

Subdivision 1. MAHNOMEN COUNTY. Under Minnesota Statutes, section 645.023, subdivision 1, clause (a), section 2 is effective the day following final enactment without local approval for taxes levied by Mahnomen county in 1990, 1991, and 1992, payable in 1991, 1992, and 1993.

Subd. 2. CITY OF MAHNOMEN. Under Minnesota Statutes, section 645.023, subdivision 1, clause (a), section 3 is effective the day following final enactment without local approval for taxes levied by the city of Mahnomen in 1990, 1991, and 1992, payable in 1991, 1992, and 1993.

Presented to the governor February 15, 1991

Signed by the governor February 18, 1991, 10:00 a.m.

CHAPTER 4—S.F.No. 106

An act relating to property; permitting name or identity change of corporate mortgagee or assignee of mortgagee in the recital in a mortgage satisfaction or release to be recorded without further evidence of name or identity change; clarifying application of language regulating distributions to a testamentary trustee; amending Minnesota Statutes 1990, section 524.3-913; proposing coding for new law in Minnesota Statutes, chapter 507.

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

Section 1. **[507.411] SATISFACTION AND RELEASE OF MORTGAGES; CORPORATE NAME OR IDENTITY CHANGE.**

When a change in the name or identity of a corporate mortgagee or assignee of the mortgagee is caused by or results from a corporate merger, consolidation, amendment to charter or articles of incorporation, or conversion from federal to state charter or from state to federal charter, a mortgage satisfaction or release that is otherwise recordable and that specifies, in both the body and acknowledgment, the merger, consolidation, amendment, or conversion event causing the change in name or identity is in recordable form. The satisfaction or release is entitled to be recorded in the office of the county recorder or filed with the registrar of titles, without further evidence of corporate merger, consolidation, amendment of charter or articles of incorporation, or conversion. For purposes of satisfying or releasing the mortgage, the satisfaction or release is prima facie evidence of the facts stated in it with respect to the corporate merger, consolidation, amendment of charter or articles of incorporation, or conversion, and the county recorder and the registrar of titles shall rely upon it to satisfy or release the mortgage.

Sec. 2. Minnesota Statutes 1990, section 524.3-913, is amended to read:

524.3-913 DISTRIBUTIONS TO TRUSTEE.

New language is indicated by underline, deletions by ~~strikeout~~.

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.

This section applies to all testamentary trusts without regard to the date of execution of the will or to the date of death of the testator.

Sec. 3. **EFFECTIVE DATE.**

This act is effective the day following final enactment.

Presented to the governor March 6, 1991

Signed by the governor March 6, 1991, 4:25 p.m.

CHAPTER 5—H.F.No. 245

An act relating to education; providing for school consolidation in Kittson and Marshall counties in certain circumstances.

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

Section 1. MARSHALL OR KITTSOON COUNTY SCHOOL DISTRICT CONSOLIDATION.

Notwithstanding Minnesota Statutes, section 122.23, subdivision 13, if:

(1) a majority of the votes cast on the question at the election called under Minnesota Statutes, section 122.23, subdivision 9 or 10, approve a consolidation of two or more school districts that have central administrative offices located in Kittson county or Marshall county; and

(2) the necessary approving resolutions of boards entitled to act on the plat have been adopted,

the school board shall, within ten days of the election, notify the county auditor who shall, within ten days of the notice or of the expiration of the period during which an election can be called, issue an order setting the effective date of the

New language is indicated by underline, deletions by ~~strikeout~~.