

Section 1. Minnesota Statutes 1971, Section 525.64, is amended to read:

525.64 PROBATE CODE; SALES, LEASES AND MORTGAGES; PETITION, NOTICE, HEARING. A representative may file a petition to sell, mortgage, or lease alleging briefly the facts constituting the reasons for the application and describing the real estate involved therein. The petition may include all the real estate of the decedent or ward or any part or parts thereof. It may apply for different authority as to separate parcels. It may apply in the alternative for authority to sell, mortgage, or lease. Upon the filing of such petition, the court shall fix the time and place for the hearing thereof. Notice of the hearing shall state briefly the nature of the application made by the petition and shall be given pursuant to section 525.83 except that no publication is required unless otherwise ordered. Upon the hearing, the court shall have full power to direct the sale, mortgage, or lease of all the real estate described in the petition, or to direct the sale, mortgage, or lease of any one or more parcels thereof, provided that any such direction shall be within the terms of the application made by the petition. In any solvent estate, the court may grant the application without hearing where the court determines that all interested distributees have consented in writing thereto.

Sec. 2. This act shall be effective upon passage.

Approved May 19, 1973.

CHAPTER 406—H.F.No.248

An act relating to agriculture; soybean promotion board; promotion and financing; amending Minnesota Statutes 1971, Sections 21A.03; 21A.06; 21A.10; 21A.16, Subdivision 2; and 21A.18.

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

Section 1. Minnesota Statutes 1971, Section 21A.03, is amended to read:

21A.03 AGRICULTURE; SOYBEAN PROMOTION BOARD; MEMBERS. There is hereby created the Minnesota soybean ~~advisory~~ promotion board. Upon the petition of not less than ~~1,500~~ 500 soybean growers, the commissioner shall proceed to conduct an election to determine the members of the ~~advisory~~ promotion board.

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

The board shall consist of representative growers of the major soybean-producing crop reporting districts, as reported by the State-Federal Crop and Livestock Reporting Service, as follows: Each crop reporting district that reports soybean acreage and that has a five-year average soybean acreage of at least 5,000 acres, but not more than 300,000 acres, shall have one member; each district that reports a five-year average soybean acreage of at least 300,000 acres, but not more than 750,000 acres, shall have two members; and each district that reports a five-year average soybean acreage in excess of 750,000 acres shall have three members.

The commissioner shall appoint a nominating committee of two growers in each crop reporting district to be represented on the committee. This committee shall nominate two qualified nominees for each position or vacancy on the board. Such nominations shall be for the initial terms assigned to each district as provided in this section. The commissioner shall forthwith conduct an election in each crop reporting district among soybean growers in such manner as he deems fair and reasonable. Each ballot shall make provision for write-in votes and shall contain a certification by the grower that he is a qualified grower according to section 21A.02, subdivision 8. A plurality of the votes cast shall be sufficient to elect any candidate. The commissioner or his designee shall be an ex officio non-voting member of the advisory board.

Of the initial members of the board, the commissioner shall designate one third to serve for terms of one year, one third to serve for terms of two years, and one third to serve for terms of three years, provided that the terms assigned to initial members representing a single district shall all expire in different years.

The advisory promotion board shall elect annually from its membership a chairman and vice chairman and such other officers as it may deem appropriate.

Sec. 2. Minnesota Statutes 1971, Section 21A.06, is amended to read:

21A.06 PROMOTIONAL ORDER. The advisory promotion board shall meet as it may determine, or upon call of the chairman or any three members. Promptly after its election, the board shall meet and, with the commissioner, shall formulate a promotional order establishing a program including, but not limited to, market development, promotion, advertising, market research, production and distribution of soybeans grown in Minnesota. The order shall establish fees to be paid by growers to finance the proposed activities, which shall not exceed one-half cent per bushel upon all soybeans grown in the state of Minnesota and sold in commercial channels, beginning with and including soybeans harvested in the marketing year beginning September 1, ~~1969~~ 1973, and each and

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every marketing year thereafter. The order may also authorize the collector of the fee to retain an amount specified by the board for the expenses of collecting the fee.

The commissioner, with the advice and consent of the advisory promotion board, shall hold a public hearing on the proposed promotional order and shall thereafter hold a referendum on the final promotional order among growers. The commissioner, with the advice and consent of the advisory promotion board, shall specify the time and procedure for the referendum. The commissioner shall count and tabulate the ballots. The promotional order shall become effective if approved by ~~not less than two-thirds a~~ majority of those voting in the referendum.

Sec. 3. Minnesota Statutes 1971, Section 21A.10, is amended to read:

21A.10 COMPENSATION AND EXPENSES. No member of the advisory promotion board shall receive a salary. Each member, while engaged in the performance of the duties herein authorized, shall be entitled to his actual expenses incurred and to a reasonable per diem at a rate to be established by the board and approved by the commissioner, not to exceed \$35 per day, ~~not to exceed \$25 per day~~. The advisory promotion board may appoint an attorney for the ~~advisory promotion~~ board and the commissioner. The attorney so appointed shall act as attorney for the commissioner only in discharging any provision of sections 21A.01 to 21A.19. The advisory promotion board shall fix the compensation and terms of employment of the attorney who shall act for the commissioner and the board when required and shall serve at the pleasure of the board. The provisions of Minnesota Statutes, Chapter 8, shall not apply to this attorney.

Sec. 4. Minnesota Statutes 1971, Section 21A.16, Subdivision 2, is amended to read:

Subd. 2. If the commissioner, with the advice and consent of the advisory promotion board, finds that termination of any promotional order is requested in writing by more than ~~1,500~~ 500 growers, the commissioner shall conduct a referendum to determine whether or not the promotional order shall be continued. He shall terminate the promotional order if a majority of the growers voting in the referendum vote in favor of termination. The referendum shall be conducted in such manner as the commissioner, with the advice and consent of the advisory promotion board, deems fair and reasonable.

Sec. 5. Minnesota Statutes 1971, Section 21A.18, is amended to read:

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21A.18 APPROPRIATION OF FUNDS. Subdivision 1. In order to organize and expedite the operations of the board, there is appropriated to the commissioner of agriculture and the board from the general fund of the state treasury the sum of ~~\$25,000~~ \$15,000, to be available on ~~July 1, 1969~~ May 1, 1973.

Subd. 2. Within one year after the implementation of the initial promotional order, pursuant to the terms of sections 21A.01 to 21A.19, the board shall remit from fees collected under said order, to the state treasurer, the sum of ~~\$25,000~~ \$30,000 in reimbursement for the appropriation made under subdivision 1. This sum shall be deposited in the general fund.

Subd. 3. In the event that a promotional order is not implemented within ~~two~~ four years of the date of the passage of sections 21A.01 to 21A.19, the balance of the funds appropriated in subdivision 1 shall be remitted to the state treasurer and deposited in the general fund.

Approved May 19, 1973.

CHAPTER 407—H.F.No.346

An act relating to public water and sewer systems; powers of county boards and district courts; amending Minnesota Statutes 1971, Section 116A.01, Subdivision 1.

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

Section 1. Minnesota Statutes 1971, Section 116A.01, Subdivision 1, is amended to read:

116A.01 PUBLIC WATER AND SEWER SYSTEMS; POWERS OF COUNTY BOARDS AND OF DISTRICT COURTS. Subdivision 1. **GENERALLY.** The county boards of the several counties ~~except Mower county and~~, except counties in the seven county metropolitan area, and the district courts are authorized to make, with respect to any area of the county or judicial district not organized into cities or villages, all necessary orders for, and cause to be constructed and maintained, public water or sewer systems or combined water and sewer systems to serve such area, including outlets, treatment plants, pumps, lift stations, service connections, mains, valves, hydrants, wells, reservoirs, tanks, and other appurtenances of public water or sewer systems.

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