jurisdiction against the breach of trust or threatened breach of trust;

(b) The removal of a trustee who has committed or is committing a breach of trust;

(c) The recovery of damages; and

(d) Any other appropriate remedy.

Sec. 2. Minnesota Statutes, 1975 Supplement, Section 508.68, is amended to read:

508.68 DEATH OF OWNER; ISSUANCE OF NEW CERTIFICATES. When the owner of registered land, or of any estate or interest therein, dies, having devised the same by will, the persons entitled thereto may file with the registrar a certified copy of such will ; ~~together with a certified copy of the order of the court admitting it to probate, and of the order of distribution, if any, and personal representative's deed or final decree of the court assigning the same; together with and the personal representative's deed of distribution together with any order of distribution, if there be one, or certified copy of any final decree, if there be one, assigning the same, and~~ the duplicate certificate issued to the testator, and thereupon the registrar shall cancel the duplicate certificate issued to the testator and issue a new duplicate certificate to the persons designated. When the owner of registered land, or of any estate or interest therein, dies, not having devised the same, the persons entitled thereto by law may file with the registrar the personal representative's deed of distribution together with a certified copy of the any order of distribution and personal representative's deed or , if there be one, or a certified copy of any final decree of the court assigning the same, together with the duplicate certificate issued to the intestate, and thereupon the registrar shall cancel the duplicate certificate issued to the intestate and issue a new duplicate certificate to the persons entitled thereto. If any—Unless restricted by letters testamentary or letters of administration, a personal representative with the will annexed is authorized by the terms of any will to grant, bargain, may sell, convey, or mortgage registered land ; he may do so in the same manner as if the land were registered in his name. Such personal representative shall first file with the registrar a certified copy of such any will ; together with a certified copy of the order of the court admitting the same to probate; and of the letters of the decedent and a certified copy of his letters .

Sec. 3. Minnesota Statutes 1974, Section 524.1-310, is amended to read:

524.1-310 OATH OR AFFIRMATION ON FILED DOCUMENTS.

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~~Except as otherwise specifically provided in this chapter or by rule, every document filed with the court under this chapter including applications, petitions, and demands for notice, shall be deemed to include an oath, affirmation, or statement to the effect that its representations are true as far as the person executing or filing it knows or is informed, and penalties for perjury may follow deliberate falsification therein. Every document filed with the court under this chapter or chapter 525 shall be verified except where the requirement of verification is waived by rule and except in the case of a pleading signed by an attorney in accordance with the rules of civil procedure. Whenever a document is required to be verified:~~

~~(1) such verification may be made by the unsworn written declaration of the party or parties signing the document that the representations made therein are known or believed to be true and that they are made under penalties for perjury, or~~

~~(2) such verification may be made by the affidavit of the party or parties signing the document that the representations made therein are true or believed to be true.~~

~~A party who makes a false material statement which he does not believe to be true in a document he verifies in accordance with the preceding sentence and files with the court under this chapter or chapter 525 shall be subject to the penalties for perjury.~~

Sec. 4. Minnesota Statutes, 1975 Supplement, Section 524.3-301, is amended to read:

524.3-301 INFORMAL PROBATE OR APPOINTMENT PROCEEDINGS; APPLICATION; CONTENTS. An informal probate proceeding is an informal proceeding for the probate of decedent's will with or without an application for informal appointment. An informal appointment proceeding is an informal proceeding for appointment of a personal representative in testate or intestate estates. These proceedings may be combined in a single proceeding. Applications for informal probate or informal appointment shall be directed to the registrar, and verified by the applicant, in accordance with section 524.1-310, to be accurate and complete to the best of his knowledge and belief as to the following information:

(1) Every application for informal probate of a will or for informal appointment of a personal representative, other than a special or successor representative, shall contain the following:

(i) a statement of the interest of the applicant;

(ii) the name, birthdate and date of death of the decedent, and the county and state of his domicile at the time of death, and the names and addresses of the spouse, children, heirs and devisees and the ages of any who are minors so far as known or ascertainable with reason-

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able diligence by the applicant;

(iii) if the decedent was not domiciled in the state at the time of his death, a statement showing venue;

(iv) a statement identifying and indicating the address of any personal representative of the decedent appointed in this state or elsewhere whose appointment has not been terminated;

(v) a statement indicating whether the applicant has received a demand for notice, or is aware of any demand for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this state or elsewhere.

(2) An application for informal probate of a will shall state the following in addition to the statements required by (1):

(i) that the original of the decedent's last will is in the possession of the court, or accompanies the application, or that an authenticated copy of a will probated in another jurisdiction accompanies the application;

(ii) that the applicant, to the best of his knowledge, believes the will to have been validly executed;

(iii) that after the exercise of reasonable diligence, the applicant is unaware of any instrument revoking the will, and that the applicant believes that the instrument which is the subject of the application is the decedent's last will;

(iv) that the time limit for informal probate as provided in this article has not expired either because three years or less have passed since the decedent's death, or, if more than three years from death have passed, that circumstances as described by section 524.3-108 authorizing tardy probate have occurred.

(3) An application for informal appointment of a personal representative to administer an estate under a will shall describe the will by date of execution and state the time and place of probate or the pending application or petition for probate. The application for appointment shall adopt the statements in the application or petition for probate and state the name, address and priority for appointment of the person whose appointment is sought.

(4) An application for informal appointment of an administrator in intestacy shall state in addition to the statements required by (1):

(i) that after the exercise of reasonable diligence, the applicant is unaware of any unrevoked testamentary instrument relating to property having a situs in this state under section 524.1-301, or, a statement why any such instrument of which he may be aware is not being

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probated;

(ii) the priority of the person whose appointment is sought and the names of any other persons having a prior or equal right to the appointment under section 524.3-203.

(5) An application for appointment of a personal representative to succeed a personal representative appointed under a different testacy status shall refer to the order in the most recent testacy proceeding, state the name and address of the person whose appointment is sought and of the person whose appointment will be terminated if the application is granted, and describe the priority of the applicant.

(6) An application for appointment of a personal representative to succeed a personal representative who has tendered a resignation as provided in section 524.3-610(c), or whose appointment has been terminated by death or removal, shall adopt the statements in the application or petition which led to the appointment of the person being succeeded except as specifically changed or corrected, state the name and address of the person who seeks appointment as successor, and describe the priority of the applicant.

Sec. 5. Minnesota Statutes 1974, Section 524.3-505, is amended to read:

524.3-505 SUPERVISED ADMINISTRATION; INTERIM ORDERS; DISTRIBUTION AND CLOSING ORDERS. Unless otherwise ordered by the court, supervised administration is terminated by order in accordance with time restrictions, notices and contents of orders prescribed for proceedings under section 524.3-1001. Interim orders approving or directing partial distributions, sale of property or granting other relief including, but not limited to, waiving the lien of inheritance taxes on specific property may be issued by the court at any time during the pendency of a supervised administration on the application of the personal representative or any interested person.

Sec. 6. Minnesota Statutes, 1975 Supplement, Section 524.3-603, is amended to read:

524.3-603 BOND NOT REQUIRED WITHOUT COURT ORDER; EXCEPTIONS. No bond is required of a personal representative appointed in informal proceedings, except (1) upon the appointment of a special administrator; (2) when an executor or other personal representative is appointed to administer an estate under a will containing an express requirement of bond or (3) when bond is required under section 524.3-605. No bond shall be required of a personal representative appointed in formal proceedings (1) if the will relieves the personal representative of bond, or (2) if all interested persons with an apparent interest in the estate in excess of \$1,000, other than creditors, make a written request that no bond be required, unless in either case the court determines that bond is required for the protection of interested

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persons. ~~Except as provided in the preceding sentence,~~ The court may by its order ~~require bond or~~ dispense with the requirement of bond at the time of appointment of a personal representative appointed in formal proceedings. No bond shall be required of any personal representative who, pursuant to statute, has deposited cash or collateral with an agency of this state to secure performance of his duties. If two or more persons are appointed corepresentatives and one of them has complied with the preceding sentence, no bond shall be required of any such corepresentatives.

Sec. 7. Minnesota Statutes, 1975 Supplement, Section 524.3-803, is amended to read:

524.3-803 LIMITATIONS ON PRESENTATION OF CLAIMS. (a) All claims as defined in section 524.1-201 (4) against a decedent's estate which arose before the death of the decedent, including claims of the state and any subdivision thereof, whether due or to become due, absolute or contingent, liquidated or unliquidated, if not barred earlier by other statute of limitations, are barred against the estate, the personal representative, and the heirs and devisees of the decedent, unless presented as follows:

(1) within four months after the date of the clerk of court's notice to creditors which is subsequently published pursuant to section 524.3-801;

(2) within three years after the decedent's death, if notice to creditors has not been published.

(b) All claims against a decedent's estate which arise at or after the death of the decedent, including claims of the state and any subdivision thereof, whether due or to become due, absolute or contingent, liquidated or unliquidated, are barred against the estate, the personal representative, and the heirs and devisees of the decedent, unless presented as follows:

(1) a claim based on a contract with the personal representative, within four months after performance by the personal representative is due;

(2) any other claim, within four months after it arises.

(c) Nothing in this section affects or prevents:

(1) any proceeding to enforce any mortgage, pledge, or other lien upon property of the estate; or

(2) any proceeding to establish liability of the decedent or the personal representative for which he is protected by liability insurance, to the limits of the insurance protection only.

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(3) the presentment and payment at any time before a petition is filed in compliance with sections 524.3-1001 or 524.3-1002 or a closing statement is filed under section 524.3-1003, of :

(i) any claim referred to in section 524.3-715 (18) although the same may be otherwise barred hereunder ;

(ii) any other claim which would otherwise be barred hereunder upon allowance by the court upon petition of the personal representative or the claimant for cause shown on notice and hearing as the court may direct .

~~(4) the personal representative from permitting the presentment to him of any claim which would otherwise be barred hereunder or, upon petition of a claimant whose claim is otherwise barred hereunder for cause shown and upon notice to the personal representative and to those other persons interested in the estate as the court may direct, the court from permitting the presentment of such claim to the personal representative.~~

Sec. 8. Minnesota Statutes, 1975 Supplement, Section 524.3-806, is amended to read:

524.3-806 ALLOWANCE OF CLAIMS. (a) As to claims presented in the manner described in section 524.3-804 within the time limit prescribed or permitted in section 524.3-803, the personal representative may mail a notice to any claimant stating that the claim has been disallowed. If, after allowing or disallowing a claim, the personal representative changes his decision concerning the claim, he shall notify the claimant. Without order of the court for cause shown, the personal representative may not change a disallowance of a claim after the time for the claimant to file a petition for allowance or to commence a proceeding on the claim has run and the claim has been barred. Every claim which is disallowed in whole or in part by the personal representative is barred so far as not allowed unless the claimant files a petition for allowance in the court or commences a proceeding against the personal representative not later than two months after the mailing of the notice of disallowance or partial allowance if the notice warns the claimant of the impending bar. Failure of the personal representative to mail notice to a claimant of action on his claim for two months after the time for original presentation of the claim has expired has the effect of a notice of allowance, except that upon petition of the personal representative and upon notice to the claimant, the court at any time before payment of such claim may for cause shown permit the personal representative to disallow such claim. Any claim in excess of \$3,000 for personal services rendered by an individual to the decedent including compensation of persons attending him during his last illness, and any claim of the personal representative which arose before the death of the decedent or in which the personal representative has an interest in excess of \$3,000 may be allowed only in compliance with subsection (b) of this section.

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(b) Upon the petition of the personal representative or of a claimant in a proceeding for the purpose, the court may allow in whole or in part any claim or claims presented to the personal representative or filed with the clerk of the court in due time and not barred by subsection (a) of this section. Notice in this proceeding shall be given to the claimant, the personal representative and those other persons interested in the estate as the court may direct by order entered at the time the proceeding is commenced.

(c) A judgment in a proceeding in another court against a personal representative to enforce a claim against a decedent's estate is an allowance of the claim.

(d) Unless otherwise provided in any judgment in another court entered against the personal representative, allowed claims bear interest at the legal rate for the period commencing 60 days after the time for original presentation of the claim has expired unless based on a contract making a provision for interest, in which case they bear interest in accordance with that provision. Notwithstanding the preceding sentence, claims that have been disallowed pursuant to clause (a) and are subsequently allowed by the personal representative or reduced to judgment shall bear interest at the legal rate from the latter of the following dates:

- (1) 60 days after the time for original presentation of the claim; or
- (2) the date the claim is allowed or the date judgment is entered.

Sec. 9. Minnesota Statutes 1974, Section 524.3-908, is amended to read:

524.3-908 DISTRIBUTION; RIGHT OR TITLE OF DISTRIBUTE. Proof that a distributee has received an instrument or deed of distribution of assets in kind, or payment in distribution, from a personal representative, is conclusive evidence that the distributee has succeeded to the interest of the decedent and the estate in the distributed assets, as against all persons interested in the estate, except that the personal representative may recover the assets or their value if the distribution was improper.

Sec. 10. Minnesota Statutes, 1975 Supplement, Section 524.3-910, is amended to read:

524.3-910 PURCHASERS FROM DISTRIBUTEES PROTECTED. If property distributed in kind or a security interest therein is acquired by a purchaser, or lender, for value from a distributee who has received an instrument or deed of distribution from the personal representative, the purchaser or lender takes title free of any claims of the estate and any interested person, and incurs no personal liability to the estate—them, whether or not the distribution was proper. To be protected under this provision, a purchaser or lender need not inquire

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whether a personal representative acted properly in making the distribution in kind.

Sec. 11. Minnesota Statutes 1974, Section 524.3-1003, is amended to read:

524.3-1003 CLOSING ESTATES; BY SWORN STATEMENT OF PERSONAL REPRESENTATIVE. (a) Unless prohibited by order of the court and except for estates being administered in supervised administration proceedings, a personal representative may close an estate by filing with the court no earlier than six months after the date of original appointment of a general personal representative for the estate, a ~~verified~~ statement stating that he, or a prior personal representative whom he has succeeded, has or have:

(1) published notice to creditors and that the first publication occurred more than six months prior to the date of the statement;

(2) fully administered the estate of the decedent by making payment, settlement or other disposition of all claims which were presented, expenses of administration and estate, inheritance and other taxes, except as specified in the statement, and that the assets of the estate have been inventoried and distributed to the persons entitled. If any claims, expenses or taxes remain undischarged, the statement shall state in detail other arrangements which have been made to accommodate outstanding liabilities; and

(3) sent a copy thereof to all distributees of the estate and to all creditors or other claimants of whom he is aware whose claims are neither paid nor barred and has furnished a full account in writing of his administration to the distributees whose interests are affected thereby.

(b) If no proceedings involving the personal representative are pending in the court one year after the closing statement is filed, the appointment of the personal representative terminates.

Sec. 12. Minnesota Statutes 1974, Section 524.3-1007, is amended to read:

524.3-1007 CERTIFICATE DISCHARGING LIENS SECURING FIDUCIARY PERFORMANCE. After his appointment has terminated, the personal representative, his sureties, or any successor of either, upon the filing of a ~~verified~~an application showing, so far as is known by the applicant, that no action concerning the estate is pending in any court, is entitled to receive a certificate from the registrar that the personal representative appears to have fully administered the estate in question. The certificate evidences discharge of any lien on any property given to secure the obligation of the personal representative in lieu of bond or any surety, but does not preclude action against the personal representative or the surety.

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Sec. 13. Minnesota Statutes 1974, Section 524.3-1201, is amended to read:

524.3-1201 COLLECTION OF PERSONAL PROPERTY BY AFFIDAVIT. (a) Thirty days after the death of a decedent, any person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action belonging to the decedent shall make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action to a person claiming to be the successor of the decedent upon being presented an affidavit made by or on behalf of the successor stating that:

(1) the value of the entire probate estate, wherever located, less liens and encumbrances, does not exceed \$5,000;

(2) 30 days have elapsed since the death of the decedent;

(3) no application or petition for the appointment of a personal representative is pending or has been granted in any jurisdiction; and

(4) the claiming successor is entitled to payment or delivery of the property.

(b) A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors upon the presentation of an affidavit as provided in subsection (a).

Sec. 14. Minnesota Statutes, 1975 Supplement, Section 524.3-1204, is amended to read:

524.3-1204 SMALL ESTATES; CLOSING BY SWORN STATEMENT OF PERSONAL REPRESENTATIVE. (a) Unless prohibited by order of the court and except for estates being administered by supervised personal representatives, a personal representative may close an estate administered under the summary procedures of section 524.3-1203 by filing with the court, at any time after disbursement and distribution of the estate, a ~~verified~~ statement stating that:

(1) to the best knowledge of the personal representative, the entire estate, less liens and encumbrances, did not exceed an exempt homestead as provided for in section 525.145, the allowances provided for in section 525.15, costs and expenses of administration, reasonable funeral expenses, and reasonable, necessary medical and hospital expenses of the last illness of the decedent;

(2) the personal representative has fully administered the estate by disbursing and distributing it to the persons entitled thereto; and

(3) the personal representative has sent a copy of the closing

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statement to all distributees of the estate and to all creditors or other claimants of whom he is aware whose claims are neither paid nor barred and has furnished a full account in writing of his administration to the distributees whose interests are affected.

(b) If no actions or proceedings involving the personal representative are pending in the court one year after the closing statement is filed, the appointment of the personal representative terminates.

(c) A closing statement filed under this section has the same effect as one filed under section 524.3-1003.

Sec. 15. Minnesota Statutes, 1975 Supplement, Section 525.31, is amended to read:

525.31 ESSENTIALS. Whenever any person has been dead for more than three years and has left real or personal property, or any interest therein, and no will or authenticated copy of a will probated outside this state in accordance with the laws in force in the place where probated has been probated nor proceedings had in this state, any interested person or assignee or successor of an interested person may petition the court of the county of the decedent's residence or of the county wherein such real or personal property, or any part thereof, is situated to determine the descent of such property and to assign such property to the persons entitled thereto.

Sec. 16. Minnesota Statutes 1974, Section 525.72, is amended to read:

525.72 TRIAL. Within 20 days after perfection of the appeal, the appellant shall file with the clerk of the district court, and serve upon the adverse party or his attorney a clear and concise statement of the proposition, both of law and of fact, upon which he will rely for reversal of the order, judgment, or decree appealed from; within 20 days after such service the adverse party may serve and file his answer thereto and the appellant, within 20 days thereafter, may serve and file a reply. If there be no reply, allegations of new matter in the answer shall be deemed denied. Demurrers shall not be permitted. The district court may allow or require any pleading to be amended, grant judgment on the pleadings, or, if the appellant fail to comply with the provisions hereof, dismiss the appeal.

After issues are so formed, the case may be brought on for trial by either party by the filing and service upon the attorney for the adverse party, or if he have none, then upon the clerk for him, of a notice of trial or note of issue, in accordance with the practice in the district court. Thereupon the cause shall be placed upon the calendar, tried, and determined ~~in the same manner as if originally commenced in that court.~~ All appeals other than those from the allowance or disallowance of a claim shall be tried by the court without a jury, unless the court orders the whole issue, or some specific question of fact involved

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therein; to be tried by a jury or referred upon the record, as provided in section 487.39, subdivisions 2 and 3, and the provisions thereof are hereby made applicable to all appeals under section 525.71.

Sec. 17. This act is effective the day after final enactment.

Approved April 3, 1976.

CHAPTER 162—S.F.No.2210

[Not Coded]

An act relating to Red River watershed; authorizing watershed districts which are members of the lower Red River watershed management board to levy a tax; authorizing the management board to institute certain projects; allowing the board to enter certain intergovernmental agreements.

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

Section 1. **RED RIVER WATERSHED; TAX BY WATERSHED DISTRICTS.** Each watershed district located within the counties of Kittson, Marshall, Polk, Pennington, Red Lake, Norman, Clay, Mahnomen, Clearwater, Roseau, Wilkin, Ottertail, and Becker, which district is a member of the lower Red River watershed management board, established by a joint powers agreement in accordance with the 1974 edition of Minnesota Statutes, Section 471.59, may levy an ad valorem tax not to exceed two mills on each dollar of assessed valuation of all taxable property within the district for a period not to exceed ten consecutive years. This levy shall be in excess of any levy authorized by the 1974 edition of Minnesota Statutes, Section 112.61. The proceeds of one-half of this levy shall be credited to the district's administrative fund and shall be used for the construction and maintenance of projects of common benefit to the district. The proceeds of the remaining one-half of this levy shall be credited to the construction fund of the lower Red River watershed management board and shall be used for the construction and maintenance of projects of common benefit to more than one member district.

Sec. 2. The lower Red River watershed management board may by resolution institute projects or works of common benefit to more than one member district and the expenses of the works or projects may be paid in any manner permitted by Minnesota Statutes, Chapter 112, provided, that the limitations of engineers' preliminary cost estimates specified in Minnesota Statutes, Section 112.48, Subdivision 4, shall not be applicable.

Sec. 3. The lower Red River watershed management board may cooperate with water management and flood control authorities in the State of North Dakota and the province of Manitoba and may enter

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