

auditor may, with the approval of the county board and the commissioner of natural resources, and without first offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of peat from tax-forfeited lands upon such terms and conditions as the county board may prescribe.

Provided, however, that no lease for the removal of peat shall be made by the county auditor pursuant to this section without first holding a public hearing on his intention to lease. One printed notice in a legal newspaper in the county at least ten days before the hearing, and posted notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

Approved March 21, 1985

## CHAPTER 10 — H.F.No. 68

*An act relating to trusts; eliminating the requirement of qualifying trustees in certain cases; amending Minnesota Statutes 1984, section 524.3-913.*

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

Section 1. Minnesota Statutes 1984, section 524.3-913, is amended to read:

### 524.3-913 DISTRIBUTIONS TO TRUSTEE.

~~Before distributing to a testamentary trustee, the personal representative shall require that the trustee be qualified in a court of competent jurisdiction unless waived by the court or the will contains a waiver of qualification. Notwithstanding the waiver, upon petition of any interested person, the court may require qualification of the trustee in a court of competent jurisdiction. Qualification by a court of a testamentary trustee is not required before distributions can be made by a personal representative to the trustee, unless qualification is expressly requested by will or demanded by an interested person as follows:~~

(1) by written demand delivered or mailed to the personal representative,  
or

(2) by petition to the court having jurisdiction over the probate estate.

If demand is made, the personal representative shall require proof of qualification of the trustee in a court of competent jurisdiction and the personal representative shall not make distributions to the trustee until the trustee is qualified by the court.

### Sec. 2. EFFECTIVE DATE.

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

Section 1 is effective August 1, 1985, and applies to wills executed or amended on or after the effective date.

Approved March 21, 1985

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## CHAPTER 11 — S.F.No. 122

*An act relating to retirement; public employees retirement association; setting the salary range of the executive director; changing the membership of the board; providing qualifications for the executive director; requiring advice and consent of the senate for appointment of the executive director; defining the duties of the board; ending the terms of current board members; defining the duties of the executive director; amending Minnesota Statutes 1984, sections 15A.081, subdivision 1; 43A.04, subdivision 1; 43A.10, subdivision 6; and 353.03, subdivisions 1, 1a, 2, 3, 3a, and 5.*

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

Section 1. **FINDINGS.**

The legislature reaffirms that the public employees retirement association is a public agency, created by and subject to the control of the legislature. The legislature is responsible for assuring that the laws establishing the association lead to responsible governance and efficient administration. The legislature must assure that the board of trustees fulfills its fiduciary obligations to the state, to the taxpayers, and to the members of the association.

The legislature finds that actions of the association board of trustees have damaged public confidence in the association's ability to fulfill its fiduciary obligations and to operate in accordance with legislative intent. The legislature finds that this act is necessary to assure that the board of trustees will fulfill its fiduciary obligations and will responsibly administer the affairs of the association in keeping with legislative intent.

Sec. 2. Minnesota Statutes 1984, section 15A.081, subdivision 1, is amended to read:

Subdivision 1. **SALARY.** The governor shall set the salary rate within the ranges listed below for positions specified in this subdivision, upon approval of the legislative commission on employee relations and the legislature as provided by section 43A.18, subdivisions 2 and 5:

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