

CHAPTER 554—S. F. No. 1015

An act to amend Minnesota Statutes 1941, Section 291.30, as amended by Laws 1943, Chapter 593, Section 6, relating to compounding of inheritance taxes in certain cases.

Be it enacted by the Legislature of the State of Minnesota :

Section 1. Minnesota Statutes 1941, Section 291.30, as amended by Laws 1943, Chapter 593, Section 6, is amended to read as follows:

291.30. When estate of non-resident not probated. The commissioner of taxation, by and with the *written* consent and approval of the attorney general, in case of a decedent whose estate has not been probated in this state, and *by and with the written* consent and approval of the probate judge in the case of a decedent whose estate is probated in this state, is hereby authorized and empowered to enter into an agreement with the *owners of any property or the representatives* of any estate or trust in which remainders or expectant estates are of such a nature or so disposed and circumstanced that the taxes are not presently payable or where the interests of the legatees, devisees, or other beneficiaries are or were not ascertainable under the provisions of this chapter, at the time fixed for the appraisal and determination of the tax on estates and interests transferred in fee, and to thereby compound the tax upon such transfers upon such terms as are deemed equitable and expedient; to grant a discharge to *such owners or representatives* on account thereof upon payment of the taxes provided for in such composition shall be conclusive in favor of *such owners or representatives* as against the interest of any such legatee, devisee, or other beneficiary as may possess either present rights of enjoyment, or fixed, absolute or indefeasible, rights of future enjoyment or as would possess such rights in the event of the immediate termination of any particular estate, unless *he* consent thereto either personally or by duly authorized attorney, when competent, or by guardian. Composition agreements made, *effected* and entered into under the provisions of this section shall be executed in triplicate, and one copy thereof filed in the probate court of the county in which the tax is to be paid, one copy in the office of the commissioner of taxation and one copy shall be delivered to the persons paying the tax thereunder.

The commissioner of taxation shall not consent to the assignment or delivery of any property embraced in any legacy, devise or transfer from a nonresident decedent to a nonresident trustee thereof under the provisions of *Minnesota Statutes 1941, Section 291.19*, where the property embraced in

such legacy, devise or transfer is so circumstanced and disposed of that the tax thereon cannot be presently ascertained, but is so circumstanced and disposed of as to authorize him to enter into a composition agreement with reference to the tax on any estate or interest therein as herein provided, until the tax on the transfer of any such estate or interest shall have been compounded and the tax paid as hereinbefore provided for; or in lieu thereof the trustee or other person to whom the possession of such property is delivered shall have made, executed and delivered to the commissioner of taxation, a bond to the State of Minnesota in an amount equal to the amount of tax which in any contingency may become due and owing to the state on account of the transfer of such property, such bond to be approved by the commissioner of taxation and conditioned for the payment to the state of Minnesota of any tax which may accrue to the state under this act on the subsequent transfer or delivery of the possession of such property to any person beneficially entitled thereto. The provisions of *Minnesota Statutes 1941, Sections 574.01, 574.12, and 574.15*, shall apply to the execution of said bond and the qualification of the surety or sureties thereon.

No property having its situs in this state embraced in any legacy or devise bequeathed or devised to a nonresident trustee and circumstanced or disposed of as last hereinbefore described, shall be decreed and distributed by any court of this state to such nonresident trustee until he shall have compounded and paid the tax as provided for in this section; or in lieu thereof given a bond to the state as provided for in this section with reference to transfers of property owned by nonresident decedents.

Approved April 23, 1945.

CHAPTER 555—S. F. No. 1018

An act relating to the powers of certain towns and town boards; authorizing such town boards to acquire lands for public parks and recreation purposes; to acquire lands for public dumping grounds; to provide for lighting of public highways and public grounds; to remove snow from public alleys and assess the property benefited; to construct and maintain storm sewers and reservoirs; to contract for making certain improvements, and to assess the costs to the property