

Senators Bakk, Senjem, Saxhaug and Ruud introduced--

S.F. No. 896: Referred to the Committee on Environment and Natural Resources.

1 A bill for an act

2 relating to state lands; authorizing private sale of  
3 certain surplus land in Hubbard, Lake, and Wabasha  
4 Counties.

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

6 Section 1. [PRIVATE SALE OF SURPLUS STATE LAND; HUBBARD  
7 COUNTY.]

8 (a) Notwithstanding Minnesota Statutes, sections 94.09 and  
9 94.10, the commissioner of natural resources may sell by private  
10 sale the surplus state land that is described in paragraph (c).

11 (b) The conveyance must be in a form approved by the  
12 attorney general. The attorney general may make necessary  
13 changes to the legal description to correct errors and ensure  
14 accuracy.

15 (c) The land that may be sold is located in Hubbard County  
16 and is described as follows:

17 That part of the Northwest Quarter of the Northwest Quarter  
18 of Section 22, Township 142 North, Range 33 West, Hubbard  
19 County, Minnesota, described as follows:

20 Beginning at the northeast corner of said Northwest Quarter  
21 of the Northwest Quarter, being a 3/4 inch rebar with  
22 plastic cap stamped "MN DNR LS 17005" (DNR Monument);  
23 thence on a bearing based on the Hubbard County Coordinate  
24 System of 1983 of North 88 degrees 51 minutes 21 seconds  
25 West, along the north line of said Northwest Quarter of the

1 Northwest Quarter 253.67 feet to a DNR Monument; thence  
2 South 04 degrees 03 minutes 57 seconds East 132.71 feet to  
3 a DNR Monument; thence South 79 degrees 15 minutes 13  
4 seconds East 248.33 feet to the east line of said Northwest  
5 Quarter of the Northwest Quarter and a DNR Monument; thence  
6 North 00 degrees 05 minutes 06 seconds East along the east  
7 line of said Northwest Quarter of the Northwest Quarter  
8 173.61 feet to the point of beginning, containing 0.87  
9 acres.

10 (d) The sale would resolve a long-standing unintentional  
11 trespass.

12 Sec. 2. [PRIVATE SALE OF SURPLUS STATE LAND BORDERING  
13 PUBLIC WATER; LAKE COUNTY.]

14 (a) Notwithstanding Minnesota Statutes, sections 92.45,  
15 94.09, and 94.10, the commissioner of natural resources may sell  
16 by private sale the surplus state land bordering public water  
17 that is described in paragraph (c).

18 (b) The conveyance must be in a form approved by the  
19 attorney general. The conveyance shall reserve a conservation  
20 easement to ensure protection of the fish and wildlife shoreline  
21 habitat. The attorney general may make necessary changes to the  
22 legal description to correct errors and ensure accuracy.

23 (c) The land that may be sold is located in Lake County and  
24 is described as follows: an undivided 1/16th interest in  
25 Government Lot 7, Section 31, Township 63 North, Range 11 West.

26 (d) The sale would allow the combination of the 1/16  
27 interest with the remaining 15/16 interest.

28 Sec. 3. [PRIVATE SALE OF SURPLUS STATE LAND; WABASHA  
29 COUNTY.]

30 (a) Notwithstanding Minnesota Statutes, sections 94.09 and  
31 94.10, the commissioner of natural resources may sell by private  
32 sale the surplus state land that is described in paragraph (c).

33 (b) The conveyance must be in a form approved by the  
34 attorney general. The attorney general may make necessary  
35 changes to the legal description to correct errors and ensure  
36 accuracy.

1 (c) The land that may be sold is located in Wabasha County  
2 and is described as follows:

3 That part of the South Half of the Southwest Quarter of  
4 Section 14, Township 109 North, Range 10 West, Wabasha County,  
5 Minnesota, lying southerly of the following described center  
6 line:

7 Commencing at the southwest corner of said South Half of  
8 the Southwest Quarter from which the southeast corner of  
9 said South Half of the Southwest Quarter bears East,  
10 assumed bearing; thence South 88 degrees 44 minutes East  
11 69.69 feet to the point of beginning; thence North 62  
12 degrees East 72.46 feet; thence North 64 degrees East 48.05  
13 feet; thence East 77.19 feet; thence South 86 degrees East  
14 73.98 feet; thence North 76 degrees East 72.83 feet; thence  
15 North 64 degrees East 75.07 feet; thence North 77 degrees  
16 East 76.52 feet; thence North 85 degrees East 13.74 feet;  
17 thence North 47 degrees East 63.99 feet; thence North 72  
18 degrees East 76.61 feet; thence North 69 degrees East 72.57  
19 feet; thence North 39 degrees East 56.12 feet; thence South  
20 66 degrees East 80.17 feet; thence South 82 degrees East  
21 48.68 feet; thence North 82 degrees East 69.30 feet; thence  
22 South 31 degrees East 81.99 feet; thence South 10 degrees  
23 East 39.39 feet; thence South 12 degrees East 74.13 feet;  
24 thence South 22 degrees East 51.75 feet; thence South 43  
25 degrees East 18.47 feet; thence South 83 degrees East 71.42  
26 feet; thence North 89 degrees East 53.56 feet; thence North  
27 28 degrees East 70.36 feet; thence North 31 degrees East  
28 74.57 feet; thence North 22 degrees East 73.19 feet; thence  
29 North 06 degrees East 52.91 feet; thence North 07 degrees  
30 East 68.58 feet; thence North 14 degrees East 75.72 feet;  
31 thence North 17 degrees East 72.04 feet; thence South 76  
32 degrees East 84.66 feet; thence South 51 degrees East 75.23  
33 feet; thence South 73 degrees East 72.96 feet; thence South  
34 79 degrees East 81.25 feet; thence South 01 degree East  
35 82.11 feet; thence South 05 degrees West 73.45 feet; thence  
36 South 22 degrees East 69.17 feet; thence South 72 degrees

1 East 70.65 feet; thence South 79 degrees East 56.89 feet;  
2 thence North 79 degrees East 54.55 feet; thence South 37  
3 degrees East 80.95 feet; thence South 26 degrees East 49.79  
4 feet, more or less, to the south line of said South Half of  
5 the Southwest Quarter and there terminating, containing 6.4  
6 acres, more or less.

7 (d) The sale would correct an error in a prior land  
8 acquisition that cut off the existing access route to the  
9 remainder of the adjacent landowner's property.



## Department of Natural Resources Fact Sheet



### LAND SALE BILL HF 814/ SF 896

#### Summary

This bill will authorize the DNR to sell three parcels of land. The DNR has determined that the state's land management interests are best served if this land is sold.

#### It is needed because

Current law requires that acquired (non-trust) state land be sold through public sale after it is first offered to other state agencies and local units of government. In the case of all three parcels the DNR has determined that the sales should instead be made to private individuals that have existing direct involvement with the lands. In addition, the DNR is restricted from selling riparian land, and this is the case with the Lake County parcel.

- The Lake County Parcel – The state owns a 1/16<sup>th</sup> undivided interest in a 39 acre parcel located on White Iron Lake. The remaining 15/16<sup>th</sup> undivided interest is held by a private individual. The DNR proposes to sell the state's minority interest directly to the majority owner, to consolidate the title on the land.
- The Wabasha County Parcel – The state recently purchased 80 acres of land from a private party. A road that provided the private party access to a portion of the party's land was believed by both the individual and the state to be south of the parcel purchased by the state. Subsequent to the sale it was determined that a portion of the road was on the state's land. In order to provide the private party continued legal access, the DNR is proposing to sell the portion of state land containing the road back to the private party.
- The Hubbard County Parcel – The state is proposing to sell 0.87 acres of land to a private party to resolve a longstanding inadvertent

trespass. A portion of the adjacent landowner's residence is on state land.

#### Financial implications (if appropriate)

Income generated from sale of the three parcels identified in the bill will be paid into the DNR's Land Acquisition Account. Funds from the Land Acquisition Account are used to purchase lands that the DNR has determined are needed for the outdoor recreation system.

#### Background

During nearly every legislative session, authorization to sell state land that is in some way restricted from sale must be sought in order to meet the state's land management interests.

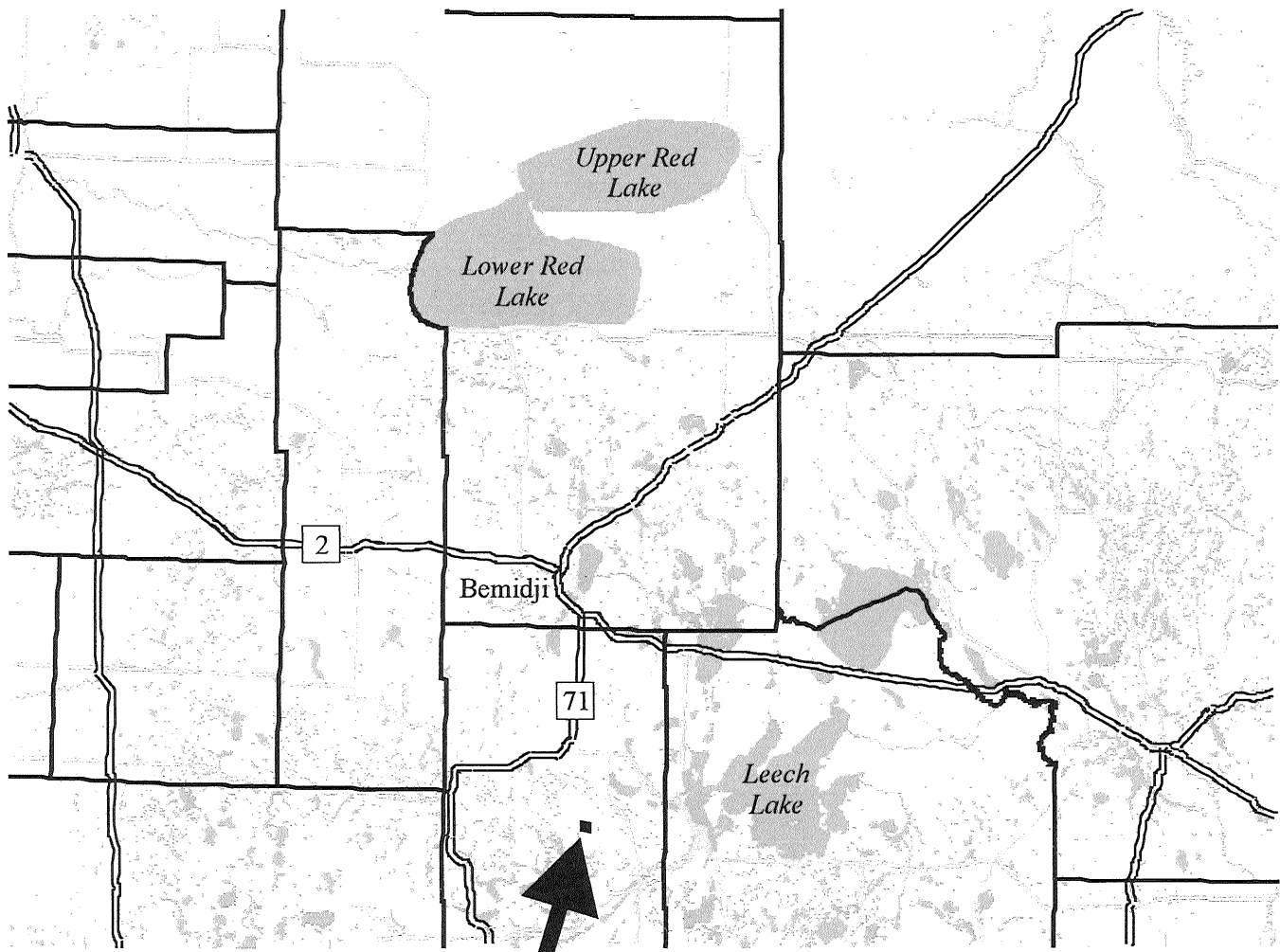
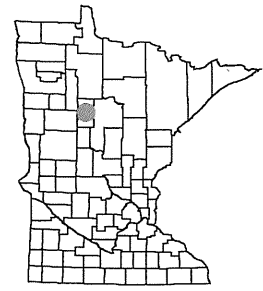
#### For further information contact:

Paul Pojar  
DNR Lands and Minerals Division  
(651) 296-1049  
[Paul.Pojar@state.mn.us](mailto:Paul.Pojar@state.mn.us)

Gloria Johnson  
DNR Lands and Minerals Division  
(651) 296-9559  
[Gloria.Johnson@dnr.state.mn.us](mailto:Gloria.Johnson@dnr.state.mn.us)

January 20, 2005

Figure 2. Proposed sale of surplus state land, Hubbard County.



20 miles

Figure 3. Proposed private sale of surplus state land bordering public water, Lake County.

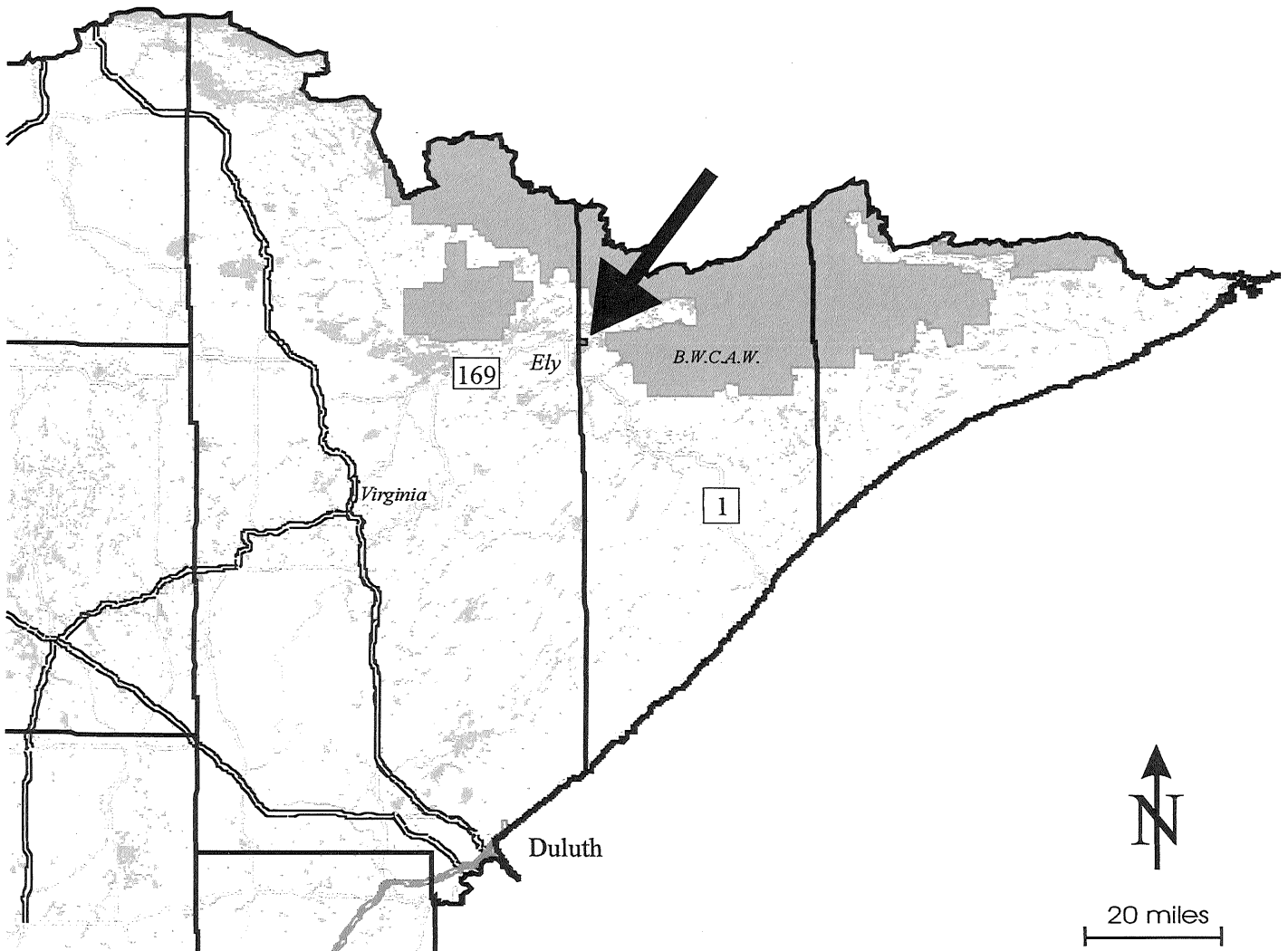
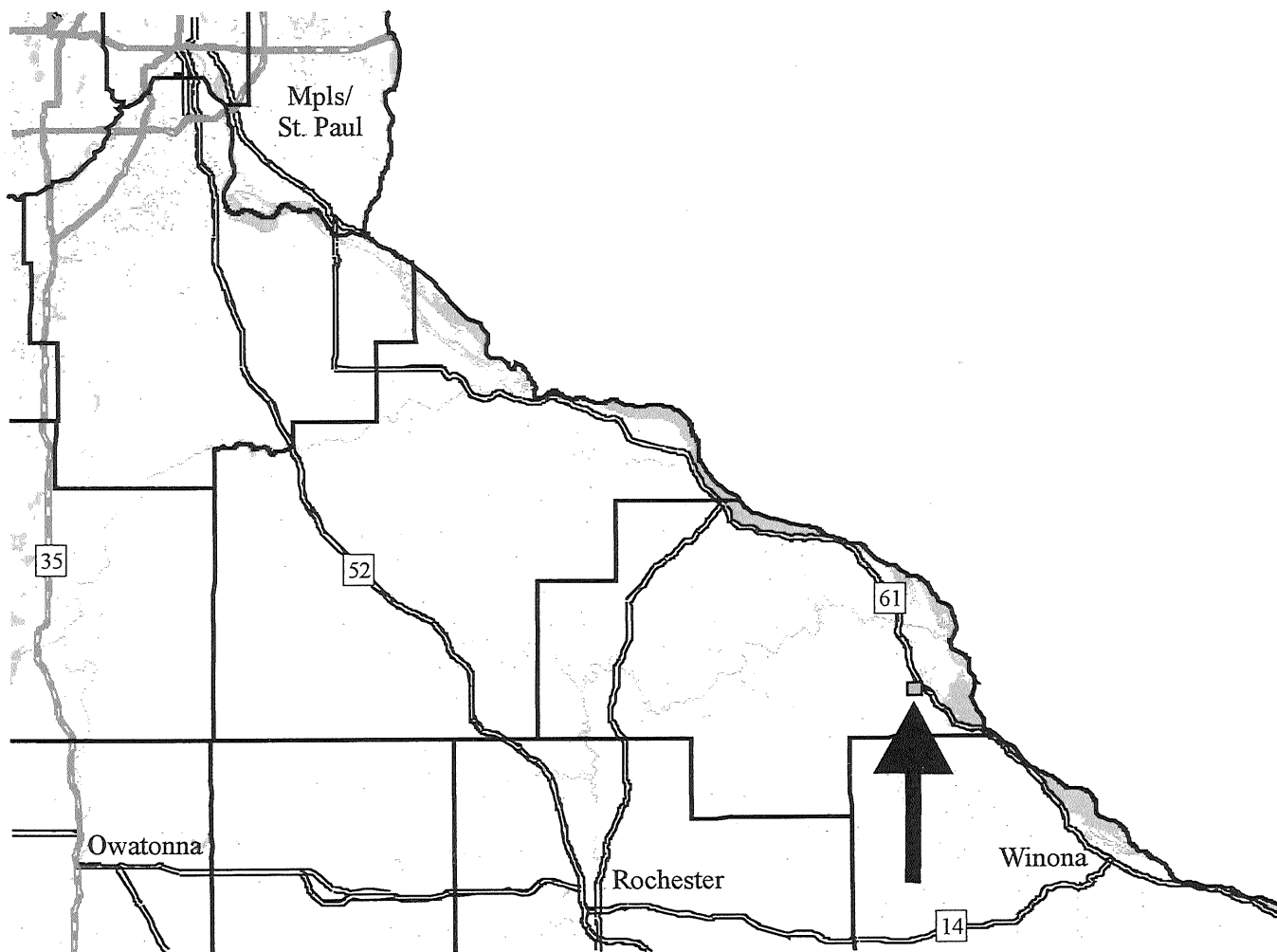
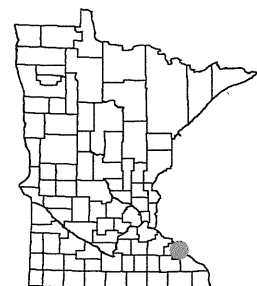


Figure 4. Proposed private sale of surplus state land, Wabasha County.



20 miles



Senators Bakk, Sams and Skoe introduced--

S.F. No. 709: Referred to the Committee on Environment and Natural Resources.

1 A bill for an act

2 relating to natural resources; modifying acquisition  
3 and use provisions for scientific and natural areas;  
4 amending Minnesota Statutes 2004, sections 84.033, by  
5 adding a subdivision; 97A.093; repealing Minnesota  
6 Statutes 2004, section 84.033, subdivision 2.

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

8 Section 1. Minnesota Statutes 2004, section 84.033, is  
9 amended by adding a subdivision to read:

10 Subd. 3. [COUNTY APPROVAL.] The commissioner must follow  
11 the procedures under section 97A.145, subdivision 2, for  
12 scientific and natural areas acquired under this section.

13 Sec. 2. Minnesota Statutes 2004, section 97A.093, is  
14 amended to read:

15 97A.093 [HUNTING, TRAPPING, AND FISHING IN SCIENTIFIC AND  
16 NATURAL AREAS.]

17 Except as otherwise provided by law, scientific and natural  
18 areas are closed to hunting, trapping, and fishing unless:

19 ~~(1) for scientific and natural areas designated before May~~  
20 ~~15, 1992,~~ the designating document allows hunting, trapping, or  
21 fishing; or

22 ~~(2) for other scientific and natural areas,~~ the  
23 commissioner allows hunting, trapping, or fishing in accordance  
24 with the procedure in section 86A.05, subdivision 5, paragraph  
25 (d).

26 Sec. 3. [REPEALER.]

01/03/05

[REVISOR ] EB/SD 05-0112

1 Minnesota Statutes 2004, section 84.033, subdivision 2, is  
2 repealed.

APPENDIX  
Repealed Minnesota Statutes for 05-0112

**84.033 SCIENTIFIC AND NATURAL AREAS.**

Subd. 2. Designation approval. No scientific and natural area may be designated unless the designation is approved by resolution of the board of the county in which the land is located.

1 Senator ..... moves to amend S.F. No. 709 as follows:

2 Delete everything after the enacting clause and insert:

3 "Section 1. Minnesota Statutes 2004, section 84.033, is  
4 amended by adding a subdivision to read:

5 Subd. 3. [COUNTY APPROVAL.] The commissioner must follow  
6 the procedures under section 97A.145, subdivision 2, when:

7 (1) acquiring land for designation as a scientific and  
8 natural area under this section; and

9 (2) designating land that was not acquired under this  
10 section as a scientific and natural area.

11 Sec. 2. Minnesota Statutes 2004, section 97A.093, is  
12 amended to read:

13 97A.093 [HUNTING, TRAPPING, AND FISHING IN SCIENTIFIC AND  
14 NATURAL AREAS.]

15 Except as otherwise provided by law, scientific and natural  
16 areas are closed to hunting, trapping, and fishing unless:

17 (1) ~~for scientific and natural areas designated before May~~  
18 ~~15, 1992,~~ the designating document allows hunting, trapping, or  
19 fishing; or

20 (2) ~~for other scientific and natural areas,~~ the  
21 commissioner allows hunting, trapping, or fishing in accordance  
22 with the procedure in section 86A.05, subdivision 5, paragraph  
23 (d).

24 Sec. 3. [REPEALER.]

25 Minnesota Statutes 2004, section 84.033, subdivision 2, is  
26 repealed."



## Department of Natural Resources Fact Sheet



SF 709

### SCIENTIFIC AND NATURAL AREAS (SNAS): DESIGNATION FOR HUNTING, FISHING, AND TRAPPING, AND COUNTY BOARD APPROVAL FOR ACQUISITION

#### Summary

This bill has two parts:

- The first part would make it easier for the Commissioner to allow hunting, fishing, or trapping on SNAs if those activities are compatible with SNA management.
- The second part would require county board approval prior to acquisition of an SNA, instead of prior to designation of an SNA.

#### It is needed because

Current law requires the DNR to go through a public hearing process before hunting, fishing, or trapping can be allowed. The proposed change would provide more flexibility by giving the DNR the option of allowing these activities through the initial SNA designation order process or through the public hearing process if pursued after the initial designation order.

Current law requires county board approval prior to designation of an SNA. Since designations occur after a parcel has been acquired, the current law creates a problem because lands could be acquired with dollars appropriated for SNAs without knowing if the county will approve SNA designation.

#### Financial implications (if appropriate)

None.

#### Background

Once an SNA is acquired, the DNR establishes the rules that apply to the unit through a designation order. However, current law requires the DNR to go through a public hearing process before allowing hunting, fishing, or trapping, even in cases where the intent would be to allow these activities. Since prohibiting hunting can be one of the more controversial aspects of SNA designation, the current requirement to have a

public hearing often generates unnecessary controversy. Under the proposed language, the DNR could allow hunting, fishing, or trapping through the initial designation order for an SNA, if it would be compatible with the purpose for which the SNA was acquired.

The 2004 legislature passed a law requiring county board approval prior to designation of an SNA, because of concern that counties did not have enough input prior to the establishment of SNAs. The DNR feels it would be better to require county board approval prior to acquisition of an SNA, rather than prior to designation of an SNA, when dollars have already been spent for the parcel. This would be consistent with the process for wildlife management area acquisitions.

#### For further information contact:

Bob Djupstrom  
DNR Division of Ecological Services  
(651) 297-2357  
bob.djupstrom@dnr.state.mn.us

**SUB COMMITTEE REPORT - NO AMENDMENTS**

SUB Committee on Public Lands + Waters Subcommittee

S. F. No. 1214

Resolution

Re-referred (from another committee)

**Committee recommendation:**

do pass.

do pass and be placed on the Consent Calendar.

do pass and be re-referred to the Committee on \_\_\_\_\_

**No recommendation:**

(be re-referred to the Committee on Env. + Nat'l. Res. Policy)

OR  (be reported to the Senate) .

3/1/05 (date of committee recommendation)

1 To: Senator Marty, Chair  
 2 Committee on Environment and Natural Resources  
 3 Senator Saxhaug,

4 Chair of the Subcommittee on Public Lands and Waters, to  
 5 which was referred

6 S.F. No. 1214: A bill for an act relating to the county of  
 7 Crow Wing; providing for a sewer district and a sewer  
 8 commission; authorizing the delegation of authority with respect  
 9 to individual sewage treatment systems; providing for the  
 10 levying of service charges.

11 Reports the same back with the recommendation that the bill  
 12 be referred to the full committee without recommendation.  
 13 Report adopted.

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 .....  
 (Subcommittee Chair)

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March 1, 2005.....  
 (Date of Subcommittee action)

Senators Ruud, Koering and Sams introduced--

S.F. No. 1214: Referred to the Committee on Environment and Natural Resources.

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A bill for an act

relating to the county of Crow Wing; providing for a sewer district and a sewer commission; authorizing the delegation of authority with respect to individual sewage treatment systems; providing for the levying of service charges.

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

Section 1. [SEWER DISTRICT; SEWER COMMISSION.]

Subdivision 1. [SEWER DISTRICT.] Notwithstanding the provisions of Minnesota Statutes, chapter 116A, the county board of the county of Crow Wing by resolution may create a sewer district under Minnesota Statutes, chapter 116A, which encompasses the entire area of the county, whether organized or unorganized. The county board shall have the authority to exercise the rights and perform the duties of a statutory city under Minnesota Statutes, chapters 117, 412, 429, and 475, and sections 115.46, 444.075, and 471.59, or other law with respect to the sewer district. No action by or approval of the district court shall be required as a condition of the exercise of the powers described. The county board by resolution may designate areas within the sewer district where special services, including inspection services related to wastewater treatment and individual sewage treatment, may be provided. Each special service area or combination thereof shall constitute a system under Minnesota Statutes, chapter 116A.

Subd. 2. [SEWER COMMISSION; POWERS RESERVED TO COUNTY



1 BOARD; DELEGATION.] Upon creation of the sewer district  
2 described in subdivision 1, the county board shall provide for  
3 the appointment of a sewer commission, in accordance with the  
4 requirements of Minnesota Statutes, chapter 116A. Neither the  
5 approval nor the waiver of the county board, nor confirmation by  
6 order of the district court, shall be required for the sewer  
7 commission to exercise the powers set forth in Minnesota  
8 Statutes, section 116A.24; provided that the county board shall  
9 be reserved the power to:

10 (1) levy special assessments for sewer improvements in the  
11 sewer district or portion thereof;

12 (2) establish a system of rates and charges for use of the  
13 sewer system upon the recommendation of the commission; and

14 (3) issue general obligation bonds to defray in whole or in  
15 part the costs of establishment, construction, improvement, or  
16 extension of a sewer system.

17 The county board by resolution may delegate to the sewer  
18 commission all or a portion of its administrative and  
19 enforcement obligations with respect to individual sewage  
20 treatment systems under Minnesota Statutes, chapter 115, or  
21 other law.

22 Subd. 3. [CHARGES.] Upon adoption of the next annual  
23 budget following the appointment of the sewer commission, the  
24 county board may include in the budget appropriate provisions  
25 for the operation of the commission and its activities described  
26 in subdivision 2, including, as deemed appropriate by the county  
27 board upon the recommendation of the commission, either a  
28 property tax levied only on property within a system created  
29 pursuant to subdivision 1, or a levy of a service charge against  
30 the users of a service provided within the district or a portion  
31 thereof, or any combination of a property tax and a service  
32 charge.

33 [EFFECTIVE DATE.] This section is effective the day after  
34 compliance with Minnesota Statutes, section 645.021, subdivision  
35 2.

**SUB COMMITTEE REPORT - WITH AMENDMENTS**

SUB Committee on Public Lands and Waters Subcommittee

S .F. No. 712

Resolution

Re-referred (from another committee)

**Amendments:**

Page 2 Line 17 after "the" delete all  
Line 18 delete "Department"  
Line 18 ~~add~~ before "of" insert "Commissioner"  
Line 19 after "." delete "The"  
Delete Line 20  
Delete Line 21

Page 2 Line 15 after "]" insert "In Fiscal Year 2006  
and 2007"

**Committee recommendation:**

And when so amended the bill do pass.

And when so amended the bill do pass and be placed on the Consent Calendar.

And when so amended the bill do pass and be re-referred to the Committee on

Environment and Natural Resources Policy Committee.

**No recommendation:** And when so amended the bill be

(re-referred to the Committee on \_\_\_\_\_)

OR  (reported to the Senate).

3/1/05 (date of committee recommendation)

1 To: Senator Marty, Chair  
 2 Committee on Environment and Natural Resources  
 3 Senator Saxhaug,  
 4 Chair of the Subcommittee on Public Lands and Waters, to  
 5 which was referred

6 S.F. No. 712: A bill for an act relating to natural  
 7 resources; providing for evaluation of construction aggregate  
 8 located on school trust lands; appropriating money; amending  
 9 Minnesota Statutes 2004, section 16A.125, subdivision 5, by  
 10 adding a subdivision.

11 Reports the same back with the recommendation that the bill  
 12 be amended as follows:

13 Page 2, line 15, before "\$50,000" insert "In fiscal years  
 14 2006 and 2007,"

15 Page 2, line 17, delete everything after the first "the"

16 Page 2, line 18, delete "Department" and insert  
 17 "commissioner"

18 Page 2, line 19, delete "The"

19 Page 2, delete lines 20 and 21

20 And when so amended that the bill be recommended to pass  
 21 and be referred to the full committee.

22 .....  
 23 (Subcommittee Chair)

24 .....  
 25 March 1, 2005.....  
 26 (Date of Subcommittee action)

Senator Stumpf introduced--

S.F. No. 712: Referred to the Committee on Environment and Natural Resources.

1 A bill for an act

2 relating to natural resources; providing for  
3 evaluation of construction aggregate located on school  
4 trust lands; appropriating money; amending Minnesota  
5 Statutes 2004, section 16A.125, subdivision 5, by  
6 adding a subdivision.

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

8 Section 1. Minnesota Statutes 2004, section 16A.125,  
9 subdivision 5, is amended to read:

10 Subd. 5. [FOREST TRUST LANDS.] The term "state forest  
11 trust fund lands" as used in this subdivision, means public land  
12 in trust under the Constitution set apart as "forest lands under  
13 the authority of the commissioner" of natural resources as  
14 defined by section 89.001, subdivision 13.

15 The commissioner of finance shall credit the revenue from  
16 the forest trust fund lands to the forest suspense account. The  
17 account must specify the trust funds interested in the lands and  
18 the respective receipts of the lands.

19 After a fiscal year, the commissioner of finance shall  
20 certify the total costs incurred for forestry during that year  
21 under appropriations for the protection, improvement,  
22 administration, and management of state forest trust fund lands  
23 and construction and improvement of forest roads to enhance the  
24 forest value of the lands. The certificate must specify the  
25 trust funds interested in the lands. The commissioner of  
26 natural resources shall supply the commissioner of finance with

1 the information needed for the certificate.

2 After a fiscal year and after the appropriation under  
3 subdivision 11, the commissioner shall distribute the receipts  
4 credited to the suspense account during that fiscal year as  
5 follows:

6 (a) The amount of the certified costs incurred by the state  
7 for forest management during the fiscal year shall be  
8 transferred to the general fund.

9 (b) The balance of the receipts shall then be returned  
10 prorated to the trust funds in proportion to their respective  
11 interests in the lands which produced the receipts.

12 Sec. 2. Minnesota Statutes 2004, section 16A.125, is  
13 amended by adding a subdivision to read:

14 Subd. 11. [APPROPRIATION TO EVALUATE CONSTRUCTION  
15 AGGREGATE POTENTIAL.] \$50,000 is annually appropriated from  
16 money accruing and credited to the forest suspense account for  
17 school trust lands to the Division of Lands and Minerals in the  
18 Department of Natural Resources to identify, evaluate, and lease  
19 construction aggregates located on school trust lands. The  
20 appropriation is supervised and controlled by the commissioner  
21 of natural resources.



## *Department of Natural Resources Fact Sheet*



### **AGGREGATE INVENTORY ON SCHOOL TRUST LAND**

#### **HF 813/SF712**

#### **Summary**

This bill will increase revenues generated to the Permanent School Fund (PSF), in accordance with directives in the Minnesota Constitution, by identifying and leasing sand and gravel resources. The bill also requires the DNR to develop a mine plan that will ensure the protection of surrounding features such as wetlands and groundwater.

#### **It is needed because**

The DNR has completed a number of site-specific resource evaluations for aggregate deposits on lands managed by the DNR's Divisions of Forestry and Fish & Wildlife. A number of these lands have been leased for aggregate development and are generating royalty revenues. The extent and quality of these deposits was unknown until the evaluation was completed.

As part of the DNR's fiduciary responsibility related to managing school trust lands, the agency has determined that some lands should be evaluated for the occurrence of aggregates. Currently, however, there are no funds available for such evaluations. This bill will annually direct \$50,000 from school trust land revenues to the DNR for conducting aggregate evaluations. This investment will ultimately result in increased revenue to the Permanent School Fund. The evaluation will provide information necessary to place a fair value on a deposit and to develop a mine plan necessary to assure mineland reclamation and protection of surrounding features such as wetlands.

#### **Financial implications**

Beginning in FY 2006, the DNR requests that \$50,000 be appropriated annually from the Forest Suspense Account (where income from school trust lands is initially deposited) to be invested in aggregate evaluation activities.

#### **Background**

This is an initiative by the agency to improve aggregate resource management on land assets of the Permanent School Fund to meet the statutory directives of Minn. Stat. § 127A.31 "Goals of the Permanent School Fund."

#### **For further information contact:**

Dennis Martin, Senior Geologist  
DNR Division of Lands and Minerals  
(651) 297-1125  
[Dennis.Martin@dnr.state.mn.us](mailto:Dennis.Martin@dnr.state.mn.us)

William C. Brice, Director  
DNR Division of Lands and Minerals  
(651) 296-9553  
[William.Brice@dnr.state.mn.us](mailto:William.Brice@dnr.state.mn.us)

February 9, 2005

Senator Saxhaug introduced—

S. F. No. 846 Referred to the Committee on Environment & Natural Resources

1 A bill for an act

2 relating to natural resources; authorizing the private  
3 sale of consolidated conservation land in Aitkin  
4 County.

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

6 Section 1. [PRIVATE SALE OF CONSOLIDATED CONSERVATION  
7 LAND; AITKIN COUNTY.]

8 (a) Notwithstanding the classification and public sale  
9 provisions of Minnesota Statutes, chapters 84A and 282, or other  
10 law to the contrary, the commissioner of natural resources may  
11 sell the consolidated conservation land described in paragraph  
12 (c) to Aitkin County under the remaining provisions of Minnesota  
13 Statutes, chapters 84A and 282.

14 (b) The conveyance must be in a form approved by the  
15 attorney general. Proceeds shall be disposed of according to  
16 Minnesota Statutes, chapter 84A.

17 (c) The land to be sold is in Aitkin County and is  
18 described as: the North 400 feet of the West 800 feet of the  
19 Northwest Quarter of the Northeast Quarter, Section 22, Township  
20 51, Range 26.

1 Senator ..... moves to amend S.F. No. 846 as follows:

2 Page 1, line 15, after the period, insert "The  
3 consideration for the conveyance must be for no less than the  
4 appraised value of the land and timber, and any survey costs."





## Minnesota Department of Natural Resources

500 Lafayette Road  
St. Paul, Minnesota 55155-40\_\_

February 22, 2005

Representative Tom Hackbarth  
Chair, Environment & Natural  
Resources Committee  
409 State Office Building  
St. Paul, Minnesota 55155

Senator John Marty  
Chair, Environment & Natural  
Resources Committee  
323 Capitol  
St. Paul, Minnesota 55155

**Rc: SF 846/HF 842: Aitkin County Proposed Sale of Consolidated Conservation  
Lands**

Dear Committee Chairs:

SF 846/HF 842 allows the commissioner of natural resources to sell by private sale certain consolidated conservation area land in Aitkin county. The land is to be sold to Aitkin county and is described as: the North 400 feet of the West 800 feet of the NW1/4 of the NE1/4, Section 22, Twp. 51, Rge. 26, approximately 7.35 acres.

**Commissioner's Recommendation:** No objection to the sale of the above referenced parcel to Aitkin County for county purposes of construction of a County Highway Department shop and storage building.

If you have any questions, please feel free to call Gloria Johnson, Division of Lands and Minerals at (651) 296-9559.

Yours truly,

  
James E. Lawler, Assistant Director  
Division of Lands and Minerals

cc: Roger Howard, County Land Commissioner  
Senator Tom Saxhaug, Chair, Senate Lands Subcommittee  
Representative Loren Solberg



Senator Saxhaug introduced—

S. F. No. 845 Referred to the Committee on Environment & Natural Resources

1 A bill for an act

2 relating to natural resources; authorizing the  
3 acquisition of lakeshore with county environmental  
4 trust fund resources; amending Laws 1998, chapter 389,  
5 article 16, section 31, subdivision 4, as amended.

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

7 Section 1. Laws 1998, chapter 389, article 16, section 31,  
8 subdivision 4, as amended by Laws 1999, chapter 180, section 3,  
9 and Laws 2001, chapter 164, section 5, is amended to read:

10 Subd. 4. [COUNTY ENVIRONMENTAL TRUST FUND.] (a)

11 Notwithstanding the provisions of Minnesota Statutes, chapter  
12 282, and any other law relating to the apportionment of proceeds  
13 from the sale of tax-forfeited land, and except as otherwise  
14 provided in this section, a county board must deposit the money  
15 received from the sale of land under subdivision 3 into an  
16 environmental trust fund established by the county under this  
17 subdivision. The following may be withheld by a county board  
18 and are not required to be deposited into an environmental trust  
19 fund: the costs of appraisal, abstracts, and surveys; money  
20 received from a sale which is attributable to land owned by a  
21 county in fee; amounts paid to lessees for improvements; amounts  
22 paid to acquire land which is included in a county plan for  
23 exchange and is conveyed to the state in the exchange, including  
24 the purchase price, appraisal, abstract, survey, and closing  
25 costs; and the costs of sale to lessees or other parties,

1 including the costs of advertising, realtors, and closing  
2 services. Except as provided in paragraph (b), if the proceeds  
3 from the sale of tax-forfeited land in a county is \$250,000 or  
4 more, the principal from the sale of the land may not be  
5 expended, and the county board may spend interest earned on the  
6 principal only for purposes related to the improvement of  
7 natural resources. To the extent money received from the sale  
8 is attributable to tax-forfeited land from another county, the  
9 money must be deposited in an environmental trust fund  
10 established under this section by that county board.

11 (b) The principal of an environmental trust fund,  
12 established by the county under this subdivision, may be spent  
13 on the acquisition and improvement of public access sites, as  
14 provided in Minnesota Statutes, section 86B.205, subdivision 7.  
15 If environmental trust fund money is used for the acquisition or  
16 improvement of a public access under this paragraph and the site  
17 is sold, the net proceeds to the county from the sale must be  
18 deposited in the environmental trust fund.

1 Senator ..... moves to amend S.F. No. 845 as follows:

2 Delete everything after the enacting clause and insert:

3 "Section 1. [COUNTY ENVIRONMENTAL TRUST FUND; ITASCA  
4 COUNTY.]

5 (a) Notwithstanding Laws 1998, chapter 389, article 16,  
6 section 31, subdivision 4, as amended, Itasca County may spend  
7 money in the Itasca County environmental trust fund to acquire  
8 the land described in paragraph (b) for public access purposes.

9 (b) The land to be acquired by Itasca County is described  
10 as:

11 (1) parcel number 91-017-1105; and

12 (2) parcel number 91-017-1102."

13 Delete the title and insert:

14 "A bill for an act relating to natural resources; allowing  
15 Itasca County to acquire land for a public access with money  
16 from the Itasca County environmental trust fund."

Senator Saxhaug introduced--

S.F. No. 1102: Referred to the Committee on Environment and Natural Resources.

1 A bill for an act

2 relating to state lands; authorizing the public sale  
3 of tax-forfeited land bordering public waters in  
4 Itasca County.

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

6 Section 1. [PUBLIC SALE OF TAX-FORFEITED LAND BORDERING  
7 PUBLIC WATER; ITASCA COUNTY.]

8 (a) Notwithstanding Minnesota Statutes, sections 92.45 and  
9 282.018, subdivision 1, Itasca County may sell the tax-forfeited  
10 land described in paragraph (c) by public sale, under the  
11 remaining provisions of Minnesota Statutes, chapter 282.

12 (b) The conveyance must be in a form approved by the  
13 attorney general for the appraised value of the land.

14 (c) The land to be sold is located in Itasca County and is  
15 described as:

16 (1) that part lying west of Highway 65 of the Northwest  
17 Quarter of the Northeast Quarter, Section 13, Township 53 North,  
18 Range 23 West;

19 (2) the undivided 1/24th interest in the Northeast Quarter  
20 of the Southwest Quarter, Section 13, Township 56 North, Range  
21 25 West;

22 (3) the undivided 1/24th interest in the Northwest Quarter  
23 of the Northwest Quarter, Section 13, Township 56 North, Range  
24 25 West; and

25 (4) the West 200 feet of the East Half of Government Lot 4,

1 Section 23, Township 58 North, Range 24 West.

2 (d) The county has determined that the county's land  
3 management interests would be best served if the lands were  
4 returned to private ownership.



## Minnesota Department of Natural Resources

500 Lafayette Road  
St. Paul, Minnesota 55155-40

February 28, 2005

Representative Tom Hackbarth  
Chair, Environment & Natural  
Resources Committee  
409 State Office Building  
St. Paul, Minnesota 55155

Senator John Marty  
Chair, Environment & Natural  
Resources Committee  
323 Capitol  
St. Paul, Minnesota 55155

Dear Committee Chairs:

Minnesota Statutes 282.018, subd. 1(d) directs the DNR to evaluate sale proposals of certain tax forfeit lands involving public waters and to make a recommendation to the legislature regarding proposed disposition.

M.S. 282.018 subd. 1(d)

(d) Where the authority having jurisdiction over lands withdrawn from sale under this section is not the Commissioner of Natural Resources, the authority may submit proposals for disposition of the lands to the commissioner. The Commissioner of Natural Resources shall evaluate the lands and their public benefits and make recommendations on the proposed dispositions to the committees of the legislature with jurisdiction over natural resources. The commissioner shall include any recommendations of the commissioner for disposition of lands withdrawn from sale under this section over which the commissioner has jurisdiction. The commissioner's recommendations may include a public sale, sale to a private party, acquisition by the department of natural resources for public purposes, or a cooperative management agreement with, or transfer to, another unit of government.

Please accept this letter as the Department's written recommendation of disposition regarding the following tax-forfeit properties:

### Itasca County (HF 1236, SF 1102)

Parcel 1: That part of NW-NE, Sec. 13, T53N, R23W, lying west of Highway 65. The Department has no objection if legislation is sought to authorize the sale.

Parcel 2: Undivided 1/24th interest in NE-SW, Sec. 13, T56N, R25W. The Department has no objection if legislation is sought to authorize the sale.

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Parcel 3: Undivided 1/24th interest in NW-NW, Sec. 13, T56N, R25W. The Department has no objection if legislation is sought to authorize the sale.

Parcel 4: West 200 feet of E1/2 of Government Lot 4, Sec. 23, T58N, R24W. It is our understanding that the County intends to retain a highway easement 50 feet northerly and southerly of the centerline of the road. The Department has no objection to this sale if Itasca County retains a highway easement 50 feet southerly of the centerline and northerly of the centerline to the shoreline of the lake.

**Resource comments for consideration:** This parcel has limited opportunity for access development because of the lack of room and steep slope between the lake and the road, the parcel still offers green space, fish and wildlife habitat, and water quality benefits to the lake.

If you have any questions, please feel free to call Gloria Johnson, Division of Lands and Minerals at (651) 296-9559.

Yours truly,

  
James E. Lawler, Assistant Director  
Division of Lands and Minerals

cc: Bob Scheierl, Itasca County Realty Specialist  
Senator Tom Saxhaug, Chair, Senate Lands Subcommittee  
Rep. Loren Solberg  
Rep. Frank Moe  
Rep. Irv Anderson



Senator Saxhaug introduced--

S.F. No. 1188: Referred to the Committee on Environment and Natural Resources.

1 A bill for an act

2 relating to state lands; authorizing the private sale  
3 of tax-forfeited land bordering public waters in  
4 Itasca County.

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

6 Section 1. [PRIVATE SALE OF TAX-FORFEITED LAND BORDERING  
7 PUBLIC WATER; ITASCA COUNTY.]

8 (a) Notwithstanding Minnesota Statutes, sections 92.45 and  
9 282.018, subdivision 1, and the public sale requirements of  
10 Minnesota Statutes, chapter 282, Itasca County may sell by  
11 private sale the tax-forfeited land bordering public water that  
12 is described in paragraph (c), under Minnesota Statutes, section  
13 282.01, subdivision 7.

14 (b) The conveyance must be in a form approved by the  
15 attorney general for the appraised value of the land and include  
16 conditions that the existing structures must be removed within  
17 one year of the sale and a conservation easement be retained on  
18 the parcel.

19 (c) The land to be sold is located in Itasca County and is  
20 described as: Government Lot 9, Section 19, Township 60 North,  
21 Range 26 West.

22 (d) The county has determined that the county's land  
23 management interests would be best served if the lands were  
24 returned to private ownership.



## Minnesota Department of Natural Resources

500 Lafayette Road  
St. Paul, Minnesota 55155-40\_\_

February 28, 2005

Representative Tom Hackbarth  
Chair, Environment & Natural  
Resources Committee  
409 State Office Building  
St. Paul, Minnesota 55155

Senator John Marty  
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Resources Committee  
323 Capitol  
St. Paul, Minnesota 55155

Dear Committee Chairs:

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M.S. 282.018 subd. 1(d)

(d) Where the authority having jurisdiction over lands withdrawn from sale under this section is not the Commissioner of Natural Resources, the authority may submit proposals for disposition of the lands to the commissioner. The Commissioner of Natural Resources shall evaluate the lands and their public benefits and make recommendations on the proposed dispositions to the committees of the legislature with jurisdiction over natural resources. The commissioner shall include any recommendations of the commissioner for disposition of lands withdrawn from sale under this section over which the commissioner has jurisdiction. The commissioner's recommendations may include a public sale, sale to a private party, acquisition by the department of natural resources for public purposes, or a cooperative management agreement with, or transfer to, another unit of government.

Please accept this letter as the Department's written recommendation of disposition regarding the proposed sale of the following tax-forfeit property:

Gov't Lot 9, Section 19, Township 60 North, Range 26 West

Itasca County (HF 1237, SF 1188)

Department's Recommendation: No objection

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If you have any questions, please feel free to call Gloria Johnson, Division of Lands and Minerals at (651) 296-9559.

Yours truly,

  
James E. Lawler, Assistant Director  
Division of Lands and Minerals

cc: Bob Scheierl, Itasca County Realty Specialist  
Senator Tom Saxhaug, Chair, Senate Lands Subcommittee  
Rep. Loren Solberg  
Rep. Frank Moc  
Rep. Irv Anderson