

This Document can be made available
in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. **3127**

02/26/2018 Authored by Dettmer, Lillie, Fenton, Fischer, Jurgens and others
The bill was read for the first time and referred to the Committee on Agriculture Policy
03/08/2018 Adoption of Report: Amended and re-referred to the Committee on Taxes

1.1 A bill for an act
1.2 relating to local government; modifying expiration of metropolitan agricultural
1.3 preserves; amending Minnesota Statutes 2016, section 473H.08, subdivisions 1,
1.4 4, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2016, section 473H.08, subdivision 1, is amended to read:

1.7 Subdivision 1. **Till expiration started.** Agricultural preserves shall continue until ~~either~~
1.8 the landowner or the authority, or a state agency or governmental unit initiates expiration
1.9 as provided in this section.

1.10 Sec. 2. Minnesota Statutes 2016, section 473H.08, is amended by adding a subdivision to
1.11 read:

1.12 Subd. 3a. **Expiration for park and trail purposes.** (a) An agricultural preserve expires
1.13 immediately when a state agency or other governmental unit purchases the property or
1.14 obtains an easement over the property for the purpose of creating or expanding a public
1.15 trail or public park. This subdivision applies only to the portion of the agricultural preserve
1.16 acquired for trail or park purposes, and any portion of the property not acquired for trail or
1.17 park purposes shall remain an agricultural preserve.

1.18 (b) The acquiring state agency or governmental unit shall give notice to the authority as
1.19 provided in subdivision 5. The notice must specify the portion of the property being removed
1.20 from the agricultural preserve and the date on which that portion expires.

2.1 Sec. 3. Minnesota Statutes 2016, section 473H.08, subdivision 4, is amended to read:

2.2 Subd. 4. **Notice to others.** Upon receipt of the notice provided in subdivision 2 or 3a,
2.3 or upon notice served by the authority as provided in subdivision 3, the authority shall
2.4 forward the original notice to the county recorder for recording, or to the registrar of titles
2.5 if the land is registered, and shall notify the county auditor, county assessor, the Metropolitan
2.6 Council, and the county soil and water conservation district of the date of expiration.
2.7 Designation as an agricultural preserve and all benefits and limitations accruing through
2.8 sections 473H.02 to 473H.17 for the preserve shall cease on the date of expiration. The
2.9 restrictive covenant contained in the application shall terminate on the date of expiration.

2.10 Sec. 4. **EFFECTIVE DATE.**

2.11 Sections 1 to 3 are effective the day following final enactment and apply to any
2.12 agricultural preserve where the previously required eight-year termination period under
2.13 Minnesota Statutes, section 473H.08, has not yet expired.