

CHAPTER 465—H.F.No.231

An act relating to the metropolitan sewer board; payment of annual credit to municipalities; amending Minnesota Statutes 1971, Section 473C.05, Subdivision 4.

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

Section 1. Minnesota Statutes 1971, Section 473C.05, Subdivision 4, is amended to read:

Subd. 4. **METROPOLITAN SEWER BOARD; MUNICIPALITIES; ANNUAL CREDIT; CURRENT VALUE OF EXISTING FACILITIES.** When the board assumes the ownership of any existing interceptors or treatment works as provided in subdivision 2 or 3, the local government unit or units which paid part or all of the cost of such facility, directly or pursuant to contracts for reimbursement of costs, shall be entitled to receive a credit against amounts to be allocated to them under section 473C.08, which may be spread over such period not exceeding 30 years as the board shall determine, and an additional credit equal to interest on the unused credit balance from time to time at the rate of four percent per annum. The amount of such credit shall equal the current value of the facility computed by the board in the manner provided in this subdivision at the time the board acquires it. The original cost of a facility shall be computed as the total actual costs of constructing it, including engineering, legal, and administrative costs, less any part of it paid from federal or state fund and less the principal amount of any then outstanding bonds which were issued to finance its construction. The original cost shall be multiplied by a factor equal to a current cost index divided by the same cost index at the time of construction, to determine replacement cost. The cost indices used shall be the Engineering News Record Construction Cost Indices for facilities or parts thereof completed before 1930, and the United States Public Health Service Federal Water Pollution Control Values for Sewer and Treatment Plant Construction, as applied to facilities or parts thereof completed in or after 1930. The current value of the facility shall be the replacement cost depreciated by 2.50 percent per annum from the date of construction of treatment works and 1.25 percent per annum from the date of construction of interceptors; and decreased further by a reasonable allowance for obsolescence if the board determines that the facility or any part thereof will not be useful for board purposes for at least the remaining period required to depreciate it fully, assuming no salvage value. The current value of each such facility shall be credited to each local government unit in proportion to the amount of the construction cost paid by that unit, as determined by the board, taking into account

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reimbursements previously made under contracts between any of the local government units. The board shall prepare an itemized statement of the amount of credit each local government unit is entitled to receive under this subdivision, and the years and amounts of installments of principal and interest thereon, and shall cause it to be mailed or delivered to the governing body of each local government unit concerned. The amount of the annual credits of principal and interest made under this subdivision to each local government unit shall be paid for as current costs of operation and maintenance of the facilities for which the credits were made. All credits allowed under this subdivision shall be used to finance current costs allocated to the local government unit by the board or for other sewer costs, and the credits shall not be considered as proceeds from the sale of municipal property so as to permit their use for other purposes.

Approved May 21, 1973.

CHAPTER 466—H.F.No.490

An act relating to decedent's estates; abolishing published notice of the hearing to settle and allow the final account; amending Minnesota Statutes 1971, Section 525.481.

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

Section 1. Minnesota Statutes 1971, Section 525.481, is amended to read:

525.481 PROBATE CODE; DECEDENT'S ESTATE; NOTICE; HEARING TO SETTLE FINAL ACCOUNT. Upon the filing of such petition, the court shall fix the time and place for the hearing thereof, ~~notice of which shall be given pursuant to section 525.33, except as provided in sections 525.304, 525.48 and 525.51.~~ Notice shall be given at least 14 days prior to the date fixed for hearing, by the petitioner, his attorney, or agent, who shall mail a copy of the notice to such persons as the court may direct, in addition to each heir, devisee, and legatee whose name and address are known to him and, if the decedent left heirs, devisees, or legatees in any foreign country, to the consul or representative referred to in section 525.28, or, if there be none, to the chief diplomatic representative of such country at Washington, D.C. or to the secretary of state at St. Paul, Minnesota, who shall forward the same to such

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