

**89.022 DISPOSAL OF TILLABLE LAND IN MEMORIAL HARDWOOD FOREST.**

Subdivision 1. **Exchange or sale required.** 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. **Exemption.** The commissioner of natural resources may apply to the Legislative-Citizen 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.

Subd. 3. **Disposition.** Money collected pursuant to section 89.022 shall be deposited in the general fund.

**History:** 1979 c 248 s 1,2; 1988 c 690 art 1 s 1; 1989 c 335 art 1 s 269; 2006 c 243 s 21