
CHAPTER 268—H.F.No.45

[Coded]

An act relating to environmental protection; prohibiting retail sale of milk in nonreturnable, nonrefillable plastic containers; prescribing penalties.

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

Section 1. **[116F.21] MILK; PLASTIC CONTAINERS; STATEMENT OF POLICY.** The legislature finds that the use of nonreturnable, nonrefillable containers for the packaging of milk and other milk products presents a solid waste management problem for the state, promotes energy waste and depletes natural resources. The legislature therefore, in furtherance of the policies stated in Minnesota Statutes, Section 116F.01, determines that the use of nonreturnable, nonrefillable containers for packaging milk and other milk products should be discouraged and that the use of returnable and reusable packaging for these products is preferred and should be encouraged.

Sec. 2. **[116F.22] PROHIBITIONS.** Subdivision 1. No person shall sell at retail or offer for sale at retail in this state any milk or fluid milk product as defined in Minnesota Statutes, Section 32.391, other than sour cream, cottage cheese and yogurt, in a nonreturnable, nonrefillable rigid or semi-rigid container at least 50 percent of which is plastic.

Subd. 2. A violation of subdivision 1 is a misdemeanor and each day of violation is a separate offense.

Sec. 3. This act is effective July 1, 1977.

Approved May 26, 1977.

CHAPTER 269—H.F.No.79

[Coded in Part]

An act relating to real estate; placing restrictions on who may acquire title; providing enforcement powers; providing penalty; amending Minnesota Statutes 1976, Chapter 500, by adding a section; repealing Minnesota Statutes 1976, Section 500.22.

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

Section 1. Minnesota Statutes 1976, Chapter 500, is amended by adding a section to read:

[500.221] REAL PROPERTY; RESTRICTIONS ON ACQUISITION OF TITLE.

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Subdivision 1. DEFINITIONS. For purposes of this section, "agricultural land" means land capable of use in the production of agricultural crops, livestock or livestock products, poultry or poultry products, milk or dairy products, or fruit and other horticultural products but does not include any land zoned by a local governmental unit for a use other than and nonconforming with agricultural use. For the purposes of this section, "interest in agricultural land" includes any leasehold interest.

Subd. 2. ALIENS AND NONAMERICAN CORPORATIONS. Except as hereinafter provided, no natural person shall hereafter acquire directly or indirectly any interest in agricultural land unless he be a citizen of the United States or a permanent resident alien of the United States and, in addition to the restrictions in section 500.24, no corporation, partnership, limited partnership, trustee, or other business entity shall hereafter, directly or indirectly, acquire or otherwise obtain any interest, whether legal, beneficial or otherwise, in any title to agricultural land unless at least 80 percent of each class of stock issued and outstanding or 80 percent of the ultimate beneficial interest of such entity is held directly or indirectly by citizens of the United States or permanent resident aliens. This section shall not apply to agricultural land that may be acquired by devise, inheritance, as security for indebtedness, by process of law in the collection of debts, or by any procedure for the enforcement of a lien or claim thereon, whether created by mortgage or otherwise; provided, that all agricultural land so acquired in the collection of debts or by the enforcement of a lien or claim shall be disposed of within three years after acquiring ownership. Further, the provisions of this section shall not apply to citizens or subjects of a foreign country whose rights to hold land are secured by treaty or lands used for transportation purposes by a common carrier, as defined in section 218.011, subdivision 2, or lands or interests in lands acquired for use in connection with mining and mineral processing operations provided, however, that pending the development of agricultural land for mining purposes such land may not be used for farming except under lease to a family farm, a family farm corporation or an authorized farm corporation. Further, the provisions of this section shall not apply to agricultural land operated for research or experimental purposes, provided that the ownership of the agricultural land shall be incidental to the research or experimental objectives of the person or business entity, and provided that total acreage owned by the person or business entity does not exceed the acreage owned on the effective date of this section.

Subd. 3. ENFORCEMENT. If the attorney general has reason to believe that any person is violating subdivision 2, he shall commence an action in the district court in which any agricultural land relative to the violation is situated, or if situated in two or more counties, in any county in which a substantial part of the land is situated. The attorney general shall file for record with the county recorder or the registrar of titles of each county in which any portion of said land is located a notice of the pendency of the action as provided in section 557.02. If the court finds that the land in question is being held in violation of subdivision 2, it shall enter an order so declaring. The attorney general shall file for record any such order with the county recorder or the registrar of titles of each county in which any portion of said land is located. Thereafter, the natural person, corporation, partnership, limited partnership, trustee or other business entity, owning such land shall have a period of one year from the date of the order to divest itself of the lands. The aforementioned one year limitation period shall be deemed a covenant running with the title to the land against any grantee or assignee or successor

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corporation. Any land not so divested within the time prescribed shall be sold at public sale in the manner prescribed by law for the foreclosure of a mortgage by action. In addition, any prospective or threatened violation may be enjoined by an action brought by the attorney general in the manner provided by law. No title to land shall be invalid or subject to forfeiture by reason of the alienage of any former owner or person having a former interest therein.

Subd. 4. REPORTS. Any natural person, corporation, partnership, limited partnership, trustee, or other business entity prohibited from future acquisition of agricultural land may retain title to any agricultural land within this state acquired prior to the effective date of this act, but it shall file a report with the commissioner of agriculture within 90 days after the effective date of this act and annually before April 15 thereafter, containing a description of all agricultural land held within this state, the purchase price and market value of the land, the use to which it is put, the date of acquisition and any other reasonable information required by the commissioner. The commissioner shall make the information available to the public.

Subd. 5. PENALTY. Willful failure to properly register any parcel of land as required by subdivision 4 is a gross misdemeanor. Each full month of failure to register is a separate offense.

Sec. 2. REPEALER. Minnesota Statutes 1976, Section 500.22, is repealed.

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

Approved May 26, 1977.

CHAPTER 270—H.F.No.106

[Not Coded]

An act relating to the city of St. Cloud; firemen's widows benefits; amending Laws 1974, Chapter 382, Section 5, Subdivision 2.

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

Section 1. Laws 1974, Chapter 382, Section 5, Subdivision 2, is amended to read:

Subd. 2. ST. CLOUD, CITY OF; FIREMEN'S WIDOWS BENEFITS. Upon satisfactory proof of the death of an active member or permanent pensioner of the association, leaving a widow or a child or children who are entitled to a pension pursuant to the provisions of the articles of incorporation of the association, the board of trustees shall allow a pension to be paid out of the special fund of the association to any widow or to any child under 18 years of age of any member as follows:

(a) When a service-pensioner, deferred pensioner, disability pensioner, or an active member of the relief association dies leaving a widow who was his legally married wife

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