

MINNESOTA STATUTES 1977 SUPPLEMENT

490.102 JUDGES RETIREMENT, JUDICIAL STANDARDS

CHAPTER 490. JUDGES RETIREMENT, JUDICIAL STANDARDS

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490.102 Compensation allowance.

[For text of subds 1 to 4, see M.S.1976]

Subd. 5. [Repealed, 1977 c 35 s 21]

[For text of subds 6 to 8, see M.S.1976]

490.121 Definitions.

[For text of subd 1, see M.S.1976]

Subd. 2. "Court" means any court of this state established by the Minnesota Constitution, the tax court, and any municipal, county or probate court of record.

[For text of subds 3 to 21, see M.S.1976]

[1977 c 307 s 28]

490.124 Maturity of benefits; retirement and survivors' annuities.

[For text of subds 1 to 6, see M.S.1976]

Subd. 7. [Repealed, 1977 c 432 s 49]

[For text of subds 8 to 12, see M.S.1976]

490.15 Establishment; composition.

Subdivision 1. The board on judicial standards is established and consists of one judge of the district court, one judge of a municipal court, one judge of county court, two lawyers who have practiced law in the state for ten years and four citizens who are not judges, retired judges or lawyers. The executive secretary is appointed by the governor. Members representing the district, municipal and county courts shall be appointed by their respective judicial organizations and the lawyer members shall be appointed by the board of governors of the Minnesota state bar association. The citizen members shall be appointed by the governor with the advice and consent of the senate. No member shall serve more than two full four-year terms or their equivalent. Membership terminates if a member ceases to hold the position that qualified him for appointment.

[For text of subd 2, see M.S.1976]

[1977 c 455 s 87]

CHAPTER 500. ESTATES IN REAL PROPERTY

Sec.
500.22 Repealed.
500.221 Restrictions on acquisition of title.
[New]

500.22 Subdivision 1. [Repealed, 1977 c 269 s 2]

500.221 Restrictions on acquisition of title.

Subdivision 1. **Definitions.** For purposes of this section, "agricultural land" means land capable of use in the production of agricultural crops, livestock or live-

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stock 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 non-American 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 May 27, 1977.

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 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 May 27, 1977, but it shall file a report with the commissioner of agriculture within 90 days after May 27, 1977 and annually before April 15 thereafter, containing a description of all agricultural land held within this state, the purchase price

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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.

[1977 c 269 s 1]

CHAPTER 501. USES AND TRUSTS

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501.11	Express trusts, purposes.	501.24	Leases; authority of trustee; order of court for lease.
501.12	Express trusts for charitable, educational, religious, and other public uses.	501.25	Sale; application for; petition, notice, and order for hearing; filing.
501.17	Trustees take estate, when.	501.27	Incompetents; notice; service; guardian ad litem.
501.211	Disclaimer of interests passing by deed, assignment, under certain non-testamentary instruments or under certain powers of appointment.	501.33	Trustee; confirmation of appointment; court jurisdiction.
501.22	Trust estates.	501.34	Inventory, filing; annual account.
501.23	Sale, mortgage, pledge, or lease of property in trust created by written instrument; void, when; court powers.	501.35	May apply to court for instructions.
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501.11 Express trusts, purposes.

Express trusts may be created for any of the following purposes:

- (1) To sell lands for the benefit of creditors;
- (2) To sell, mortgage, or lease lands for the benefit of legatees, or for the purpose of satisfying any charge thereon;
- (3) To receive the rents and profits of lands, and apply them to the use of any person, during the life of such person, or for any shorter term, subject to the rules prescribed in chapter 500;
- (4) To receive the rents and profits of lands, and to accumulate the same, for either of the purposes, and within the limits prescribed in chapter 500;
- (5) To receive and take charge of any money, stocks, bonds, or valuable chattels of any kind and to invest and loan the same for the benefit of the beneficiaries of such express trust; and the district and county courts of the state shall, upon petition and hearing, have power to appoint a trustee for the purpose herein set forth, requiring such trustee to give such bond for the faithful execution of such express trust as to the court may seem right and proper; and express trusts created under the provisions of this paragraph shall be administered under the direction of the court;
- (6) For the beneficial interests of any person, whether such trust embraces real or personal property or both, when the trust is fully expressed and clearly defined on the face of the instrument creating it, provided that the trust shall not continue for a period longer than the life or lives of specified persons in being at the time of its creation, and for 21 years after the death of the survivor of them, and that the free alienation of the legal estate by the trustee is not suspended for a period exceeding the limit prescribed in chapter 500; provided, however, that the aforesaid limitation on the period of continuance of such trusts shall not apply to a trust forming a part of a stock bonus, pension, or profit sharing plan of an employer for the exclusive benefit of some or all of his employees, nor to a trust forming a part of a retirement plan created by and for the benefit of self-employed persons for the purpose of receiving their contributions thereunder and investing, accumulating, and distributing to such persons or their beneficiaries the corpus, profits, and earnings of the trust in accordance with the plan.
- (7) Any city may receive, by grant, gift, devise, or bequest, and take charge of, invest, and administer, free from taxation, in accordance with the terms of the trust, real or personal property, or both, for the benefit of any public library, or any public cemetery, or any public park, located in, or within ten miles of, such