

court of competent jurisdiction in ~~such~~ an amount as the court directs, with sufficient sureties, conditioned upon the faithful discharge of its duties as ~~such~~ executor, administrator, trustee ~~or~~, guardian, or conservator, or, in lieu of ~~such~~ the bond, shall deposit securities with the state treasurer in the same manner and in the same amount as would be required under section 48.67, of a trust company organized under the laws of this state. This deposit shall be maintained until ~~such~~ the foreign trust association of a ~~conterminous~~ state shall cease to act as an executor, administrator, trustee ~~or~~, guardian, or conservator under this section. However, except as otherwise ordered by a court of competent jurisdiction, the requirements of this subdivision do not apply to a trustee with respect to a trust created otherwise than by will if the trust instrument requests or directs that a bond need not be required of the trustee.

Subd. 4. **RIGHTS AND DUTIES.** Any foreign trust association of a ~~conterminous~~ state acting as executor, administrator, trustee ~~or~~, guardian, or conservator has the rights, authority, and duties that a natural person resident in this state duly acting as ~~such~~ executor, administrator, trustee ~~or~~, guardian, or conservator has under the laws of this state.

Subd. 5. **SOLICITATION OF BUSINESS.** A foreign trust association of a ~~conterminous~~ state may not maintain an office within this state, but it may solicit business within this state if banking or trust associations or corporations organized under the laws of this state or national banking associations maintaining their principal offices in this state may solicit business in the state in which ~~such~~ the foreign trust association of a ~~conterminous~~ state maintains its principal office.

Subd. 6. **SERVICE OF PROCESS.** Service of process under this section may be made by delivering a copy to the secretary of state personally or by filing the same in his office, accompanied by one additional copy for each person so served, and by the mailing by the secretary of state of a copy by certified mail, not later than the business day following the day of ~~such~~ the service, to each person so served at ~~his~~ the address of each person as shown by the records in the office of the secretary of state.

Sec. 5. **EFFECTIVE DATE.**

Sections 1 to 4 are effective the day following final enactment.

Approved May 11, 1981

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CHAPTER 163 — S.F.No. 291

*An act relating to counties; repealing the law prohibiting persons holding the office of deputy sheriff from holding public office; prohibiting county commissioners from being employed by their counties; providing a penalty; amending Minnesota Statutes 1980, Sections 375.09; and 387.13.*

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

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

Section 1. Minnesota Statutes 1980, Section 375.09, is amended to read:

**375.09 MAY NOT HOLD OTHER OFFICE; NO INTEREST IN CONTRACT; VIOLATION; MALFEASANCE.**

No county commissioner shall be appointed or elected by the board of which he is a member to any office or position of trust or emolument nor employed by the county in which he is a commissioner, and no commissioner shall receive any money or other valuable thing as a condition of voting or inducement to vote for any contract or other thing under consideration by the board, or become a party to, or directly or indirectly interested in, any contract made by the board; and every appointment or election made and every contract or payment voted for or made contrary to the provisions of this section shall be void. Any violation of the provisions of this section shall be a malfeasance in office.

Sec. 2. Minnesota Statutes 1980, Section 387.13, is amended to read:

**387.13 PROHIBITIONS.**

No sheriff, deputy sheriff, or coroner shall appear or practice as an attorney, solicitor, or counselor at law in any court, or draw or fill up any process, pleading, or paper for any party in any action or proceeding, nor, with intent to be employed in the collection of any demand or the service of any process, advise or counsel any person to commence an action or proceeding; nor shall any sheriff ~~or deputy sheriff~~ be eligible to any other ~~lucrative civil elective office~~; ~~except city marshal~~. Either of such officers, for a violation of A sheriff, deputy sheriff, or coroner violating any of the provisions of this section, shall forfeit not to exceed \$50, to be recovered by the county in a civil action is guilty of a petty misdemeanor.

Approved May 11, 1981

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**CHAPTER 164 — S.F.No. 432**

*An act relating to taxation; providing dates for settlement of mortgage registry and deed tax receipts; providing for payment of excise tax on special fuel by bulk purchasers; clarifying responsibilities and authority of commissioner of revenue in administering and auditing mineral taxes; providing for filing requirements for royalty reports; amending Minnesota Statutes 1980, Sections 287.12; 287.29, Subdivision 1; 296.12, Subdivisions 3, 4, and 5, and by adding a subdivision; 298.09, by adding a subdivision; 298.15; 299.03; 299.05; and 299.12; and repealing Minnesota Statutes 1980, Section 287.29, Subdivision 2.*

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