

*certain tillable parcels; responsibility for roads; retention of easements; authorizing exemptions.*

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

Section 1. **[89.022] DISPOSAL OF TILLABLE LAND IN MEMORIAL HARDWOOD FOREST.** Subdivision 1. If any parcel acquired for the Memorial Hardwood Forest after July 1, 1977 contains more than ten contiguous acres of tillable land adjacent to other tillable land or to a maintained public road or a farm homestead consisting of a residence and farm buildings abutting a maintained public road, the commissioner of natural resources shall either exchange the land for other land suitable for forest purposes or declare the land as surplus land to the commissioner of administration. The commissioner of administration shall offer the land for sale in the manner provided by law not less than six months after acquisition by the state and once thereafter in each of the next two years. Tillable land is land classified as class 1, 2, or 3 as defined by the United States soil conservation service. Notwithstanding any law to the contrary neither the state nor any of its subdivisions shall be required to construct or maintain any street, highway or other road to provide access to any parcel of land sold or exchanged pursuant to this section. The commissioner of natural resources may retain easements over parcels sold or exchanged pursuant to this section as are required for purposes of providing access to public waters or forest lands or access to insure stream bank stabilization and protection.

Subd. 2. The commissioner of natural resources may apply to the legislative commission on Minnesota resources for an exemption from the exchange or sale requirements of subdivision 1 in instances where it can be demonstrated that unique recreational, historical or scientific values would be destroyed by the exchange or sale of tillable land or a farm homestead. Exemptions shall be decided by the commission on an individual basis. If the application for exemption is not decided by the commission within 90 days, the application shall be deemed to have been denied.

Sec. 2. **[89.022] [Subd. 3.]** Moneys collected pursuant to section 1 shall be deposited in the general fund.

Sec. 3. This act is effective the day following final enactment.

Approved May 29, 1979.

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#### CHAPTER 249—S.F.No.1025

*An act relating to intoxicating liquor; permitting persons to hold more than one on-sale liquor license; amending Minnesota Statutes 1978, Section 340.13, Subdivisions 3 and 7.*

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

Section 1. Minnesota Statutes 1978, Section 340.13, Subdivision 3, is amended to

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read:

Subd. 3. **LIMITATIONS ON A LICENSE ISSUED TO A PERSON OR PLACE; PENALTY.** No more than one ~~off-sale~~ intoxicating liquor license shall be directly or indirectly issued to any one person or for any one place in each municipality. It is a gross misdemeanor for any person, partnership, or corporation to knowingly have or possess a direct or indirect interest in more than one off-sale license in each municipality and upon conviction therefor the governing body of such municipality may immediately revoke all licenses in which such person, partnership or corporation has an interest. The term "interest" includes any pecuniary interest in the ownership, operation, management, or profits of a retail liquor establishment, but does not include: bona fide loans; bona fide rental agreements; bona fide open accounts or other obligations held with or without security arising out of the ordinary and regular course of business of selling or leasing merchandise, fixtures or supplies to such establishment; an interest in a corporation owning or operating a hotel but having at least 150 or more rental units holding a liquor license in conjunction therewith; or ten percent or less interest in any other corporation holding a license. A person who receives moneys from time to time directly or indirectly from a licensee, in the absence of a bona fide consideration therefor and excluding bona fide gifts or donations, shall be deemed to have a pecuniary interest in such retail license. In determining "bona fides" the reasonable value of the goods or things received as consideration for any payment by the licensee and all other facts reasonably tending to prove or disprove the existence of any purposeful scheme or arrangement to evade the prohibitions of this subdivision shall be considered.

Sec. 2. Minnesota Statutes 1978, Section 340.13, Subdivision 7, is amended to read:

Subd. 7. **LICENSES IN CONNECTION WITH PREMISES OF ANOTHER.** No license shall be issued to any person in connection with the premises of another to whom no license could be issued under the provisions of the intoxicating liquor act; provided, that this provision shall not prevent the granting of a license to a proper lessee by reason of the fact that he shall lease premises of a minor, non-citizen, or a person who has been convicted of a crime other than a violation of the intoxicating liquor act. ~~No more than one license shall be issued to any person in any municipality except as otherwise specifically provided for in the intoxicating liquor act.~~

Approved May 29, 1979.

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## CHAPTER 250—S.F.No.1026

*An act relating to welfare; excluding educational grants and loans from income when determining the amount of assistance granted under aid to families with dependent children; excluding certain payments made to members of Indian tribes from resources considered in determining eligibility for general assistance; amending Minnesota Statutes 1978, Sections 256.74, Subdivision 1 and 256D.08, Subdivision 1.*

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

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