

Senator Saxhaug introduced—

S.F. No. 2632: Referred to the Committee on Environment and Natural Resources.

1 A bill for an act

1.2 relating to natural resources; providing for extension of timber permits in the
1.3 event of adverse climatic conditions; amending Minnesota Statutes 2004, section
1.4 90.041, by adding a subdivision.

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

1.6 Section 1. Minnesota Statutes 2004, section 90.041, is amended by adding a
1.7 subdivision to read:

1.8 Subd. 8. Adverse climatic conditions. The commissioner may declare an
1.9 emergency in the event of widespread abnormal climatic conditions that prevent the
1.10 proper and timely harvest of existing permits for standing timber. In the event of an
1.11 emergency declaration, the commissioner may grant extensions, without penalty or
1.12 interest, and may modify the terms and conditions of existing permits for standing timber
1.13 to allow for the harvest of the standing timber in an environmentally sound manner under
1.14 favorable climatic conditions.

1.15 Sec. 2. EFFECTIVE DATE.

1.16 Section 1 is effective the day following final enactment.

Senator Saxhaug introduced—

S.F. No. 2637: Referred to the Committee on Environment and Natural Resources.

A bill for an act
relating to natural resources; authorizing a land exchange in the sustainable
forest incentive program.

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

Section 1. SUSTAINABLE FOREST INCENTIVE ACT; LAND EXCHANGE.

Subdivision 1. Authorization; requirements. (a) The commissioner of revenue shall allow a claimant under the Sustainable Forest Incentive Act to remove parcels from the sustainable forest incentive program without penalty and enroll replacement parcels according to the following conditions and procedures:

(1) the claimant has at least 50,000 acres currently enrolled in the program;

(2) the claimant agrees to have at least 5,000 acres but not more than 8,000 acres removed from the program for use in connection with a proposed steel mill in Itasca County referenced in Laws 1999, chapter 240, article 1, section 8, subdivision 3; and

(3) the claimant makes application on or before December 31, 2010, under this section and the Sustainable Forest Incentive Act to remove from the program and to simultaneously add to the program parcels of like value.

(b) The application must be accompanied by a cover letter that makes reference to this section and identifies the parcels to be removed. For purposes of incentive payments and subsequent removals from the program, the parcels added to the program under the exchange will be treated as if they were included on the claimant's original application for the parcels removed from the program under the exchange. Within 90 days of approving the application under this section, the commissioner shall execute and mail to the claimant a document in recordable form that releases the removed parcels from the covenant required for parcels enrolled under the Sustainable Forest Incentive Act.

2.1 Subd. 2. Exchange of tax-forfeited land; Itasca County. (a) Title examination
2.2 and approval of the land described in paragraph (b) shall be undertaken as a condition
2.3 of exchange of the land for class B land and shall be governed by this subdivision and
2.4 Minnesota Statutes, section 94.344, subdivisions 9 and 10. Notwithstanding the evidence
2.5 of title requirements in Minnesota Statutes, section 94.344, subdivisions 9 and 10, the
2.6 county attorney shall examine one or more title reports or title insurance commitments
2.7 prepared or underwritten by a title insurer licensed to conduct title insurance business in
2.8 this state, regardless of whether abstracts were created or updated in the preparation of
2.9 the title reports or commitments. The opinion of the county attorney and approval by the
2.10 attorney general shall be based on those title reports or commitments.

2.11 (b) The land subject to this subdivision is located in Itasca County and is described
2.12 as:

2.13 (1) Sections 3, 4, 7, 10, 14, 15, 16, 17, 18, 20, 21, 22, 23, 26, 28, and 29, Township
2.14 56 North, Range 22 West;

2.15 (2) Sections 3, 4, 9, 10, 13, and 14, Township 56 North, Range 23 West;

2.16 (3) Section 30, Township 57 North, Range 22 West; and

2.17 (4) Sections 25, 26, 34, 35, and 36, Township 57 North, Range 23 West.

2.18 **Sec. 2. EFFECTIVE DATE.**

2.19 Section 1 is effective the day following final enactment.

1.1 To: Senator Marty, Chair
1.2 Committee on Environment and Natural Resources
3 Senator Saxhaug,
1.4 Chair of the Subcommittee on Public Lands and Waters, to which was referred
1.5 **S.F. No. 2637:** A bill for an act relating to natural resources; authorizing a land
1.6 exchange in the sustainable forest incentive program.

1.7 Reports the same back with the recommendation that the bill be amended as follows:
1.8 Delete everything after the enacting clause and insert:

1.9 "ARTICLE 1

1.10 STATE LAND DESIGNATION AND SALE

1.11 Section 1. ADDITIONS TO STATE PARKS.

1.12 Subdivision 1. [85.012] [Subd. 14.] Crow Wing State Park, Crow Wing, Cass,
1.13 and Morrison Counties. The following areas are added to Crow Wing State Park,
1.14 Cass County:

1.15 (1) Government Lots 3, 4, and 5, the Southeast Quarter of the Northeast Quarter,
1.16 and the Northeast Quarter of the Southeast Quarter, all in Section 24, Township 133
1.17 North, Range 30 West;

1.18 (2) that part of Government Lot 4 lying southerly of Cass County State-Aid Highway
1.19 36 and that part of the Southeast Quarter of the Southwest Quarter lying southerly and
1.20 westerly of Cass County State-Aid Highway 36 and also lying westerly of the Gull River,
1.21 all in Section 19, Township 133 North, Range 29 West; and

1.22 (3) that part of Government Lot 2 lying westerly of the Gull River, Section 30,
1.23 Township 133 North, Range 29 West.

1.24 Subd. 2. [85.012] [Subd. 21.] Frontenac State Park, Goodhue County. The
1.25 following areas are added to Frontenac State Park, Goodhue County:

1.26 (1) beginning at the corners of Sections 11, 12, 13, and 14, in Township 112 North,
1.27 Range 13 West; thence running South along the east line of said Section 14, 660 feet;
1.28 thence at right angles East 2,220 feet; thence at right angles North 1,522 feet; thence
1.29 West 900 feet to the center of the Lake City and Frontenac public highway; thence South
1.30 860 feet, more or less, along the centerline of said public highway to the north line of
1.31 said Section 12; thence West 1,320 feet, more or less, along said north line to the point
1.32 of beginning;

1.33 (2) that part of Government Lot 3 of Section 12 and Government Lot 1 and the
1.34 Northeast Quarter of the Northwest Quarter of Section 13, all in Township 112 North,
1.35 Range 13 West, described as follows: Beginning at a point 600 feet North of the southwest
1.36 corner of the Northeast Quarter of the Northwest Quarter of said Section 13; thence run

2.1 due North 60 feet, more or less, to south line of Convent property; thence due East 900
2.2 feet to the southeast corner of Convent property; thence due North 1,062 feet to a point
2.3 which is 460 feet due South of a stone monument at corner of Convent property; thence
2.4 due East 150 feet; thence South 16 degrees East 1,104 feet, more or less, to a point which
2.5 is 450 feet due East of the southeast corner of Convent property above described; thence
2.6 due East 407 feet; thence due South 660 feet, more or less, to south line of Government
2.7 Lot 1 of said Section 13, which point is 1,757 feet East of southwest corner of Northeast
2.8 Quarter of the Northwest Quarter of said Section 13; thence West along said south line of
2.9 Government Lot 1, 1,167 feet, more or less, to center of Wells Creek; thence northwesterly
2.10 along center of Wells Creek 800 feet, more or less, to a point which is due East of the place
2.11 of beginning; thence due West 100 feet to place of beginning. Also right-of-way 60 feet
2.12 wide adjoining on the North of this tract is given, which runs East and West 150 feet; and
2.13 (3) commencing at the northeast corner of the Ursuline Convent lands (where a
2.14 stone is set) in the Southwest Quarter of Section 12, Township 112 North, Range 13 West;
2.15 thence East on the line of continuation of the north line, which runs East and West of
2.16 said "Convent Lands," a distance of 20 feet for a place of beginning; thence South and
2.17 parallel with the east line of said "Convent Lands," a distance of 400 feet; thence East
2.18 to the line of low water mark of Lake Pepin a distance of 750 feet, be the same more or
2.19 less; thence in a northwesterly direction and following said line of low water mark of said
2.20 Lake Pepin to a point where the same intersects the said continuation of said north line
2.21 of said "Ursuline Convent Lands" if continued to said line of low water mark of said
2.22 Lake Pepin; thence West and on said continued north line to the place of beginning, said
2.23 premises being a part of Lot 3, Section 12.

2.24 Subd. 3. [85.012] [Subd. 27a.] **Grand Portage State Park, Cook County.** The
2.25 following area is added to Grand Portage State Park, all in Section 30, Township 64 North,
2.26 Range 7 East, Cook County: All of the Southwest Quarter of the Northeast Quarter lying
2.27 northerly of the center line of Minnesota Trunk Highway 61.

2.28 Subd. 4. [85.012] [Subd. 42.] **Mille Lacs Kathio State Park, Mille Lacs County.**
2.29 The following area is added to Mille Lacs Kathio State Park, Mille Lacs County: That
2.30 part of Government Lot 1, Section 26, Township 42 North, Range 27 West, described as
2.31 follows: Beginning at the northeast corner of said Government Lot 1; thence North 89
2.32 degrees 09 minutes 54 seconds West, bearing based on Mille Lacs County Coordinate
2.33 System, along the north line of said Government Lot 1 a distance of 665.82 feet to a
2.34 3/4-inch iron rod with survey cap stamped "MN DNR LS 16098" (DNR monument);
2.35 thence South 00 degrees 00 minutes 00 seconds West a distance of 241.73 feet to a DNR
2.36 monument, thence continuing South 00 degrees 00 minutes 00 seconds West a distance of

3.1 42.18 feet to a P.K. nail in the centerline of County Road 26; thence southeasterly along the
3.2 centerline of County Road 26 a distance of 860 feet, more or less, to the east line of said
3.3 Government Lot 1; thence North 00 degrees 22 minutes 38 seconds East along the east line
3.4 of said Government Lot 1 a distance of 763 feet, more or less, to the point of beginning.

3.5 Subd. 5. [85.012] [Subd. 53b.] **Split Rock Creek State Park, Pipestone County.**

3.6 The following areas are added to Split Rock Creek State Park, all in Township 105 North,
3.7 Range 46 West, Pipestone County:

3.8 (1) the Northeast Quarter; the Southwest Quarter; and the Southeast Quarter, except
3.9 that part beginning at a point on the east line of said Southeast Quarter, 1,112 feet North of
3.10 the southeast corner of said Southeast Quarter; thence West 561 feet to a point; thence
3.11 North 529 feet to a point; thence East 561 feet to a point on the east line of said Southeast
3.12 Quarter; thence South along the east line of said Southeast Quarter 528 feet to the point of
3.13 beginning, all in Section 22; and

3.14 (2) the North 105 acres, more or less, of the North Half of Section 27, lying North
3.15 and West of the southeasterly right-of-way line of the former Chicago, Rock Island and
3.16 Pacific Railway Company, now abandoned, as it was originally located on and across said
3.17 Section 27 and that part of the North Half of Section 27 beginning at the northeast corner
3.18 of said Section 27; thence South 89 degrees 40 minutes 00 seconds West, a distance of
3.19 1,608.29 feet; thence South 46 degrees 05 minutes 00 seconds West, a distance of 155.63
3.20 feet; thence deflect left along a curve having a delta angle of 11 degrees 46 minutes, a
3.21 radius of 844.28 feet, for a distance of 173.39 feet; thence South 34 degrees 18 minutes 00
3.22 seconds West, a distance of 909.30 feet; thence South 89 degrees 57 minutes 00 seconds
3.23 East, a distance of 1,718.36 feet; thence North 01 degree 03 minutes 00 seconds East, a
24 distance of 120.70 feet; thence South 89 degrees 44 minutes 00 seconds East, a distance
3.25 of 623.70 feet to the east line of said Section 27; thence North 00 degrees 00 minutes 00
3.26 seconds East, along said east line, a distance of 882.95 feet, to the point of beginning.

3.27 Subd. 6. [85.012] [Subd. 60.] **William O'Brien State Park, Washington County.**

3.28 The following areas are added to William O'Brien State Park, all in Township 32 North,
3.29 Range 20 West, Washington County:

3.30 (1) the South 165.0 feet of the North 495.0 feet of the West Half of the Southeast
3.31 Quarter of Section 36;

3.32 (2) the South 165.0 feet of the North 660.0 feet of the West Half of the Southeast
3.33 Quarter of Section 36; and

3.34 (3) that part of the Northwest Quarter of the Southeast Quarter of Section 36 lying
3.35 South of the North 660 feet thereof and lying North of the South 200 feet of the North
3.36 1,326.20 feet of the West Half of the Southeast Quarter of said Section 36, except that part

4.1 thereof conveyed to the Minneapolis, St. Paul and Sault Ste. Marie Railway Company by
4.2 deed recorded in Book 74 of Deeds, page 491 in the Office of the Washington County
4.3 Recorder.

4.4 **Sec. 2. DELETIONS FROM STATE PARKS.**

4.5 Subdivision 1. [85.012] [Subd. 2.] **Banning State Park, Pine County.** The
4.6 following area is deleted from Banning State Park, Pine County: the West Half of the
4.7 Northwest Quarter, Section 26, Township 43 North, Range 20 West.

4.8 Subd. 2. [85.012] [Subd. 52a.] **Schoolcraft State Park, Cass and Itasca Counties.**
4.9 The following areas are deleted from Schoolcraft State Park, Itasca County, all in
4.10 Township 143 North, Range 25 West:

4.11 (1) Government Lots 5, 6, 9, and 12 of Section 2; and

4.12 (2) Government Lot 4 of Section 11.

4.13 Subd. 3. [85.012] [Subd. 60.] **William O'Brien State Park, Washington County.**
4.14 The following area is deleted from William O'Brien State Park, all in Section 26,
4.15 Township 32 North, Range 20 West, Washington County: that part of the South Half of
4.16 the Northeast Quarter lying east of Oxboro Avenue.

4.17 **Sec. 3. DELETIONS FROM STATE RECREATION AREAS.**

4.18 Subdivision 1. [85.013] [Subd. 12a.] **Iron Range Off-Highway Vehicle**
4.19 **Recreation Area, St. Louis County.** The following areas are deleted from the Iron Range
4.20 Off-Highway Vehicle Recreation Area, St. Louis County:

4.21 (1) the Southeast Quarter of the Southeast Quarter, Section 4, Township 58 North,
4.22 Range 17 West;

4.23 (2) the East Half of the Northeast Quarter and the East Half of the Southeast Quarter,
4.24 Section 8, Township 58 North, Range 17 West; and

4.25 (3) Section 9, Township 58 North, Range 17 West.

4.26 Subd. 2. [85.013] [Subd. 17a.] **Minnesota Valley State Recreation Area,**
4.27 **Hennepin, Dakota, Scott, Carver, Sibley, and LeSueur Counties.** The following area
4.28 is deleted from the Minnesota Valley State Recreation Area, Sibley County: the Rush
4.29 River Wayside.

4.30 **Sec. 4. ADDITIONS TO RUM RIVER STATE FOREST.**

4.31 [89.021] [Subd. 43.] **Rum River State Forest.** The following areas are added to
4.32 Rum River State Forest:

4.33 (1) the South Half of the Southwest Quarter of Section 8, Township 39 North, Range
4.34 25 West, Kanabec County;

5.1 (2) the North Half of the Northeast Quarter of Section 25, Township 39 North,
 5.2 Range 26 West, Mille Lacs County;

5.3 (3) Sections 7, 8, 9, and 10; the West Half of Section 11; the Northwest Quarter,
 5.4 North Half of the Southwest Quarter, and the Southeast Quarter of the Southwest Quarter
 5.5 of Section 14; the North Half of the South Half and the North Half of Section 15; the
 5.6 Southwest Quarter of the Southwest Quarter, the North Half of the South Half, and the
 5.7 North Half of Section 16; the North Half of Section 17; the North Half of Section 18; the
 5.8 Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast
 5.9 Quarter of Section 24; the West Half of the Northeast Quarter and the East Half of the
 5.10 Northwest Quarter of Section 25; and the South Half of the Southeast Quarter of Section
 5.11 26; all in Township 40 North, Range 27 West, Mille Lacs County;

5.12 (4) the East Half of the Southwest Quarter and the Southeast Quarter of Section 36,
 5.13 Township 41 North, Range 27 West, Mille Lacs County;

5.14 (5) the Southeast Quarter of the Southeast Quarter of Section 19, Township 42
 5.15 North, Range 27 West, Mille Lacs County; and

5.16 (6) Section 36, Township 41 North, Range 28 West, Morrison County.

5.17 Sec. 5. Laws 1999, chapter 161, section 31, subdivision 5, as amended by Laws 2004,
 5.18 chapter 262, article 3, section 2, is amended to read:

5.19 Subd. 5. [SURVEY.] (a) Itasca county shall cause each lot to be surveyed by a
 5.20 licensed surveyor, except that a survey is not required for Lots 11 and 12, Plat of Third
 5.21 River, according to the plat of record in the office of the recorder for Itasca County.

5.22 (b) The costs of survey shall be allocated by the county to the lots offered for sale
 5.23 and the successful purchaser on each lot shall reimburse the county for the survey costs
 5.24 allocated to the lot purchased. If no one purchases the lot, the county is responsible for the
 5.25 survey costs. All surveying must be conducted by a licensed surveyor.

5.26 **Sec. 6. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
 5.27 **WATER; ANOKA COUNTY.**

5.28 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
 5.29 resources may sell by public sale the surplus land bordering public water that is described
 5.30 in paragraph (c).

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

5.34 (c) The land that may be sold is located in Anoka County and is described as follows:
 5.35 That part of Government Lot 1 in Section 17, Township 33 North, Range 22 West,
 5.36 commencing at a point on the southeasterly right-of-way line of County Aid Road

6.1 No. 4, as the road was laid out and constructed across said Government Lot 1 as of
6.2 January 31, 1948, which is 99 feet northeasterly from the point of the intersection
6.3 of said right-of-way line and the west line of said Section 17, running thence
6.4 southwesterly a distance of 99 feet to the said intersection of the right-of-way line
6.5 and the west line of Section 17; thence South along the west line of said Section
6.6 17 to the shoreline of Linwood Lake; thence northeasterly along the shoreline of
6.7 Linwood Lake a distance of 126 feet; and thence northwesterly in a straight line to
6.8 the point of beginning, all according to the United States government survey thereof.

6.9 (d) The land was formerly used as a water access site on Linwood Lake and is no
6.10 longer needed for natural resource purposes.

6.11 **Sec. 7. PRIVATE SALE OF SURPLUS LAND; GOODHUE COUNTY.**

6.12 (a) Notwithstanding Minnesota Statutes, sections 85.012, 94.09, and 94.10, the
6.13 commissioner of natural resources may sell by private sale the surplus land that is located
6.14 within the boundaries of Frontenac State Park and described in paragraph (c).

6.15 (b) The conveyance must be in a form approved by the attorney general. The
6.16 conveyance shall reserve an easement to ensure public access to Frontenac State Park.
6.17 The attorney general may make necessary changes to the legal description to correct
6.18 errors and ensure accuracy.

6.19 (c) The land to be sold is located in Goodhue County and is described as follows:
6.20 That part of the East Half of the East Half of the Northwest Quarter of Section 4, Township
6.21 112 North, Range 13 West, Goodhue County, Minnesota, described as follows:

6.22 Commencing at the south quarter corner of said Section 4; thence on an assumed
6.23 bearing of North, along the north-south quarter line of said Section 4, to the centerline
6.24 of Hill Avenue, as now located and established; thence on a bearing of North, along said
6.25 north-south quarter line of said Section 4, a distance of 450.00 feet; thence on a bearing
6.26 of West, a distance of 500.00 feet to the POINT OF BEGINNING; thence continuing on
6.27 a bearing of West, a distance of 61.00 feet; thence on a bearing of South, a distance of
6.28 548 feet, more or less, to the centerline of Hill Avenue; thence northeasterly along said
6.29 centerline a distance of 65 feet, more or less, to a line which bears South from the point of
6.30 beginning; thence on a bearing of North, a distance of 526 feet, more or less to the point of
6.31 beginning. Said parcel contains 0.75 acres, more or less.

6.32 (d) The sale resolves an unintentional trespass that occurred when a pole barn was
6.33 constructed on state park land.

6.34 **Sec. 8. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
6.35 **WATER; HENNEPIN COUNTY.**

7.1 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
7.2 commissioner of natural resources may sell to a governmental subdivision of the state the
7.3 surplus land bordering public water that is described in paragraph (c).

7.4 (b) The conveyance must be in a form approved by the attorney general and may
7.5 be conveyed for less than the value of the land as determined by the commissioner. The
7.6 attorney general may make necessary changes to the legal description to correct errors
7.7 and ensure accuracy. The conveyance must provide that the land described in paragraph
7.8 (c) be used for the public and reverts to the state if the governmental subdivision fails to
7.9 provide for public use or abandons the public use of the land.

7.10 (c) The land that may be sold is located in Hennepin County and is described
7.11 as follows:

7.12 A strip of land 130 feet wide in the S1/2-NW1/4 of Section 20, Township 117 North,
7.13 Range 21 West, the center line of which strip has its beginning in the center of
7.14 Minnehaha Creek on the southeasterly right-of-way line of the Chicago, Milwaukee,
7.15 St. Paul and Pacific Railroad Company across the SW1/4-NW1/4 of said Section 20,
7.16 which point is distant 806 feet northeasterly along said railroad right-of-way line
7.17 from the west line of said Section 20; thence South 50 degrees 5 minutes East a
7.18 distance of 239 feet to a point which is 818.8 feet North of the south boundary
7.19 line of the SW1/4-NW1/4 and 412 feet West from the east boundary line of said
7.20 SW1/4-NW1/4, and thence continuing South 50 degrees 5 minutes East 100 feet;
7.21 thence East on a line parallel with and 753.8 feet distant from the south boundary
7.22 line of said SW1/4-NW1/4, to the east boundary line of said SW1/4-NW1/4.
7.23 Excepting the bed of Minnehaha Creek.

24 (d) The sale to a local unit of government for management for public use would
7.25 allow continued recreational use of the land while reducing cost to state government.

7.26 **Sec. 9. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
7.27 **WATER; ITASCA COUNTY.**

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

7.31 (b) The conveyance must be in a form approved by the attorney general for not
7.32 less than the appraised value of the land.

7.33 (c) The land to be sold is located in Itasca County and is described as: Lot 8,
7.34 Block 1, Anderson Addition, according to the plat on file and of record in the office of
7.35 the recorder for Itasca County.

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

8.3 **Sec. 10. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
8.4 **WATER; ITASCA COUNTY.**

8.5 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
8.6 and the public sale requirements in Minnesota Statutes, chapter 282, Itasca County may
8.7 sell the tax-forfeited land described in paragraph (c) by private sale, under the remaining
8.8 provisions of Minnesota Statutes, chapter 282.

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

8.11 (c) The land to be sold is located in Itasca County and is described as: Government
8.12 Lot 3, Section 27, Township 55 North, Range 26 West.

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

8.15 **Sec. 11. SUSTAINABLE FOREST INCENTIVE ACT; PARCEL**
8.16 **REPLACEMENT; ITASCA COUNTY.**

8.17 (a) The commissioner of revenue shall allow a claimant participating in the
8.18 Sustainable Forest Incentive Act, under Minnesota Statutes, chapter 290C, to remove
8.19 parcels from the sustainable forest incentive program without penalty and enroll
8.20 replacement parcels, if the claimant:

8.21 (1) has at least 50,000 acres of land currently enrolled in the program;

8.22 (2) agrees to have at least 5,000 acres of land but not more than 8,000 acres of land
8.23 removed from the program for use in connection with a proposed steel mill in Itasca
8.24 County referenced in Laws 1999, chapter 240, article 1, section 8, subdivision 3; and

8.25 (3) makes application on or before December 31, 2010, under the Sustainable Forest
8.26 Incentive Act and this section to remove from the program and to simultaneously add to
8.27 the program parcels of like value.

8.28 (b) The application must be accompanied by a cover letter that makes reference to
8.29 this section, identifies the parcels to be removed, and identifies the parcels to be added.
8.30 For purposes of incentive payments and subsequent removals from the program, the
8.31 parcels added to the program under this section will be treated as if they were included on
8.32 the claimant's original application for the parcels removed from the program under this
8.33 section. Within 90 days of approving the application, the commissioner shall execute and
8.34 mail to the claimant a document in recordable form that releases the removed parcels from
8.35 the covenant required for parcels enrolled under the Sustainable Forest Incentive Act.

8.36 **EFFECTIVE DATE.** This section is effective the day following final enactment.

9.1 Sec. 12. EXCHANGE OF TAX-FORFEITED LAND; PRIVATE SALE; ITASCA
9.2 COUNTY.

9.3 (a) For the purpose of a land exchange for use in connection with a proposed
9.4 steel mill in Itasca County referenced in Laws 1999, chapter 240, article 1, section 8,
9.5 subdivision 3, title examination and approval of the land described in paragraph (b)
9.6 shall be undertaken as a condition of exchange of the land for class B land, and shall be
9.7 governed by Minnesota Statutes, section 94.344, subdivisions 9 and 10, and the provisions
9.8 of this subdivision. Notwithstanding the evidence of title requirements in Minnesota
9.9 Statutes, section 94.344, subdivisions 9 and 10, the county attorney shall examine one
9.10 or more title reports or title insurance commitments prepared or underwritten by a title
9.11 insurer licensed to conduct title insurance business in this state, regardless of whether
9.12 abstracts were created or updated in the preparation of the title reports or commitments.
9.13 The opinion of the county attorney, and approval by the attorney general, shall be based on
9.14 those title reports or commitments.

9.15 (b) The land subject to this subdivision is located in Itasca County and is described
9.16 as:

9.17 (1) Sections 3, 4, 7, 10, 14, 15, 16, 17, 18, 20, 21, 22, 23, 26, 28, and 29, Township
9.18 56 North, Range 22 West;

9.19 (2) Sections 3, 4, 9, 10, 13, and 14, Township 56 North, Range 23 West;

9.20 (3) Section 30, Township 57 North, Range 22 West; and

9.21 (4) Sections 25, 26, 34, 35, and 36, Township 57 North, Range 23 West.

9.22 (c) Riparian land given in exchange by Itasca County for the purpose of the steel
9.23 mill referenced in paragraph (a), is exempt from the restrictions imposed by Minnesota
9.24 Statutes, section 94.342, subdivision 3.

9.25 (d) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
9.26 and the public sale provisions of Minnesota Statutes, chapter 282, Itasca County may sell,
9.27 by private sale, any land received in exchange for the purpose of the steel mill referenced
9.28 in paragraph (a), under the remaining provisions of Minnesota Statutes, chapter 282. The
9.29 sale must be in a form approved by the attorney general.

9.30 EFFECTIVE DATE. This section is effective the day following final enactment.

9.31 Sec. 13. LAND REPLACEMENT TRUST FUND; ITASCA COUNTY.

9.32 Notwithstanding the provisions of Minnesota Statutes, chapter 282, and any other
9.33 law relating to the apportionment of proceeds from the sale of tax-forfeited land, and
9.34 except as otherwise provided in this section, Itasca County must deposit the money
9.35 received from the sale of tax-forfeited lands within Minnesota Steel Industries permit to
9.36 mine area near Nashwauk, Minnesota, into a tax-forfeited land replacement trust fund

10.1 established by Itasca County under this section. The principal and interest from this fund
10.2 may be spent only on the purchase of lands to replace the tax-forfeited lands sold to
10.3 Minnesota Steel Industries. Lands purchased with the land replacement fund must:

10.4 (1) become subject to trust in favor of the governmental subdivision wherein they lie
10.5 and all laws related to tax-forfeited lands; and

10.6 (2) be for forest management purposes and dedicated as memorial forest under
10.7 Minnesota Statutes, section 459.06, subdivision 2.

10.8 **Sec. 14. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
10.9 **WATER; LAKE OF THE WOODS COUNTY.**

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

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

10.16 (c) The land that may be sold is located in Lake of the Woods County and is
10.17 described as follows:

10.18 That part of Government Lot 7, Section 23, Township 168 North, Range 35 West,
10.19 described as follows:

10.20 Commencing at the northwest corner of said Government Lot 7, being a 3/4 inch
10.21 by 24 rebar with plastic cap stamped "MN DNR LS 17005"; thence on a bearing
10.22 based on the 1983 Lake of the Woods County Coordinate System (1996 Adjustment)
10.23 of North 89 degrees 35 minutes 54 seconds East along the north line of said
10.24 Government Lot 7 a distance of 640.21 feet to a 3/4 inch by 24 rebar with plastic
10.25 cap stamped "MN DNR LS 17005", and the point of beginning of the land to be
10.26 described; thence South 00 degrees 24 minutes 6 seconds East 40.00 feet to an
10.27 inplace iron rod; thence North 89 degrees 35 minutes 54 seconds East, parallel with
10.28 said north line of Government Lot 7, a distance of 142.59 feet to an inplace iron rod;
10.29 thence North 46 degrees 18 minutes 16 seconds East 58.26 feet to an inplace iron
10.30 rod on the north line of said Government Lot 7; thence South 89 degrees 35 minutes
10.31 54 seconds East, along the north line of said Government Lot 7, a distance of 184.99
10.32 feet to the point of beginning, containing 0.15 acres.

10.33 (d) The sale would resolve an unintentional trespass when a portion of a cabin
10.34 and shed were constructed on state land.

10.35 **Sec. 15. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
10.36 **MILLE LACS COUNTY.**

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

11.4 (b) The conveyance must be in a form approved by the attorney general. The
11.5 conveyance may include any personal property owned by the state and deposited in Mille
11.6 Lacs Lake as part of the breakwater under water permits numbered P.A. 59-735 and P.A.
11.7 61-230. The attorney general may make necessary changes to the legal description to
11.8 correct errors and ensure accuracy.

11.9 (c) The land to be sold is located in Mille Lacs County and is described as follows:
11.10 That part of Government Lot 1, Section 4, Township 42 North, Range 27 West, lying
11.11 between the water's edge of Mille Lacs Lake and the following described lines:

11.12 Commencing at the intersection of the east line of said Government Lot 1 and the
11.13 southerly right-of-way line of County State-Aid Highway 35, formerly Highway
11.14 169, which point is 72.6 feet South of the meander corner on said east line; thence
11.15 in a northwesterly direction along said southerly right-of-way line angle measured
11.16 from said east line 75 degrees 10 minutes a distance of 267.0 feet to the actual point
11.17 of beginning of the first line to be described and Point "A"; thence deflect 89 degrees
11.18 55 minutes to the right in a northeasterly direction a distance of 178 feet, more or
11.19 less, to the water's edge of Mille Lacs Lake and there terminating.

11.20 The second line begins at Point "A"; thence continuing northwesterly on said
11.21 southerly right-of-way line a distance of 17.5 feet; thence deflecting 90 degrees to
11.22 the right in a northeasterly direction a distance of 90 feet, more or less, to the water's
11.23 edge of Mille Lacs Lake and there terminating.

11.24 (d) The sale resolves an unintentional trespass that occurred when two docks were
11.25 constructed on state land.

11.26 **Sec. 16. PUBLIC SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
11.27 **MORRISON COUNTY.**

11.28 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
11.29 resources may sell by public sale the surplus land bordering public water that is described
11.30 in paragraph (c).

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

11.34 (c) The land to be sold is located in Morrison County and is described as follows:
11.35 the Northwest Quarter of the Southwest Quarter, Section 30, Township 41 North, Range
11.36 28 West.

12.1 (d) The state has determined that the school trust land management interests would
12.2 best be served if the land was sold, as the land has no access to a public road and minimal
12.3 timber value.

12.4 **Sec. 17. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
12.5 **WATER; OTTER TAIL COUNTY.**

12.6 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
12.7 resources may sell by public sale the surplus land bordering public water that is described
12.8 in paragraph (c).

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

12.12 (c) The land that may be sold is located in Otter Tail County and is described
12.13 as follows:

12.14 That part of the E1/2-SW1/4 of Section 24, Township 136 North, Range 39 West,
12.15 described as follows: Beginning at Right-of-Way Monument B12 as shown on
12.16 State Highway Right-of-Way Plat No. 56-7 on file and of record in the Office
12.17 of the Register of Deeds in and for said county; thence run North 40 degrees 42
12.18 minutes 47 seconds West (bearings oriented to Minnesota State Plane Grid, 00
12.19 degrees 00 minutes 00 seconds being grid north) for 651.92 feet to Right-of-Way
12.20 Monument B13; thence South 82 degrees 38 minutes 47 seconds East for 304.14
12.21 feet; thence South 73 degrees 11 minutes 03 seconds East for 266.02 feet; thence
12.22 South 16 degrees 18 minutes 57 seconds West for 67.63 feet; thence southerly along
12.23 a tangential curve concave to East having a radius of 393.31 feet and a central angle
12.24 of 78 degrees 00 minutes 00 seconds for 495.04 feet; thence North 64 degrees 11
12.25 minutes 28 seconds West for 335.11 feet to Right-of-Way Monument B12 and the
12.26 point of beginning; containing 3.35 acres, more or less.

12.27 (d) The land was transferred by the Department of Transportation to the Department
12.28 of Natural Resources upon completion of a road project in 1974 and the Department
12.29 of Natural Resources has determined the land is no longer needed for natural resource
12.30 purposes.

12.31 **Sec. 18. EXCHANGE OF STATE LAND WITHIN NERSTRAND BIG WOODS**
12.32 **STATE PARK; RICE COUNTY.**

12.33 (a) Notwithstanding Minnesota Statutes, section 94.342, subdivision 4, the
12.34 commissioner of natural resources may, with the approval of the Land Exchange Board as
12.35 required under the Minnesota Constitution, article XI, section 10, and according to the

13.1 remaining provisions of Minnesota Statutes, sections 94.342 to 94.346, exchange the land
13.2 located within state park boundaries that is described in paragraph (c).

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

13.6 (c) The state land that may be exchanged is located in Rice County and will be a
13.7 portion of the southerly one acre of the following described land:

13.8 All that part of the East 10 acres of the Northwest Quarter of the Southwest Quarter,
13.9 Section 3, Township 110 North, Range 19 West, lying South and West of County
13.10 State-Aid Highway 29, except the South one-half acre thereof.

13.11 The exact area to be exchanged will be determined by completion of a further site
13.12 analysis.

13.13 (d) The exchange would resolve an unintentional trespass of a driveway the location
13.14 of which was not determined until after the state's acquisition of the land.

13.15 Sec. 19. Laws 2005, chapter 161, section 19, is amended to read:

13.16 **Sec. 19. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
13.17 **WATER; ST. LOUIS COUNTY.**

13.18 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
13.19 St. Louis County may sell the tax-forfeited lands bordering public water that are described
13.20 in paragraphs (c) to (g), under the remaining provisions of Minnesota Statutes, chapter 282.

13.21 (b) The conveyances must be in a form approved by the attorney general. The
13.22 attorney general may make necessary changes to legal descriptions to correct errors and
13.23 ensure accuracy.

13.24 (c) The land to be sold is located in St. Louis County and is described as:

13.25 (1) the westerly 400 feet of the easterly 800 feet of Lot 4, Section 13, Township 54
13.26 North, Range 17 West; and

13.27 (2) the West Half of the Northwest Quarter of the Southwest Quarter, Section 33,
13.28 Township 51 North, Range 16 West.

13.29 (d) Except as provided in clause (6), the conveyances of land under this paragraph
13.30 must retain for the state a 150-foot trout stream easement lying 75 feet on each side of
13.31 the centerline of the stream. The land to be sold is located in St. Louis County and is
13.32 described as:

13.33 (1) the Northeast Quarter of the Northeast Quarter, Section 7, Township 50 North,
13.34 Range 18 West;

13.35 (2) the North Half of the Northeast Quarter and the North Half of the Northwest
13.36 Quarter, Section 8, Township 50 North, Range 18 West;

14.1 (3) the Northwest Quarter of the Northeast Quarter, except the North Half, and that
14.2 part of the West 10 acres of the Northeast Quarter of the Northeast Quarter lying south
14.3 of Lester River and the West 10 acres of the Northeast Quarter of the Northeast Quarter
14.4 lying north of Lester River, except the North 5 acres, Section 17, Township 51 North,
14.5 Range 13 West;

14.6 (4) the Northwest Quarter of the Southeast Quarter, except the West Half, and the
14.7 East 165 feet of the West Half of the Northwest Quarter of the Southeast Quarter, Section
14.8 5, Township 51 North, Range 13 West;

14.9 (5) the East Half of the Southeast Quarter of the Southeast Quarter, Section 34,
14.10 Township 58 North, Range 20 West; and

14.11 (6) Government Lot 2, Section 17, Township 51 North, Range 12 West, Wonderland
14.12 1st Addition to the town of Duluth, Lot 22, Block 1 (trout stream easement on tax-forfeited
14.13 land lying 75 feet on the southwest side of the centerline of the stream).

14.14 (e) The conveyance of land under this paragraph must contain a deed restriction that
14.15 is 75 feet in width along the shoreline, excluding a 15-foot access strip. The land to be
14.16 sold is located in St. Louis County and is described as: Lot 6, Lot 7, and Lot 8, except
14.17 the easterly 50 feet, Erickson's Beach, town of Fayal, Section 27, Township 57 North,
14.18 Range 17 West.

14.19 (f) The conveyance of land under this paragraph must contain a deed restriction that
14.20 is 75 feet in width along the shoreline. The land to be sold is located in St. Louis County
14.21 and is described as: Lots 64 and 65, Vermilion Dells, 1st Addition Greenwood, Section 2,
14.22 Township 62 North, Range 16 West.

14.23 (g) The conveyances of land under this paragraph must retain for the state a 150-foot
14.24 conservation easement lying 75 feet on each side of the centerline of the stream. The land
14.25 to be sold is located in St. Louis County and is described as:

14.26 (1) the Northeast Quarter of the Southeast Quarter, Section 31, Township 52 North,
14.27 Range 14 West;

14.28 (2) the Northeast Quarter of the Southwest Quarter, Section 31, Township 52 North,
14.29 Range 14 West; and

14.30 (3) the South Half of the Southwest Quarter of the Southwest Quarter, except the
14.31 westerly 15 acres, Section 31, Township 52 North, Range 14 West.

14.32 (h) The county has determined that the county's land management interests would
14.33 best be served if the lands were returned to private ownership.

14.34

14.35 **Sec. 20. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
14.36 **WATER; ST. LOUIS COUNTY.**

15.1 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
15.2 St. Louis County may sell the tax-forfeited land bordering public water that is described
15.3 in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

15.4 (b) The conveyance must be in a form approved by the attorney general.
15.5 Conveyances of the lands described in paragraph (c), clauses (4), (7), and (9), must retain
15.6 for the state the easements indicated. The attorney general may make changes to the land
15.7 descriptions to correct errors and ensure accuracy.

15.8 (c) The land to be sold is located in St. Louis County and is described as:

15.9 (1) that part of the Southwest Quarter of the Northwest Quarter beginning 511 feet
15.10 East of the northwest corner; running thence southwesterly to a point 511 feet South of
15.11 the northwest corner; thence North to said northwest corner; thence East to the point of
15.12 beginning and Lot 4 lying westerly of the county road, Section 3, Township 57 North,
15.13 Range 15 West;

15.14 (2) the North Half of the Northeast Quarter of the Southwest Quarter, Section 26,
15.15 Township 60 North, Range 16 West;

15.16 (3) the northerly 400 feet of the southerly 600 feet of the Northeast Quarter of the
15.17 Southeast Quarter, Section 21, Township 56 North, Range 18 West;

15.18 (4) Lot 1 South of the St. Louis River, except the railway right-of-way and except
15.19 the easterly 375 feet and except the westerly 335 feet of the easterly 710 feet North of the
15.20 railway right-of-way; Lot 5, except the railway right-of-way, 3 14/100 acres; and Lot 6,
15.21 except the railway right-of-way, 3 14/100 acres, Section 27, Township 51 North, Range
15.22 19 West (stream easement 75 feet wide on each side of the centerline of the unnamed
15.23 coldwater tributary to the St. Louis River for the protection of riparian vegetation and
15.24 to permit public angling);

15.25 (5) Lot 3, except the North 900 feet and except the South 100 feet of the North
15.26 1000 feet of the West 600 feet and except the West 633 feet of the South 80 feet of the
15.27 North 1080 feet and except that party lying southerly of the North 1080 feet, Section 6,
15.28 Township 56 North, Range 20 West;

15.29 (6) the northerly 330 feet of the Northwest Quarter of the Southwest Quarter, Section
15.30 12, Township 55 North, Range 20 West;

15.31 (7) Lot 3 South of the St. Louis River, except the railway right-of-way and Lot 4
15.32 South of the St. Louis River, except 2 AC for the County Road and except the railway
15.33 right-of-way, Section 25, Township 51 North, Range 19 West (stream easement 75 feet
15.34 wide on each side of the centerline of the unnamed coldwater tributary to the St. Louis
15.35 River for the protection of riparian vegetation and to permit public angling);

16.1 (8) the South Half of the South Half of the Southwest Quarter of the Southwest
16.2 Quarter, Section 8, Township 55 North, Range 19 West;

16.3 (9) Lots 6 and 7, Section 33, Township 52 North, Range 20 West (stream easement
16.4 300 feet in width from the centerline of the St. Louis River);

16.5 (10) Lot 14, Michael's Beach Town of Ellsburg, Section 6, Township 55 North,
16.6 Range 17 West;

16.7 (11) an undivided 1/4 interest, Northeast Quarter of the Northeast Quarter, Section
16.8 22, Township 63 North, Range 12 West;

16.9 (12) an undivided 1/4 interest, Northwest Quarter of the Northwest Quarter, Section
16.10 23, Township 63 North, Range 12 West; and

16.11 (13) the Southeast Quarter and the Northeast Quarter, Section 28, Township 51
16.12 North, Range 15 West.

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

16.15 **Sec. 21. PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND**
16.16 **BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

16.17 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
16.18 and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may
16.19 sell by public or private sale the tax-forfeited land bordering public water that is described
16.20 in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

16.21 (b) The conveyance must be in a form approved by the attorney general. The
16.22 conveyance must retain for the state a stream easement 300 feet in width from the
16.23 centerline of the St. Louis River for the protection of riparian vegetation and to permit
16.24 public angling. The attorney general may make necessary changes to the legal description
16.25 to correct errors and ensure accuracy.

16.26 (c) The land to be sold is located in St. Louis County and is described as:
16.27 Government Lot 4, Section 27, Township 51 North, Range 20 West.

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

16.30 **Sec. 22. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

16.31 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282,
16.32 or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited
16.33 land described in paragraph (c).

16.34 (b) The conveyance must be in a form approved by the attorney general. The attorney
16.35 general may make changes to the land description to correct errors and ensure accuracy.

16.36 (c) The land to be sold is located in St. Louis County and is described as:

17.1 That part of the Southeast Quarter of the Northeast Quarter of Section 21, Township
17.2 56 North, Range 18 West, lying East of the East right-of-way line of Fermoy Road as
17.3 located on this day of recording. This parcel contains 4.23 acres, more or less.

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

17.6 Sec. 23. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC
17.7 WATER; WASHINGTON COUNTY.

17.8 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
17.9 resources may sell by public sale the surplus lands bordering public water that are
17.10 described in paragraph (c).

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

17.14 (c) The lands that may be sold are located in Washington County and are described
17.15 as follows:

17.16 (1) all that part of the NE1/4-SW1/4 of Section 3, Township 29 North, Range 20
17.17 West, described as follows: Beginning at a point on the north line of said tract 26 rods
17.18 West of the center of said Section 3; and running thence West along the quarter section
17.19 line to the northwest corner of said tract; thence South along the west line of said tract 80
17.20 rods to the southwest corner of the same; thence East along the south line of said tract to a
17.21 point which is 26 rods West of the southeast corner thereof; thence North parallel with
17.22 the east line of said tract 80 rods to the point of beginning;

17.23 (2) the W1/2-SW1/4 of Section 3, Township 29 North, Range 20 West, except that
17.24 part lying westerly of the following described line: Beginning at a point on the south line
17.25 of said Section 3, distant 430 feet West of the southeast corner of the SW1/4-SW1/4
17.26 of said Section 3; thence northeasterly to the northeast corner of the SW1/4-SW1/4 of
17.27 Section 3; thence northwesterly to a point on the north line of the SW1/4 of Section 3,
17.28 distance 430 feet West of the northeast corner of the NW1/4-SW1/4 of said Section 3; and

17.29 (3) all that part of the SE1/4-SW1/4 of Section 3, Township 29 North, Range 20
17.30 West, lying westerly of County State-Aid Highway 21.

17.31 (d) The Department of Corrections transferred the land to the Department of Natural
17.32 Resources in 1973 and the Department of Natural Resources has determined that the land
17.33 is no longer needed for natural resource purposes.

17.34 Sec. 24. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC
17.35 WATER; WRIGHT COUNTY.

18.1 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
18.2 resources may sell by public sale the surplus land bordering public water that is described
18.3 in paragraph (c).

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

18.7 (c) The land that may be sold is located in Wright County and is described as follows:
18.8 All that part of the North 300 feet of Government Lot 2, Section 17, Township 120
18.9 North, Range 26 West, lying west of the following described line: Beginning at a
18.10 point on the north line of said lot, 134.23 feet East of the center line of Wright
18.11 County Aid Road No. 4, thence South 19 degrees, 1 minute West, 317.32 feet,
18.12 and there terminating. Subject to existing road easements. Said parcel contains
18.13 1.2 acres, more or less.

18.14 (d) The land was formally used as a water access site on Ramsey Lake and is no
18.15 longer needed for natural resource purposes as the water access site has been relocated
18.16 to other land.

18.17 ARTICLE 2

18.18 STATE LAND MANAGEMENT

18.19 Section 1. Minnesota Statutes 2004, section 84.085, subdivision 1, is amended to read:

18.20 Subdivision 1. **Authority.** (a) The commissioner of natural resources may accept for
18.21 and on behalf of the state any gift, bequest, devise, or grants of lands or interest in lands or
18.22 personal property of any kind or of money tendered to the state for any purpose pertaining
18.23 to the activities of the department or any of its divisions. Any money so received is hereby
18.24 appropriated and dedicated for the purpose for which it is granted. Lands and interests in
18.25 lands so received may be sold or exchanged as provided in chapter 94.

18.26 (b) When the commissioner of natural resources accepts lands or interests in land,
18.27 the commissioner may reimburse the donor for costs incurred to obtain an appraisal needed
18.28 for tax reporting purposes. If the state pays the donor for a portion of the value of the
18.29 lands or interests in lands that are donated, the reimbursement for appraisal costs shall not
18.30 exceed \$1,500. If the donor receives no payment from the state for the lands or interests in
18.31 lands that are donated, the reimbursement for appraisal costs shall not exceed \$5,000.

18.32 ~~(b)~~ (c) The commissioner of natural resources, on behalf of the state, may accept and
18.33 use grants of money or property from the United States or other grantors for conservation
18.34 purposes not inconsistent with the laws of this state. Any money or property so received
18.35 is hereby appropriated and dedicated for the purposes for which it is granted, and shall

19.1 be expended or used solely for such purposes in accordance with the federal laws and
 19.2 regulations pertaining thereto, subject to applicable state laws and rules as to manner
 19.3 of expenditure or use providing that the commissioner may make subgrants of any
 19.4 money received to other agencies, units of local government, private individuals, private
 19.5 organizations, and private nonprofit corporations. Appropriate funds and accounts shall be
 19.6 maintained by the commissioner of finance to secure compliance with this section.

19.7 ~~(e)~~ (d) The commissioner may accept for and on behalf of the permanent school fund
 19.8 a donation of lands, interest in lands, or improvements on lands. A donation so received
 19.9 shall become state property, be classified as school trust land as defined in section 92.025,
 19.10 and be managed consistent with section 127A.31.

19.11 **Sec. 2. [85.0145] ACQUISITION OF LAND FOR FACILITIES.**

19.12 The commissioner of natural resources may acquire interests in land by gift,
 19.13 purchase, or lease for facilities outside the boundaries of state parks, state recreation areas,
 19.14 or state waysides that are needed for the management of state parks, state recreation areas,
 19.15 or state waysides established under sections 85.012 and 85.013.

19.16 Sec. 3. Minnesota Statutes 2004, section 88.79, subdivision 1, is amended to read:

19.17 Subdivision 1. **Employment of competent foresters; service to private owners.**

19.18 The commissioner of natural resources may employ competent foresters to furnish owners
 19.19 of forest lands within the state of Minnesota ~~owning respectively not exceeding~~ who own
 19.20 not more than 1,000 acres of such forest land, forest management services consisting of:

19.21 (1) advice in management and protection of timber, including written stewardship
 19.22 and forest management plans;

19.23 (2) selection and marking of timber to be cut;

19.24 (3) measurement of products;

19.25 (4) aid in marketing harvested products;

19.26 (5) provision of tree-planting equipment; and

19.27 (6) such other services as the commissioner of natural resources deems necessary or
 19.28 advisable to promote maximum sustained yield of timber upon such forest lands.

19.29 **Sec. 4. [89.22] USES OF STATE FOREST LANDS; FEES.**

19.30 Subdivision 1. Establishing fees. Notwithstanding section 16A.1283, the
 19.31 commissioner may, by written order, establish fees providing for the use of state forest
 19.32 lands, including: motorcycle, snowmobile, and sports car rallies, races, or enduros;
 19.33 orienteering trials; group campouts that do not occur at designated group camps; dog sled
 19.34 races; dog trials; large horse trail rides; and commercial uses. The fees are not subject to
 19.35 the rulemaking provisions of chapter 14 and section 14.386 does not apply.

20.1 Subd. 2. Receipts to special revenue fund. Fees collected under subdivision 1 shall
20.2 be credited to the special revenue fund and are annually appropriated to the commissioner.

20.3 Sec. 5. Minnesota Statutes 2004, section 90.14, is amended to read:

20.4 **90.14 AUCTION SALE PROCEDURE.**

20.5 (a) All state timber shall be offered and sold by the same unit of measurement as it
20.6 was appraised. ~~The sale shall be made to the person who (1) bids the highest price for all~~
20.7 ~~the several kinds of timber as advertised, or (2) if unsold at public auction, to the person~~
20.8 ~~who purchases at any subsequent sale authorized under section 90.101, subdivision 1. No~~
20.9 tract shall be sold to any person other than the purchaser in whose name the bid was made.

20.10 The commissioner may refuse to approve any and all bids received and cancel a sale of
20.11 state timber for good and sufficient reasons.

20.12 (b) The purchaser at any sale of timber shall, immediately upon the approval of the
20.13 bid, or, if unsold at public auction, at the time of purchase at a subsequent sale under
20.14 section 90.101, subdivision 1, pay to the commissioner a down payment of 15 percent
20.15 of the appraised value. In case any purchaser fails to make such payment, the purchaser
20.16 shall be liable therefor to the state in a civil action, and the commissioner may reoffer the
20.17 timber for sale as though no bid or sale under section 90.101, subdivision 1, therefor
20.18 had been made.

20.19 (c) In lieu of the scaling of state timber required by this chapter, a purchaser of
20.20 state timber may, at the time of payment by the purchaser to the commissioner of 15
20.21 percent of the appraised value, elect in writing on a form prescribed by the attorney
20.22 general to purchase a permit based solely on the appraiser's estimate of the volume of
20.23 timber described in the permit, provided that the commissioner has expressly designated
20.24 the availability of such option for that tract on the list of tracts available for sale as
20.25 required under section 90.101. A purchaser who elects in writing on a form prescribed
20.26 by the attorney general to purchase a permit based solely on the appraiser's estimate of
20.27 the volume of timber described on the permit does not have recourse to the provisions
20.28 of section 90.281.

20.29 (d) In the case of a public auction sale conducted by a sealed bid process, tracts shall
20.30 be awarded to the high bidder, who shall pay to the commissioner a down payment of 15
20.31 percent of the appraised value within ten business days of receiving a written award notice.
20.32 If a purchaser fails to make the down payment, the purchaser is liable for the payment to
20.33 the state and the commissioner may offer the timber for sale to the next highest bidder
20.34 as though no higher bid had been made.

20.35 (e) Except as otherwise provided by law, at the time the purchaser signs a permit
20.36 issued under section 90.151, the purchaser shall make a bid guarantee payment to the

21.1 commissioner in an amount equal to 15 percent of the total purchase price of the permit
21.2 less the down payment amount required by paragraph (b). If the bid guarantee payment is
21.3 not submitted with the signed permit, no harvesting may occur, the permit cancels, and the
21.4 down payment for timber forfeits to the state. The bid guarantee payment forfeits to the
21.5 state if the purchaser and successors in interest fail to execute an effective permit.

21.6 **Sec. 6. [90.145] PURCHASER QUALIFICATIONS AND REGISTRATION.**

21.7 **Subdivision 1. Purchaser qualifications.** (a) In addition to any other requirements
21.8 imposed by this chapter, the purchaser of a state timber permit issued under section 90.151
21.9 must meet the requirements in paragraphs (b) to (d).

21.10 (b) The purchaser and the purchaser's agents, employees, subcontractors, and
21.11 assigns must comply with general industry safety standards for logging adopted by the
21.12 commissioner of labor and industry under chapter 182. The commissioner of natural
21.13 resources shall require a purchaser to provide proof of compliance with the general
21.14 industry safety standards before the start of harvesting operations on any permit.

21.15 (c) The purchaser and the purchaser's agents, subcontractors, and assigns must
21.16 comply with the mandatory insurance requirements of chapter 176. The commissioner
21.17 shall require a purchaser to provide a copy of the proof of insurance required by section
21.18 176.130 before the start of harvesting operations on any permit.

21.19 (d) Before the start of harvesting operations on any permit, the purchaser must
21.20 certify that a foreperson or other designated employee who has a current certificate of
21.21 completion from the Minnesota logger education program (MLEP), the Wisconsin Forest
21.22 Industry Safety and Training Alliance (FISTA), or any similar program acceptable to the
21.23 commissioner, is supervising active logging operations.

21.24 **Subd. 2. Purchaser preregistration.** To facilitate the sale of permits issued under
21.25 section 90.151, the commissioner may establish a purchaser preregistration system.
21.26 Any system implemented by the commissioner shall be limited in scope to only that
21.27 information that is required for the efficient administration of the purchaser qualification
21.28 provisions of this chapter and shall conform with the requirements of chapter 13.

21.29 **Sec. 7. Minnesota Statutes 2004, section 90.151, subdivision 1, is amended to read:**

21.30 **Subdivision 1. Issuance; expiration.** (a) Following receipt of the down payment
21.31 for state timber required under section 90.14 or 90.191, the commissioner shall issue a
21.32 numbered permit to the purchaser, in a form approved by the attorney general, by the
21.33 terms of which the purchaser shall be authorized to enter upon the land, and to cut and
21.34 remove the timber therein described as designated for cutting in the report of the state
21.35 appraiser, according to the provisions of this chapter. The permit shall be correctly dated

22.1 and executed by the commissioner and signed by the purchaser. If a permit is not signed
22.2 by the purchaser within 60 days from the date of purchase, the permit cancels and the
22.3 down payment for timber required under section 90.14 forfeits to the state.

22.4 (b) The permit shall expire no later than five years after the date of sale as the
22.5 commissioner shall specify or as specified under section 90.191, and the timber shall
22.6 be cut within the time specified therein. All cut timber, equipment, and buildings not
22.7 removed from the land within 90 days after expiration of the permit shall become the
22.8 property of the state.

22.9 (c) The commissioner may grant an additional period of time not to exceed 120 days
22.10 for the removal of cut timber, equipment, and buildings upon receipt of such request by
22.11 the permit holder for good and sufficient reasons. The commissioner may grant a second
22.12 period of time not to exceed 120 days for the removal of cut timber, equipment, and
22.13 buildings upon receipt of a request by the permit holder for hardship reasons only.

22.14 ~~(d) No permit shall be issued to any person other than the purchaser in whose name~~
22.15 ~~the bid was made.~~

22.16 Sec. 8. Minnesota Statutes 2004, section 90.151, subdivision 6, is amended to read:

22.17 Subd. 6. **Notice and approval required.** The permit shall provide that the permit
22.18 holder shall not start cutting any state timber nor clear building sites nor logging roads until
22.19 the commissioner has been notified and has given prior approval to such cutting operations.
22.20 Approval shall not be granted until the permit holder has completed a presale conference
22.21 with the state appraiser designated to supervise the cutting. The permit holder shall also
22.22 give prior notice whenever permit operations are to be temporarily halted, whenever
22.23 permit operations are to be resumed, and when permit operations are to be completed.

22.24 Sec. 9. Minnesota Statutes 2004, section 90.151, is amended by adding a subdivision
22.25 to read:

22.26 Subd. 15. **Liquidated damages.** The permit may include a schedule of liquidated
22.27 damage charges for breach of permit terms by the permit holder. The damage charges shall
22.28 be limited to amounts that are reasonable based on the anticipated or actual harm caused
22.29 by the breach, the difficulties of proof of loss, and the inconvenience or nonfeasibility of
22.30 otherwise obtaining an adequate remedy.

22.31 Sec. 10. Minnesota Statutes 2005 Supplement, section 90.195, is amended to read:

22.32 **90.195 SPECIAL USE ~~PERMIT~~ PERMITS.**

22.33 Subdivision 1. **Fuelwood permits.** The commissioner may issue a permit to salvage
22.34 or cut not to exceed 12 cords of fuelwood per year for personal use from either or both
22.35 of the following sources: (1) dead, down, and diseased trees; (2) other trees that are of
22.36 negative value under good forest management practices. The permits may be issued for a

23.1 period not to exceed one year. The commissioner shall charge a fee for the permit that
23.2 shall cover the commissioner's cost of issuing the permit and shall not exceed the current
23.3 market value of fuelwood of similar species, grade, and volume that is being sold in the
23.4 area where the salvage or cutting is authorized under the permit.

23.5 Subd. 2. Specialty forest product permits. (a) The commissioner may issue
23.6 permits to collect or harvest specialty forest products from any state land if the collection
23.7 or harvest is not inconsistent with the purpose for which the land is maintained and
23.8 managed. The permit may be issued for a period not to exceed one year and is revocable
23.9 at the discretion of the commissioner, subject to conditions stated in the permit. The
23.10 commissioner may charge a fee for the permit. The fee shall be equal to the market value of
23.11 the specialty forest product, but not less than the commissioner's cost of issuing the permit.

23.12 (b) Except as provided elsewhere in law, no permit is required to:

23.13 (1) collect or harvest edible berries or nuts or herbal or medicinal specialty forest
23.14 products for personal use; or

23.15 (2) collect or harvest pollen, seeds, nuts, or cones for distribution or sale to the
23.16 United States government, the state government, or any political subdivision thereof.

23.17 Subd. 3. Exemptions. Notwithstanding section 16A.1285, the fees established in
23.18 this section shall be based on market values of the products and the commissioner's costs
23.19 of issuing the permits. The fees are not subject to the rulemaking provisions of chapter 14
23.20 and section 14.386 does not apply.

23.21 Subd. 4. Definitions. (a) For purposes of this section, "specialty forest product"
23.22 means any product collected or harvested from state land from trees, shrubs, or herbaceous
23.23 plants, whether living or dead, including tops, branches, bark, roots, sap, seeds, or other
23.24 parts from those trees, shrubs, or herbaceous plants, that are used for herbal, medicinal,
23.25 edible, decorative, or handicraft purposes.

23.26 (b) For purposes of this section, "personal use" means any use of a product that does
23.27 not result in the distribution or sale of the product to another person for resale, profit,
23.28 or other economic gain.

23.29 Sec. 11. Minnesota Statutes 2004, section 103I.005, subdivision 9, is amended to read:

23.30 Subd. 9. **Exploratory boring.** "Exploratory boring" means a surface drilling done
23.31 to explore or prospect for oil, natural gas, apatite, diamonds, graphite, gemstones, kaolin
23.32 clay, and or metallic minerals, including iron, copper, zinc, lead, gold, silver, titanium,
23.33 vanadium, nickel, cadmium, molybdenum, chromium, manganese, cobalt, zirconium,
23.34 beryllium, thorium, uranium, aluminum, platinum, palladium, radium, tantalum, tin, and
23.35 niobium, and a drilling or boring for petroleum.

24.1 Sec. 12. REPEALER.

24.2 Minnesota Statutes 2004, section 89.011, subdivisions 1, 2, 3, and 6, are repealed."

24.3 Amend the title accordingly

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


.....
(Subcommittee Chair)

24.6
24.7

24.8 March 2, 2006
24.9 (Date of Subcommittee recommendation)

1.1 Senator moves to amend the Report of the Subcommittee on Public
1.2 Lands and Waters (SS2637SUB) to S.F. No. 2637 as follows:

1.3 Page 14, lines 12 and 13, delete the new language and insert "subject to a trout
1.4 stream easement 75 feet in width on the southwest side from the centerline of the stream"

1.5 Page 15, delete lines 9 to 13

1.6 Page 15, line 14, delete "(2)" and insert "(1)"

1.7 Page 15, line 16, delete "(3)" and insert "(2)"

1.8 Page 15, delete lines 18 to 24

1.9 Page 15, line 25, delete "(5)" and insert "(3)"

1.10 Page 15, line 29, delete "(6)" and insert "(4)"

1.11 Page 15, delete lines 31 to 35

1.12 Page 16, line 1, delete "(8)" and insert "(5)"

1.13 Page 16, delete lines 3 to 10

1.14 Page 16, line 11, delete "(13)" and insert "(6)"

1.15 Page 16, line 21, delete everything after the period

1.16 Page 16, delete lines 22 and 23

1.17 Page 16, line 24, delete "public angling."

1.18 Page 16, delete line 27 and insert:

1.19 "(1) that part of the Southwest Quarter of the Northwest Quarter beginning 511 feet
1.20 East of the northwest corner; running thence southwesterly to a point 511 feet South of
1.21 the northwest corner; thence North to said northwest corner; thence East to the point of
1.22 beginning and Lot 4 lying westerly of the county road, Section 3, Township 57 North,
1.23 Range 15 West;

2.1 (2) Lot 14, Michael's Beach Town of Ellsburg, Section 6, Township 55 North,
2.2 Range 17 West;

2.3 (3) an undivided 1/4 interest, Northeast Quarter of the Northeast Quarter, Section 22,
2.4 Township 63 North, Range 12 West; and

2.5 (4) an undivided 1/4 interest, Northwest Quarter of the Northwest Quarter, Section
2.6 23, Township 63 North, Range 12 West."

2.7 Page 17, after line 5, insert:

2.8 "Sec. 23. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING**
2.9 **PUBLIC WATER; ST. LOUIS COUNTY.**

2.10 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
2.11 and the public sale requirements in Minnesota Statutes, chapter 282, St. Louis County
2.12 may sell the tax-forfeited land bordering public water described in paragraph (c) to the
2.13 city of Chisholm, under the remaining provisions of Minnesota Statutes, chapter 282.

2.14 (b) The conveyance must be in a form approved by the attorney general for the
2.15 appraised value of the land. The attorney general may make necessary changes to the legal
2.16 description to correct errors and ensure accuracy.

2.17 (c) The land to be sold is located in St. Louis County and is described as:

2.18 The East One-half (E1/2) of the Northwest Quarter (NW1/4) of Section 27,
2.19 Township 58 North, Range 20 West.

2.20 (d) The county has determined that the county's land management interests would be
2.21 best served if the lands were sold to the city of Chisholm."

2.22 Renumber the sections in sequence and correct the internal references

2.23 Amend the title accordingly

1.1 Senator moves to amend the Report of the Subcommittee on Public
1.2 Lands and Waters (SS2637SUB) to S.F. No. 2637 as follows:

1.3 Page 12, after line 30, insert:

1.4 "Sec. 18. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING
1.5 PUBLIC WATER; PINE COUNTY.

1.6 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
1.7 1, Pine County may sell the tax-forfeited land described in paragraph (c) by public sale,
1.8 under the remaining provisions of Minnesota Statutes, chapter 282.

1.9 (b) The conveyance must be in a form approved by the attorney general for not less
1.10 than the appraised value of the land. The attorney general may make necessary changes to
1.11 the legal description to correct errors and ensure accuracy.

1.12 (c) The land to be sold is located in Pine County and is described as:

1.13 (1) Property ID Numbers 03.0074.000, 03.0075.000, and 03.0076.000, all in Section
1.14 9, Township 41 North, Range 20 West;

1.15 (2) Property ID Numbers 03.0089.000 and 03.0090.000, all in Section 10, Township
1.16 41 North, Range 20 West;

1.17 (3) Property ID Number 06.0086.000 in Section 14, Township 40 North, Range
1.18 22 West;

1.19 (4) Property ID Numbers 13.0053.000, and 13.0054.000, all in Section 4, Township
1.20 43 North, Range 20 West;

1.21 (5) Property ID Number 13.0059.000 in Section 5, Township 43 North, Range
1.22 20 West;

1.23 (6) Property ID Numbers 16.0198.000 and 16.0201.000, all in Section 19, Township
1.24 45 North, Range 18 West;

1.25 (7) Property ID Number 20.0164.000 in Section 23, Township 43 North, Range
1.26 16 West; and

2.1 (8) Property ID Number 45.5567.000 in Section 16, Township 42 North, Range
2.2 20 West.

2.3 (d) The conveyance of land described in paragraph (c), clauses (5) and (6), shall
2.4 be combined and sold as a single parcel.

2.5 (e) The county has determined that the county's land management interests would be
2.6 best served if the lands were returned to private ownership.

2.7 **Sec. 19. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
2.8 **WATER; PINE COUNTY.**

2.9 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
2.10 and the public sale requirements in Minnesota Statutes, chapter 282, Pine County may sell
2.11 by private sale the tax-forfeited land bordering public water described in paragraph (c),
2.12 under Minnesota Statutes, section 282.01, subdivision 7a.

2.13 (b) The conveyance must be in a form approved by the attorney general for the
2.14 appraised value of the land. The attorney general may make necessary changes to the legal
2.15 description to correct errors and ensure accuracy.

2.16 (c) The land to be sold is located in Pine County and is described as:

2.17 (1) Property ID Number 28.1134.001 in Section 36, Township 39 North, Range
2.18 22 West;

2.19 (2) Property ID Number 12.0300.000 in Section 20, Township 42 North, Range
2.20 21 West;

2.21 (3) Property ID Number 25.0107.000 in Section 9, Township 43 North, Range
2.22 19 West;

2.23 (4) Property ID Number 16.0190.000 in Section 18, Township 45 North, Range
2.24 18 West;

2.25 (5) Property ID Number 31.0174.000 in Section 23, Township 45 North, Range
2.26 20 West; and

2.27 (6) Property ID Number 33.5487.000 in Section 16, Township 45 North, Range
2.28 19 West.

2.29 (d) The conveyance of land described in paragraph (c), clause (6), must contain a
2.30 deed restriction on development that is 75 feet in width along the shoreline, excluding a
2.31 15-foot access strip.

2.32 (e) The county has determined that the county's land management interests would be
2.33 best served if the lands were returned to private ownership.

2.34 **Sec. 20. PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND**
2.35 **BORDERING PUBLIC WATER; PINE COUNTY.**

3.1 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
3.2 Pine County may sell the tax-forfeited land bordering public water described in paragraph
3.3 (c), by public sale or as provided in Minnesota Statutes, section 282.01, subdivision 7a,
3.4 under the remaining provisions of Minnesota Statutes, chapter 282.

3.5 (b) The conveyance must be in a form approved by the attorney general for the
3.6 appraised value of the land. The attorney general may make necessary changes to the legal
3.7 description to correct errors and ensure accuracy.

3.8 (c) The land to be sold is located in Pine County and is described as:
3.9 Property ID Number 17.0225.000 in Section 17, Township 44 North, Range 20 West.

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

3.12 Renumber the sections in sequence and correct the internal references

3.13 Amend the title accordingly

1.1 Senator moves to amend the Report of the Subcommittee on Public
1.2 Lands and Waters (SS2637SUB) to S.F. No. 2637 as follows:

1.3 Page 6, after line 10, insert:

1.4 "Sec. 7. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING
1.5 PUBLIC WATER; CLEARWATER COUNTY.

1.6 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
1.7 and the public sale requirements in Minnesota Statutes, chapter 282, Clearwater County
1.8 may sell the tax-forfeited land bordering public water described in paragraph (c) to the
1.9 city of Bagley, under the remaining provisions of Minnesota Statutes, chapter 282.

1.10 (b) The conveyance must be in a form approved by the attorney general for the
1.11 appraised value of the land. The attorney general may make necessary changes to the legal
1.12 description to correct errors and ensure accuracy.

1.13 (c) The land to be sold is located in Clearwater County and is described as:

1.14 (1) all that part of the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4)
1.15 and the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4), Section Thirty (30),
1.16 Township One Hundred Forty-seven (147) North, Range Thirty-seven (37), West of the
1.17 Fifth Principal Meridian, described as follows:

1.18 Commencing at the Southwest corner of Lot One (1) of Block One (1) of Pleasant
1.19 Addition of Bagley at its intersection with Highway #2 right-of-way as the point of
1.20 beginning; thence North on the West boundary line of said Lot One to the Northern
1.21 boundary line of the alley North of and adjacent to Block One; thence Westerly on said
1.22 North boundary line if produced to the East boundary line of Block Eight; thence South on
1.23 said East boundary line to the intersection with U.S. Highway #2 right-of-way; thence
1.24 Easterly and following the Northern boundary line of the U.S. Highway #2 right-of-way
1.25 to the point of beginning;

2.1 (2) Lot Eight (8), Block One (1), Lake Lamond Addition, according to the plat
2.2 thereof on file and of record in the office of the county recorder, Clearwater County,
2.3 Minnesota;

2.4 (3) Block Eight (8), Auditor's 2nd Subdivision of Bagley, according to the plat
2.5 thereof on file and of record in the office of the county recorder, Clearwater County,
2.6 Minnesota; and

2.7 (4) Lots One (1), Two (2), Three (3), & Four (4), Block Thirteen (13), Auditor's 2nd
2.8 Subdivision of Bagley, according to the plat thereof on file and of record in the office of
2.9 the county recorder, Clearwater County, Minnesota.

2.10 (d) The county has determined that the county's land management interests would be
2.11 best served if the lands were sold to the city of Bagley."

2.12 Renumber the sections in sequence and correct the internal references

2.13 Amend the title accordingly

- 1.1 Senator moves to amend the Report of the Subcommittee on Public
- 1.2 Lands and Waters (SS2637SUB) to S.F. No. 2637 as follows:
- 1.3 Page 20 , line 1, delete "special revenue" and insert "natural resources"
- 1.4 Page 20, delete line 2 and insert "be credited to a forest land use account in the
- 1.5 natural resources fund."

Senators Saxhaug, Bakk and Olson introduced—

S.F. No. 2851: Referred to the Committee on Environment and Natural Resources.

1 A bill for an act
 1.2 relating to state lands; adding to and deleting from state parks and recreation
 1.3 areas; providing for public and private sales and exchanges of certain state lands.

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

1.5 Section 1. ADDITIONS TO STATE PARKS.

1.6 Subdivision 1. [85.012] [Subd. 14.] Crow Wing State Park, Crow Wing, Cass,
 1.7 and Morrison Counties. The following areas are added to Crow Wing State Park,
 1.8 Cass County:

1.9 (1) Government Lots 3, 4, and 5, the Southeast Quarter of the Northeast Quarter,
 1.10 and the Northeast Quarter of the Southeast Quarter, all in Section 24, Township 133
 1.11 North, Range 30 West;

1.12 (2) that part of Government Lot 4 lying southerly of Cass County State-Aid Highway
 1.13 36 and that part of the Southeast Quarter of the Southwest Quarter lying southerly and
 1.14 westerly of Cass County State-Aid Highway 36 and also lying westerly of the Gull River,
 1.15 all in Section 19, Township 133 North, Range 29 West; and

1.16 (3) that part of Government Lot 2 lying westerly of the Gull River, Section 30,
 1.17 Township 133 North, Range 29 West.

1.18 Subd. 2. [85.012] [Subd. 21.] Frontenac State Park, Goodhue County. The
 1.19 following areas are added to Frontenac State Park, Goodhue County:

1.20 (1) beginning at the corners of Sections 11, 12, 13, and 14, in Township 112 North,
 1.21 Range 13 West; thence running South along the east line of said Section 14, 660 feet;
 1.22 thence at right angles East 2,220 feet; thence at right angles North 1,522 feet; thence
 1.23 West 900 feet to the center of the Lake City and Frontenac public highway; thence South
 1.24 860 feet, more or less, along the centerline of said public highway to the north line of

2.1 said Section 12; thence West 1,320 feet, more or less, along said north line to the point
 2.2 of beginning;

2.3 (2) that part of Government Lot 3 of Section 12 and Government Lot 1 and the
 2.4 Northeast Quarter of the Northwest Quarter of Section 13, all in Township 112 North,
 2.5 Range 13 West, described as follows: Beginning at a point 600 feet North of the southwest
 2.6 corner of the Northeast Quarter of the Northwest Quarter of said Section 13; thence run
 2.7 due North 60 feet, more or less, to south line of Convent property; thence due East 900
 2.8 feet to the southeast corner of Convent property; thence due North 1,062 feet to a point
 2.9 which is 460 feet due South of a stone monument at corner of Convent property; thence
 2.10 due East 150 feet; thence South 16 degrees East 1,104 feet, more or less, to a point which
 2.11 is 450 feet due East of the southeast corner of Convent property above described; thence
 2.12 due East 407 feet; thence due South 660 feet, more or less, to south line of Government
 2.13 Lot 1 of said Section 13, which point is 1,757 feet East of southwest corner of Northeast
 2.14 Quarter of the Northwest Quarter of said Section 13; thence West along said south line of
 2.15 Government Lot 1, 1,167 feet, more or less, to center of Wells Creek; thence northwesterly
 2.16 along center of Wells Creek 800 feet, more or less, to a point which is due East of the place
 2.17 of beginning; thence due West 100 feet to place of beginning. Also right-of-way 60 feet
 2.18 wide adjoining on the North of this tract is given, which runs East and West 150 feet; and

2.19 (3) commencing at the northeast corner of the Ursuline Convent lands (where a
 2.20 stone is set) in the Southwest Quarter of Section 12, Township 112 North, Range 13 West;
 2.21 thence East on the line of continuation of the north line, which runs East and West of
 2.22 said "Convent Lands," a distance of 20 feet for a place of beginning; thence South and
 2.23 parallel with the east line of said "Convent Lands," a distance of 400 feet; thence East
 2.24 to the line of low water mark of Lake Pepin a distance of 750 feet, be the same more or
 2.25 less; thence in a northwesterly direction and following said line of low water mark of said
 2.26 Lake Pepin to a point where the same intersects the said continuation of said north line
 2.27 of said "Ursuline Convent Lands" if continued to said line of low water mark of said
 2.28 Lake Pepin; thence West and on said continued north line to the place of beginning, said
 2.29 premises being a part of Lot 3, Section 12.

2.30 Subd. 3. [85.012] [Subd. 27a.] Grand Portage State Park, Cook County. The
 2.31 following area is added to Grand Portage State Park, all in Section 30, Township 64 North,
 2.32 Range 7 East, Cook County: All of the Southwest Quarter of the Northeast Quarter lying
 2.33 northerly of the center line of Minnesota Trunk Highway 61.

2.34 Subd. 4. [85.012] [Subd. 42.] Mille Lacs Kathio State Park, Mille Lacs County.
 2.35 The following area is added to Mille Lacs Kathio State Park, Mille Lacs County: That
 2.36 part of Government Lot 1, Section 26, Township 42 North, Range 27 West, described as

3.1 follows: Beginning at the northeast corner of said Government Lot 1; thence North 89
 3.2 degrees 09 minutes 54 seconds West, bearing based on Mille Lacs County Coordinate
 3.3 System, along the north line of said Government Lot 1 a distance of 665.82 feet to a
 3.4 3/4-inch iron rod with survey cap stamped "MN DNR LS 16098" (DNR monument);
 3.5 thence South 00 degrees 00 minutes 00 seconds West a distance of 241.73 feet to a DNR
 3.6 monument, thence continuing South 00 degrees 00 minutes 00 seconds West a distance of
 3.7 42.18 feet to a P.K. nail in the centerline of County Road 26; thence southeasterly along the
 3.8 centerline of County Road 26 a distance of 860 feet, more or less, to the east line of said
 3.9 Government Lot 1; thence North 00 degrees 22 minutes 38 seconds East along the east line
 3.10 of said Government Lot 1 a distance of 763 feet, more or less, to the point of beginning.

3.11 Subd. 5. [85.012] [Subd. 53b.] Split Rock Creek State Park, Pipestone County.
 3.12 The following areas are added to Split Rock Creek State Park, all in Township 105 North,
 3.13 Range 46 West, Pipestone County:

3.14 (1) the Northeast Quarter; the Southwest Quarter; and the Southeast Quarter, except
 3.15 that part beginning at a point on the east line of said Southeast Quarter, 1,112 feet North of
 3.16 the southeast corner of said Southeast Quarter; thence West 561 feet to a point; thence
 3.17 North 529 feet to a point; thence East 561 feet to a point on the east line of said Southeast
 3.18 Quarter; thence South along the east line of said Southeast Quarter 528 feet to the point of
 3.19 beginning, all in Section 22; and

3.20 (2) the North 105 acres, more or less, of the North Half of Section 27, lying North
 3.21 and West of the southeasterly right-of-way line of the former Chicago, Rock Island and
 3.22 Pacific Railway Company, now abandoned, as it was originally located on and across said
 3.23 Section 27 and that part of the North Half of Section 27 beginning at the northeast corner
 3.24 of said Section 27; thence South 89 degrees 40 minutes 00 seconds West, a distance of
 3.25 1,608.29 feet; thence South 46 degrees 05 minutes 00 seconds West, a distance of 155.63
 3.26 feet; thence deflect left along a curve having a delta angle of 11 degrees 46 minutes, a
 3.27 radius of 844.28 feet, for a distance of 173.39 feet; thence South 34 degrees 18 minutes 00
 3.28 seconds West, a distance of 909.30 feet; thence South 89 degrees 57 minutes 00 seconds
 3.29 East, a distance of 1,718.36 feet; thence North 01 degree 03 minutes 00 seconds East, a
 3.30 distance of 120.70 feet; thence South 89 degrees 44 minutes 00 seconds East, a distance
 3.31 of 623.70 feet to the east line of said Section 27; thence North 00 degrees 00 minutes 00
 3.32 seconds East, along said east line, a distance of 882.95 feet, to the point of beginning.

3.33 Subd. 6. [85.012] [Subd. 60.] William O'Brien State Park, Washington County.
 3.34 The following areas are added to William O'Brien State Park, all in Township 32 North,
 3.35 Range 20 West, Washington County:

- 4.1 (1) the South 165.0 feet of the North 495.0 feet of the West Half of the Southeast
 4.2 Quarter of Section 36;
 4.3 (2) the South 165.0 feet of the North 660.0 feet of the West Half of the Southeast
 4.4 Quarter of Section 36; and
 4.5 (3) that part of the Northwest Quarter of the Southeast Quarter of Section 36 lying
 4.6 South of the North 660 feet thereof and lying North of the South 200 feet of the North
 4.7 1,326.20 feet of the West Half of the Southeast Quarter of said Section 36, except that part
 4.8 thereof conveyed to the Minneapolis, St. Paul and Sault Ste. Marie Railway Company by
 4.9 deed recorded in Book 74 of Deeds, page 491 in the Office of the Washington County
 4.10 Recorder.

4.11 **Sec. 2. DELETIONS FROM STATE PARKS.**

4.12 Subdivision 1. [85.012] [Subd. 2.] **Banning State Park, Pine County.** The
 4.13 following area is deleted from Banning State Park, Pine County: the West Half of the
 4.14 Northwest Quarter, Section 26, Township 43 North, Range 20 West.

4.15 Subd. 2. [85.012] [Subd. 52a.] **Schoolcraft State Park, Cass and Itasca Counties.**
 4.16 The following areas are deleted from Schoolcraft State Park, Itasca County, all in
 4.17 Township 143 North, Range 25 West:

- 4.18 (1) Government Lots 5, 6, 9, and 12 of Section 2; and
 4.19 (2) Government Lot 4 of Section 11.

4.20 Subd. 3. [85.012] [Subd. 60.] **William O'Brien State Park, Washington County.**
 4.21 The following area is deleted from William O'Brien State Park, all in Section 26,
 4.22 Township 32 North, Range 20 West, Washington County: that part of the South Half of
 4.23 the Northeast Quarter lying east of Oxboro Avenue.

4.24 **Sec. 3. DELETIONS FROM STATE RECREATION AREAS.**

4.25 Subdivision 1. [85.013] [Subd. 12a.] **Iron Range Off-Highway Vehicle**
 4.26 Recreation Area, St. Louis County. The following areas are deleted from the Iron Range
 4.27 Off-Highway Vehicle Recreation Area, St. Louis County:

- 4.28 (1) the Southeast Quarter of the Southeast Quarter, Section 4, Township 58 North,
 4.29 Range 17 West;
 4.30 (2) the East Half of the Northeast Quarter and the East Half of the Southeast Quarter,
 4.31 Section 8, Township 58 North, Range 17 West; and
 4.32 (3) Section 9, Township 58 North, Range 17 West.

4.33 Subd. 2. [85.013] [Subd. 17a.] **Minnesota Valley State Recreation Area,**
 4.34 **Hennepin, Dakota, Scott, Carver, Sibley, and LeSueur Counties.** The following area

5.1 is deleted from the Minnesota Valley State Recreation Area, Sibley County: the Rush
5.2 River Wayside.

5.3 **Sec. 4. ADDITIONS TO RUM RIVER STATE FOREST.**

5.4 [89.021] [Subd. 43.] Rum River State Forest. The following areas are added to
5.5 Rum River State Forest:

5.6 (1) the South Half of the Southwest Quarter of Section 8, Township 39 North, Range
5.7 25 West, Kanabec County;

5.8 (2) the North Half of the Northeast Quarter of Section 25, Township 39 North,
5.9 Range 26 West, Mille Lacs County;

5.10 (3) Sections 7, 8, 9, and 10; the West Half of Section 11; the Northwest Quarter,
5.11 North Half of the Southwest Quarter, and the Southeast Quarter of the Southwest Quarter
5.12 of Section 14; the North Half of the South Half and the North Half of Section 15; the
5.13 Southwest Quarter of the Southwest Quarter, the North Half of the South Half, and the
5.14 North Half of Section 16; the North Half of Section 17; the North Half of Section 18; the
5.15 Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast
5.16 Quarter of Section 24; the West Half of the Northeast Quarter and the East Half of the
5.17 Northwest Quarter of Section 25; and the South Half of the Southeast Quarter of Section
5.18 26; all in Township 40 North, Range 27 West, Mille Lacs County;

5.19 (4) the East Half of the Southwest Quarter and the Southeast Quarter of Section 36,
5.20 Township 41 North, Range 27 West, Mille Lacs County;

5.21 (5) the Southeast Quarter of the Southeast Quarter of Section 19, Township 42
5.22 North, Range 27 West, Mille Lacs County; and

5.23 (6) Section 36, Township 41 North, Range 28 West, Morrison County.

5.24 **Sec. 5. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
5.25 **WATER; ANOKA COUNTY.**

5.26 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
5.27 resources may sell by public sale the surplus land bordering public water that is described
5.28 in paragraph (c).

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

5.32 (c) The land that may be sold is located in Anoka County and is described as follows:
5.33 That part of Government Lot 1 in Section 17, Township 33 North, Range 22 West,
5.34 commencing at a point on the southeasterly right-of-way line of County Aid Road

6.1 No. 4, as the road was laid out and constructed across said Government Lot 1 as of
 6.2 January 31, 1948, which is 99 feet northeasterly from the point of the intersection
 6.3 of said right-of-way line and the west line of said Section 17, running thence
 6.4 southwesterly a distance of 99 feet to the said intersection of the right-of-way line
 6.5 and the west line of Section 17; thence South along the west line of said Section
 6.6 17 to the shoreline of Linwood Lake; thence northeasterly along the shoreline of
 6.7 Linwood Lake a distance of 126 feet; and thence northwesterly in a straight line to
 6.8 the point of beginning, all according to the United States government survey thereof.

6.9 (d) The land was formerly used as a water access site on Linwood Lake and is no
 6.10 longer needed for natural resource purposes.

6.11 **Sec. 6. PRIVATE SALE OF SURPLUS LAND; GOODHUE COUNTY.**

6.12 (a) Notwithstanding Minnesota Statutes, sections 85.012, 94.09, and 94.10, the
 6.13 commissioner of natural resources may sell by private sale the surplus land that is located
 6.14 within the boundaries of Frontenac State Park and described in paragraph (c).

6.15 (b) The conveyance must be in a form approved by the attorney general. The
 6.16 conveyance shall reserve an easement to ensure public access to Frontenac State Park.
 6.17 The attorney general may make necessary changes to the legal description to correct
 6.18 errors and ensure accuracy.

6.19 (c) The land to be sold is located in Goodhue County and is described as follows:
 6.20 That part of the East Half of the East Half of the Northwest Quarter of Section 4, Township
 6.21 112 North, Range 13 West, Goodhue County, Minnesota, described as follows:

6.22 Commencing at the south quarter corner of said Section 4; thence on an assumed
 6.23 bearing of North, along the north-south quarter line of said Section 4, to the
 6.24 centerline of Hill Avenue, as now located and established; thence on a bearing of
 6.25 North, along said north-south quarter line of said Section 4, a distance of 450.00
 6.26 feet; thence on a bearing of West, a distance of 500.00 feet; thence on a bearing
 6.27 of South, a distance of 160.00 feet, to the POINT OF BEGINNING; thence on a
 6.28 bearing of West, a distance of 45.00 feet; thence on a bearing of South, a distance of
 6.29 154.00 feet; thence on a bearing of East, a distance of 45.00 feet; thence on a bearing
 6.30 of North, a distance of 154.00 feet, to the point of beginning.

6.31 Said parcel contains 0.159 acres, more or less.

6.32 (d) The sale resolves an unintentional trespass that occurred when a pole barn was
 6.33 constructed on state park land.

7.1 **Sec. 7. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
7.2 **WATER; HENNEPIN COUNTY.**

7.3 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
7.4 commissioner of natural resources may sell to a governmental subdivision of the state the
7.5 surplus land bordering public water that is described in paragraph (c).

7.6 (b) The conveyance must be in a form approved by the attorney general and may
7.7 be conveyed for less than the value of the land as determined by the commissioner. The
7.8 attorney general may make necessary changes to the legal description to correct errors
7.9 and ensure accuracy. The conveyance must provide that the land described in paragraph
7.10 (c) be used for the public and reverts to the state if the governmental subdivision fails to
7.11 provide for public use or abandons the public use of the land.

7.12 (c) The land that may be sold is located in Hennepin County and is described
7.13 as follows:

7.14 A strip of land 130 feet wide in the S1/2-NW1/4 of Section 20, Township 117 North,
7.15 Range 21 West, the center line of which strip has its beginning in the center of
7.16 Minnehaha Creek on the southeasterly right-of-way line of the Chicago, Milwaukee,
7.17 St. Paul and Pacific Railroad Company across the SW1/4-NW1/4 of said Section 20,
7.18 which point is distant 806 feet northeasterly along said railroad right-of-way line
7.19 from the west line of said Section 20; thence South 50 degrees 5 minutes East a
7.20 distance of 239 feet to a point which is 818.8 feet North of the south boundary
7.21 line of the SW1/4-NW1/4 and 412 feet West from the east boundary line of said
7.22 SW1/4-NW1/4, and thence continuing South 50 degrees 5 minutes East 100 feet;
7.23 thence East on a line parallel with and 753.8 feet distant from the south boundary
7.24 line of said SW1/4-NW1/4, to the east boundary line of said SW1/4-NW1/4.

7.25 Excepting the bed of Minnehaha Creek.

7.26 (d) The sale to a local unit of government for management for public use would
7.27 allow continued recreational use of the land while reducing cost to state government.

7.28 **Sec. 8. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
7.29 **WATER; LAKE OF THE WOODS COUNTY.**

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

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

8.1 (c) The land that may be sold is located in Lake of the Woods County and is
8.2 described as follows:

8.3 That part of Government Lot 7, Section 23, Township 168 North, Range 35 West,
8.4 described as follows:

8.5 Commencing at the northwest corner of said Government Lot 7, being a 3/4 inch
8.6 by 24 rebar with plastic cap stamped "MN DNR LS 17005"; thence on a bearing
8.7 based on the 1983 Lake of the Woods County Coordinate System (1996 Adjustment)
8.8 of North 89 degrees 35 minutes 54 seconds West along the north line of said
8.9 Government Lot 7 a distance of 640.21 feet to a 3/4 inch by 24 rebar with plastic
8.10 cap stamped "MN DNR LS 17005", and the point of beginning of the land to be
8.11 described; thence South 00 degrees 24 minutes 6 seconds West 40.00 feet to an
8.12 inplace iron rod; thence North 89 degrees 35 minutes 54 seconds West, parallel with
8.13 said north line of Government Lot 7, a distance of 142.59 feet to an inplace iron rod;
8.14 thence North 46 degrees 18 minutes 16 seconds East 58.26 feet to an inplace iron rod
8.15 on the north line of said Government Lot 7; thence South 89 degrees 35 minutes 54
8.16 seconds West, along the north line of said Government Lot 7, a distance of 184.99
8.17 feet to the point of beginning, containing 0.15 acres.

8.18 (d) The sale would resolve an unintentional trespass when a portion of a cabin
8.19 and shed were constructed on state land.

8.20 **Sec. 9. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
8.21 **MILLE LACS COUNTY.**

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

8.25 (b) The conveyance must be in a form approved by the attorney general. The
8.26 conveyance may include any personal property owned by the state and deposited in Mille
8.27 Lacs Lake as part of the breakwater under water permits numbered P.A. 59-735 and P.A.
8.28 61-230. The attorney general may make necessary changes to the legal description to
8.29 correct errors and ensure accuracy.

8.30 (c) The land to be sold is located in Mille Lacs County and is described as follows:
8.31 That part of Government Lot 1, Section 4, Township 42 North, Range 27 West, lying
8.32 between the water's edge of Mille Lacs Lake and the following described lines:

8.33 Commencing at the intersection of the east line of said Government Lot 1 and the
8.34 southerly right-of-way line of County State-Aid Highway 35, formerly Highway
8.35 169, which point is 72.6 feet South of the meander corner on said east line; thence

9.1 in a northwesterly direction along said southerly right-of-way line angle measured
9.2 from said east line 75 degrees 10 minutes a distance of 267.0 feet to the actual point
9.3 of beginning of the first line to be described and Point "A"; thence deflect 89 degrees
9.4 55 minutes to the right in a northeasterly direction a distance of 178 feet, more or
9.5 less, to the water's edge of Mille Lacs Lake and there terminating.

9.6 The second line begins at Point "A"; thence continuing northwesterly on said
9.7 southerly right-of-way line a distance of 17.5 feet; thence deflecting 90 degrees to
9.8 the right in a northeasterly direction a distance of 90 feet, more or less, to the water's
9.9 edge of Mille Lacs Lake and there terminating.

9.10 (d) The sale resolves an unintentional trespass that occurred when two docks were
9.11 constructed on state land.

9.12 **Sec. 10. PUBLIC SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
9.13 **MORRISON COUNTY.**

9.14 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
9.15 resources may sell by public sale the surplus land bordering public water that is described
9.16 in paragraph (c).

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

9.20 (c) The land to be sold is located in Morrison County and is described as follows:
9.21 the Northwest Quarter of the Southwest Quarter, Section 30, Township 41 North, Range
9.22 28 West.

9.23 (d) The state has determined that the school trust land management interests would
9.24 best be served if the land was sold, as the land has no access to a public road and minimal
9.25 timber value.

9.26 **Sec. 11. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
9.27 **WATER; OTTER TAIL COUNTY.**

9.28 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
9.29 resources may sell by public sale the surplus land bordering public water that is described
9.30 in paragraph (c).

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

10.1 (c) The land that may be sold is located in Otter Tail County and is described
10.2 as follows:

10.3 That part of the E1/2-SW1/4 of Section 24, Township 136 North, Range 39 West,
10.4 described as follows: Beginning at Right-of-Way Monument B12 as shown on
10.5 State Highway Right-of-Way Plat No. 56-7 on file and of record in the Office
10.6 of the Register of Deeds in and for said county; thence run North 40 degrees 42
10.7 minutes 47 seconds West (bearings oriented to Minnesota State Plane Grid, 00
10.8 degrees 00 minutes 00 seconds being grid north) for 651.92 feet to Right-of-Way
10.9 Monument B13; thence South 82 degrees 38 minutes 47 seconds East for 304.14
10.10 feet; thence South 73 degrees 11 minutes 03 seconds East for 266.02 feet; thence
10.11 South 16 degrees 18 minutes 57 seconds West for 67.63 feet; thence southerly along
10.12 a tangential curve concave to East having a radius of 393.31 feet and a central angle
10.13 of 78 degrees 00 minutes 00 seconds for 495.04 feet; thence North 64 degrees 11
10.14 minutes 28 seconds West for 335.11 feet to Right-of-Way Monument B12 and the
10.15 point of beginning; containing 3.35 acres, more or less.

10.16 (d) The land was transferred by the Department of Transportation to the Department
10.17 of Natural Resources upon completion of a road project in 1974 and the Department
10.18 of Natural Resources has determined the land is no longer needed for natural resource
10.19 purposes.

10.20 **Sec. 12. EXCHANGE OF STATE LAND WITHIN NERSTRAND BIG WOODS**
10.21 **STATE PARK; RICE COUNTY.**

10.22 (a) Notwithstanding Minnesota Statutes, section 94.342, subdivision 4, the
10.23 commissioner of natural resources may, with the approval of the Land Exchange Board as
10.24 required under the Minnesota Constitution, article XI, section 10, and according to the
10.25 remaining provisions of Minnesota Statutes, sections 94.342 to 94.346, exchange the land
10.26 located within state park boundaries that is described in paragraph (c).

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

10.30 (c) The state land that may be exchanged is located in Rice County and will be a
10.31 portion of the southerly one acre of the following described land:

10.32 All that part of the East 10 acres of the Northwest Quarter of the Southwest Quarter,
10.33 Section 3, Township 110 North, Range 19 West, lying South and West of County
10.34 State-Aid Highway 29, except the South one-half acre thereof.

10.35 The exact area to be exchanged will be determined by completion of a further site analysis.

11.1 (d) The sale would resolve an unintentional trespass of a driveway the location of
 11.2 which was not determined until after the state's acquisition of the land.

11.3 **Sec. 13. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
 11.4 **WATER; WASHINGTON COUNTY.**

11.5 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
 11.6 resources may sell by public sale the surplus lands bordering public water that are
 11.7 described in paragraph (c).

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

11.11 (c) The lands that may be sold are located in Washington County and are described
 11.12 as follows:

11.13 (1) all that part of the NE1/4-SW1/4 of Section 3, Township 29 North, Range 20
 11.14 West, described as follows: Beginning at a point on the north line of said tract 26 rods
 11.15 West of the center of said Section 3; and running thence West along the quarter section
 11.16 line to the northwest corner of said tract; thence South along the west line of said tract 80
 11.17 rods to the southwest corner of the same; thence East along the south line of said tract to a
 11.18 point which is 26 rods West of the southeast corner thereof; thence North parallel with
 11.19 the east line of said tract 80 rods to the point of beginning;

11.20 (2) the W1/2-SW1/4 of Section 3, Township 29 North, Range 20 West, except that
 11.21 party lying westerly of the following described line: Beginning at a point on the south
 11.22 line of said Section 3, distant 430 feet West of the southeast corner of the SW1/4-SW1/4
 11.23 of said Section 3; thence northeasterly to the northeast corner of the SW1/4-SW1/4 of
 11.24 Section 3; thence northwesterly to a point on the north line of the SW1/4 of Section 3,
 11.25 distance 430 feet West of the northeast corner of the NW1/4-SW1/4 of said Section 3; and

11.26 (3) all that part of the SE1/4-SW1/4 of Section 3, Township 29 North, Range 20
 11.27 West, lying westerly of County State-Aid Highway 21.

11.28 (d) The Department of Corrections transferred the land to the Department of Natural
 11.29 Resources in 1973 and the Department of Natural Resources has determined that the land
 11.30 is no longer needed for natural resource purposes.

11.31 **Sec. 14. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
 32 **WATER; WRIGHT COUNTY.**

12.1 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
12.2 resources may sell by public sale the surplus land bordering public water that is described
12.3 in paragraph (c).

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

12.7 (c) The land that may be sold is located in Wright County and is described as follows:
12.8 All that part of the North 300 feet of Government Lot 2, Section 17, Township 120
12.9 North, Range 26 West, lying west of the following described line: Beginning at a
12.10 point on the north line of said lot, 134.23 feet East of the center line of Wright
12.11 County Aid Road No. 4, thence South 19 degrees, 1 minute West, 317.32 feet,
12.12 and there terminating. Subject to existing road easements. Said parcel contains
12.13 1.2 acres, more or less.

12.14 (d) The land was formally used as a water access site on Ramsey Lake and is no
12.15 longer needed for natural resource purposes as the water access site has been relocated
12.16 to other land.

Senators Saxhaug and Bakk introduced—

S.F. No. 2852: Referred to the Committee on Environment and Natural Resources.

A bill for an act

relating to natural resources; providing for land donor appraisal reimbursement; providing for acquisition of land for certain facilities; modifying certain definitions; modifying forest services provided to private owners; granting authority to establish state forest user fees; modifying the State Timber Act; eliminating the requirement for a comprehensive forest resource management plan; providing criminal penalties; appropriating money; amending Minnesota Statutes 2004, sections 84.085, subdivision 1; 88.79, subdivision 1; 90.14; 90.151, subdivisions 1, 6, by adding subdivisions; 103I.005, subdivision 9; Minnesota Statutes 2005 Supplement, section 90.195; proposing coding for new law in Minnesota Statutes, chapters 85; 89; 90; repealing Minnesota Statutes 2004, section 89.011, subdivisions 1, 2, 3, 6.

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

Section 1. Minnesota Statutes 2004, section 84.085, subdivision 1, is amended to read:

Subdivision 1. **Authority.** (a) The commissioner of natural resources may accept for and on behalf of the state any gift, bequest, devise, or grants of lands or interest in lands or personal property of any kind or of money tendered to the state for any purpose pertaining to the activities of the department or any of its divisions. Any money so received is hereby appropriated and dedicated for the purpose for which it is granted. Lands and interests in lands so received may be sold or exchanged as provided in chapter 94.

(b) When the commissioner of natural resources accepts lands or interests in land, the commissioner may reimburse the donor for costs incurred to obtain an appraisal needed for tax reporting purposes. If the state pays the donor for a portion of the value of the lands or interests in lands that are donated, the reimbursement for appraisal costs shall not exceed \$1,500. If the donor receives no payment from the state for the lands or interests in lands that are donated, the reimbursement for appraisal costs shall not exceed \$5,000.

2.1 ~~(b)~~ (c) The commissioner of natural resources, on behalf of the state, may accept and
 2.2 use grants of money or property from the United States or other grantors for conservation
 2.3 purposes not inconsistent with the laws of this state. Any money or property so received
 2.4 is hereby appropriated and dedicated for the purposes for which it is granted, and shall
 2.5 be expended or used solely for such purposes in accordance with the federal laws and
 2.6 regulations pertaining thereto, subject to applicable state laws and rules as to manner
 2.7 of expenditure or use providing that the commissioner may make subgrants of any
 2.8 money received to other agencies, units of local government, private individuals, private
 2.9 organizations, and private nonprofit corporations. Appropriate funds and accounts shall be
 2.10 maintained by the commissioner of finance to secure compliance with this section.

2.11 ~~(c)~~ (d) The commissioner may accept for and on behalf of the permanent school fund
 2.12 a donation of lands, interest in lands, or improvements on lands. A donation so received
 2.13 shall become state property, be classified as school trust land as defined in section 92.025,
 2.14 and be managed consistent with section 127A.31.

2.15 **Sec. 2. [85.0145] ACQUISITION OF LAND FOR FACILITIES.**

2.16 The commissioner of natural resources may acquire interests in land by gift,
 2.17 purchase, or lease for facilities outside the boundaries of state parks, state recreation areas,
 2.18 or state waysides that are needed for the management of state parks, state recreation areas,
 2.19 or state waysides established under sections 85.012 and 85.013.

2.20 Sec. 3. Minnesota Statutes 2004, section 88.79, subdivision 1, is amended to read:

2.21 Subdivision 1. **Employment of competent foresters; service to private owners.**

2.22 The commissioner of natural resources may employ competent foresters to furnish owners
 2.23 of forest lands within the state of Minnesota ~~owning respectively not exceeding~~ who own
 2.24 not more than 1,000 acres of such forest land, forest management services consisting of:

2.25 (1) advice in management and protection of timber, including written stewardship
 2.26 and forest management plans;

2.27 (2) selection and marking of timber to be cut;

2.28 (3) measurement of products;

2.29 (4) aid in marketing harvested products;

2.30 (5) provision of tree-planting equipment; and

2.31 (6) such other services as the commissioner of natural resources deems necessary or
 2.32 advisable to promote maximum sustained yield of timber upon such forest lands.

2.33 **Sec. 4. [89.22] USES OF STATE FOREST LANDS; FEES.**

3.1 Subdivision 1. Establishing fees. Notwithstanding section 16A.1283, the
 3.2 commissioner may, by written order, establish fees providing for the use of state forest
 3.3 lands, including motorcycle, snowmobile, and sports car rallies, races, or enduros;
 3.4 orienteering trials; group campouts that do not occur at designated group camps; dog sled
 3.5 races; dog trials; large horse trail rides; and commercial uses. The fees are not subject to
 3.6 the rulemaking provisions of chapter 14 and section 14.386 does not apply.

3.7 Subd. 2. Receipts to special revenue fund. Fees collected under subdivision 1 shall
 3.8 be credited to the special revenue fund and are annually appropriated to the commissioner.

3.9 Sec. 5. Minnesota Statutes 2004, section 90.14, is amended to read:

3.10 **90.14 AUCTION SALE PROCEDURE.**

3.11 (a) All state timber shall be offered and sold by the same unit of measurement as it
 3.12 was appraised. ~~The sale shall be made to the person who (1) bids the highest price for all~~
 3.13 ~~the several kinds of timber as advertised, or (2) if unsold at public auction, to the person~~
 3.14 ~~who purchases at any subsequent sale authorized under section 90.101, subdivision 1. No~~
 3.15 tract shall be sold to any person other than the purchaser in whose name the bid was made.

3.16 The commissioner may refuse to approve any and all bids received and cancel a sale of
 3.17 state timber for good and sufficient reasons.

3.18 (b) The purchaser at any sale of timber shall, immediately upon the approval of the
 3.19 bid, or, if unsold at public auction, at the time of purchase at a subsequent sale under
 3.20 section 90.101, subdivision 1, pay to the commissioner a down payment of 15 percent
 3.21 of the appraised value. In case any purchaser fails to make such payment, the purchaser
 3.22 shall be liable therefor to the state in a civil action, and the commissioner may reoffer the
 3.23 timber for sale as though no bid or sale under section 90.101, subdivision 1, therefor
 3.24 had been made.

3.25 (c) In lieu of the scaling of state timber required by this chapter, a purchaser of
 3.26 state timber may, at the time of payment by the purchaser to the commissioner of 15
 3.27 percent of the appraised value, elect in writing on a form prescribed by the attorney
 3.28 general to purchase a permit based solely on the appraiser's estimate of the volume of
 3.29 timber described in the permit, provided that the commissioner has expressly designated
 3.30 the availability of such option for that tract on the list of tracts available for sale as
 3.31 required under section 90.101. A purchaser who elects in writing on a form prescribed
 3.32 by the attorney general to purchase a permit based solely on the appraiser's estimate of
 3.33 the volume of timber described on the permit does not have recourse to the provisions
 3.34 of section 90.281.

4.1 (d) In the case of a public auction sale conducted by a sealed bid process, tracts shall
4.2 be awarded to the high bidder, who shall pay to the commissioner a down payment of 15
4.3 percent of the appraised value within ten business days of receiving a written award notice.
4.4 If a purchaser fails to make the down payment, the purchaser is liable for the payment to
4.5 the state and the commissioner may offer the timber for sale to the next highest bidder
4.6 as though no higher bid had been made.

4.7 (e) Except as otherwise provided by law, at the time the purchaser signs a permit
4.8 issued under section 90.151, the purchaser shall make a bid guarantee payment to the
4.9 commissioner in an amount equal to 20 percent of the total purchase price of the permit. If
4.10 the bid guarantee payment is not submitted with the signed permit, no harvesting may
4.11 occur, the permit cancels, and the down payment for timber forfeits to the state. The bid
4.12 guarantee payment forfeits to the state if the purchaser and successors in interest fail to
4.13 execute an effective permit.

4.14 **Sec. 6. [90.145] PURCHASER QUALIFICATIONS AND REGISTRATION.**

4.15 Subdivision 1. Purchaser qualifications. (a) In addition to any other requirements
4.16 imposed by this chapter, the purchaser of a state timber permit issued under section 90.151
4.17 must meet the requirements in paragraphs (b) to (d).

4.18 (b) The purchaser and the purchaser's agents, employees, subcontractors, and
4.19 assigns must comply with general industry safety standards for logging adopted by the
4.20 commissioner of labor and industry under chapter 182. The commissioner of natural
4.21 resources shall require a purchaser to provide a copy of a current certificate of completion
4.22 from the safety and education program for Minnesota loggers (log safe program) as
4.23 required under section 176.130 before the start of harvesting operations on any permit.

4.24 (c) The purchaser and the purchaser's agents, subcontractors, and assigns must
4.25 comply with the mandatory insurance requirements of chapter 176. The commissioner
4.26 shall require a purchaser to provide a copy of the proof of insurance required by section
4.27 176.130 before the start of harvesting operations on any permit.

4.28 (d) Before the start of harvesting operations on any permit, the purchaser must
4.29 certify that a foreperson or other designated employee who has a current certificate of
4.30 completion from the Minnesota logger education program (MLEP), the Wisconsin Forest
4.31 Industry Safety and Training Alliance (FISTA), or any similar program acceptable to the
4.32 commissioner, is on site at all times while logging operations are active.

4.33 Subd. 2. Purchaser preregistration. To facilitate the sale of permits issued under
4.34 section 90.151, the commissioner may establish a purchaser preregistration system.
4.35 Any system implemented by the commissioner shall be limited in scope to only that

5.1 information that is required for the efficient administration of the purchaser qualification
5.2 provisions of this chapter and shall conform with the requirements of chapter 13.

5.3 Sec. 7. Minnesota Statutes 2004, section 90.151, subdivision 1, is amended to read:

5.4 Subdivision 1. **Issuance; expiration.** (a) Following receipt of the down payment
5.5 for state timber required under section 90.14 or 90.191, the commissioner shall issue a
5.6 numbered permit to the purchaser, in a form approved by the attorney general, by the
5.7 terms of which the purchaser shall be authorized to enter upon the land, and to cut and
5.8 remove the timber therein described as designated for cutting in the report of the state
5.9 appraiser, according to the provisions of this chapter. The permit shall be correctly dated
5.10 and executed by the commissioner and signed by the purchaser. If a permit is not signed
5.11 by the purchaser within 60 days from the date of purchase, the permit cancels and the
5.12 down payment for timber required under section 90.14 forfeits to the state.

5.13 (b) The permit shall expire no later than five years after the date of sale as the
5.14 commissioner shall specify or as specified under section 90.191, and the timber shall
5.15 be cut within the time specified therein. All cut timber, equipment, and buildings not
5.16 removed from the land within 90 days after expiration of the permit shall become the
5.17 property of the state.

5.18 (c) The commissioner may grant an additional period of time not to exceed 120 days
5.19 for the removal of cut timber, equipment, and buildings upon receipt of such request by
5.20 the permit holder for good and sufficient reasons. The commissioner may grant a second
5.21 period of time not to exceed 120 days for the removal of cut timber, equipment, and
5.22 buildings upon receipt of a request by the permit holder for hardship reasons only.

5.23 ~~(d) No permit shall be issued to any person other than the purchaser in whose name~~
5.24 ~~the bid was made.~~

5.25 Sec. 8. Minnesota Statutes 2004, section 90.151, subdivision 6, is amended to read:

5.26 Subd. 6. **Notice and approval required.** The permit shall provide that the permit
5.27 holder shall not start cutting any state timber nor clear building sites nor logging roads until
5.28 the commissioner has been notified and has given prior approval to such cutting operations.
5.29 Approval shall not be granted until the permit holder has completed a presale conference
5.30 with the state appraiser designated to supervise the cutting. The permit holder shall also
5.31 give prior notice whenever permit operations are to be temporarily halted, whenever
2 permit operations are to be resumed, and when permit operations are to be completed.

6.1 Sec. 9. Minnesota Statutes 2004, section 90.151, is amended by adding a subdivision
6.2 to read:

6.3 Subd. 15. Indemnity. The permit shall provide that the permit holder indemnify and
6.4 hold harmless the commissioner and the commissioner's agents and employees against all
6.5 claims, damages, costs, and expenses, including attorney fees, resulting from, arising out
6.6 of, or in any way connected with the permit holder's operations.

6.7 Sec. 10. Minnesota Statutes 2004, section 90.151, is amended by adding a subdivision
6.8 to read:

6.9 Subd. 16. Liquidated damages. The permit may include a schedule of liquidated
6.10 damage charges for breach of permit terms by the permit holder. The damage charges shall
6.11 be limited to amounts that are reasonable in light of the anticipated or actual harm caused
6.12 by the breach, the difficulties of proof of loss, and the inconvenience or nonfeasibility of
6.13 otherwise obtaining an adequate remedy.

6.14 Sec. 11. Minnesota Statutes 2005 Supplement, section 90.195, is amended to read:

6.15 **90.195 SPECIAL USE ~~PERMIT~~ PERMITS.**

6.16 Subdivision 1. Fuelwood permits. The commissioner may issue a permit to salvage
6.17 or cut not to exceed 12 cords of fuelwood per year for personal use from either or both
6.18 of the following sources: (1) dead, down, and diseased trees; (2) other trees that are of
6.19 negative value under good forest management practices. The permits may be issued for a
6.20 period not to exceed one year. The commissioner shall charge a fee for the permit that
6.21 shall cover the commissioner's cost of issuing the permit and shall not exceed the current
6.22 market value of fuelwood of similar species, grade, and volume that is being sold in the
6.23 area where the salvage or cutting is authorized under the permit.

6.24 Subd. 2. Specialty forest product permits. (a) The commissioner may issue
6.25 permits to collect or harvest specialty forest products from any state land if the collection
6.26 or harvest is not inconsistent with the purpose for which the land is maintained and
6.27 managed. The permit may be issued for a period not to exceed one year and is revocable
6.28 at the discretion of the commissioner, subject to conditions stated in the permit. The
6.29 commissioner shall charge a fee for the permit that is equal to the market value of the
6.30 specialty forest product, but not less than the commissioner's cost of issuing the permit.

6.31 (b) Except as provided elsewhere in law, no permit is required to:

6.32 (1) collect or harvest edible berries or nuts or herbal or medicinal specialty forest
6.33 products for personal use; or

7.1 (2) collect or harvest pollen, seeds, nuts, or cones for distribution or sale to the
 7.2 United States government, the state government, or any political subdivision thereof.

7.3 Subd. 3. Exemptions. Notwithstanding section 16A.1285, the fees established in
 7.4 this section shall be based on market values of the products and the commissioner's costs
 7.5 of issuing the permits. The fees are not subject to the rulemaking provisions of chapter 14
 7.6 and section 14.386 does not apply.

7.7 Subd. 4. Definitions. (a) For purposes of this section, "specialty forest product"
 7.8 means any product collected or harvested from state land from trees, shrubs, or herbaceous
 7.9 plants, whether living or dead, including tops, branches, bark, roots, sap, seeds, or other
 7.10 parts from those trees, shrubs, or herbaceous plants, that are used for herbal, medicinal,
 7.11 edible, decorative, or handicraft purposes.

7.12 (b) For purposes of this section, "personal use" means any use of a product that does
 7.13 not result in the distribution or sale of the product to another person for resale, profit,
 7.14 or other economic gain.

7.15 Subd. 5. Violations, penalties. A person who violates the terms of a permit issued
 7.16 under this section or collects or harvests any product referenced in this section without
 7.17 a permit required under this section is guilty of trespass.

7.18 Sec. 12. Minnesota Statutes 2004, section 103I.005, subdivision 9, is amended to read:

7.19 Subd. 9. Exploratory boring. "Exploratory boring" means a surface drilling done
 7.20 to explore or prospect for oil, natural gas, apatite, diamonds, graphite, gemstones, kaolin
 7.21 clay, ~~and~~ or metallic minerals, including iron, copper, zinc, lead, gold, silver, titanium,
 7.22 vanadium, nickel, cadmium, molybdenum, chromium, manganese, cobalt, zirconium,
 7.23 beryllium, thorium, uranium, aluminum, platinum, palladium, radium, tantalum, tin, and
 7.24 niobium, and a drilling or boring for petroleum.

7.25 Sec. 13. **REPEALER.**

7.26 Minnesota Statutes 2004, section 89.011, subdivisions 1, 2, 3, and 6, are repealed.

APPENDIX
Repealed Minnesota Statutes: 06-5027

89.011 FOREST RESOURCE MANAGEMENT PLAN.

Subdivision 1. **Preparation.** By July 1, 1983, the commissioner shall prepare a comprehensive forest resource management plan designed to implement the policies stated in section 89.002. The plan shall include an assessment and program elements as provided in subdivisions 2 and 3 and any other issues which the commissioner determines should be included in the plan.

Subd. 2. **Forest assessment.** The assessment shall be updated at least once every ten years and shall include but not be limited to the following:

- (a) The present and projected use and supply of and demand for forest resources in the state;
- (b) The development of a forest resources database, compatible with the database of the Minnesota Land Management Information Center, capable of continuous updating and usable as a tool in effectively managing forest resources, utilizing existing databases as much as practicable;
- (c) The current and anticipated reforestation needs for forest land, including the amount of backlog areas, current and anticipated allowable harvests, identifying poorly stocked forest land, and delineating those areas needing reforestation which are prime forest lands or otherwise likely to produce optimum public benefits from reforestation; and
- (d) An inventory and map of all existing state forest roads and classification by use, standard and condition.

Subd. 3. **Program elements.** The program shall be updated every four years and shall describe specific actions to address the assessment and to implement the forest resources management policy of section 89.002, including but not limited to:

- (a) Improvement of silvicultural practices and improved methods for harvesting and utilizing timber and timber residues;
- (b) Measures to improve reforestation practices;
- (c) Measures to enhance recreational opportunities and fish and wildlife habitat;
- (d) The identification of "prime forest land" according to criteria developed by the commissioner;
- (e) Priorities for construction and improvement of forest roads to achieve the state forest road policy, including the development of alternative methods for financing forest road construction, improvement and maintenance, and for imposing a reasonable share of the costs of the forest road system on those who directly benefit from the availability and use of the system;
- (f) A description of how the multiple use and sustained yield management policy will apply to decisions about other public and private uses of forest lands and resources, including:
 - (1) extractive uses;
 - (2) utility corridors;
 - (3) industrial, commercial, agricultural and institutional uses;
 - (4) residential and seasonal use; and
- (g) An estimate of the expenditures necessary to implement the elements of the program, along with the sources and amounts of revenue available or necessary to finance the estimated expenditures.

Subd. 6. **Staff assistance.** In preparing the forest resources management plan the commissioner is authorized to utilize existing professional staffs of state agencies when the expertise of the staff of a state agency is necessary to fully prepare the plan.



STATE OF
MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

Region II Headquarters
1201 East Highway 2
Grand Rapids, Minnesota 55744

February 7, 2006

Greg Bernu, Land Commissioner
Pine County Land Department
1610 Hwy 23 North
Sandstone, MN 55072

Re: Pine County Tax Forfeit Sale
Legislative Review

Dear Mr. Bernu:

Thank you for submitting Pine County's legislative proposal for the sale of 16 tax forfeited parcels. The Department's review process included staff review and discussions with the County.

All 16 parcels are listed as public waters on the Public Waters Inventory for Pine County. Parcels 1-14 and 16 contain water frontage over 150 feet. According to Minn. Stat., sec. 282.018, subd. 1, the Department does not have the authority to approve the sale of parcels with frontage greater than 150 feet. Parcel 15 is being considered for sale to owners of adjoining lands. The parcel is located outside of municipal boundaries and contains frontage of 150 feet or less. The County will need to obtain legislation to proceed with the sale of these parcels.

The County provided the following parcels numbers, legal descriptions and comments.

1. Part of NE-NE-36-39-22 (approx. 20 acres). Mission Creeks flows through the property.
2. ~~Part of the NW1/4-34-39-20 (approx. 15 acres). Landlocked, on north and east bank of Snake River.~~
3. NE-SE-14-40-22 (approx. 40 acres). Landlocked, on tributary to Pokegama Creek.
4. Part of NW-NW-9-41-20 (approx. 15 acres). Landlocked, on Deer Creek, tributary to Kettle River.
5. W1/2-SE-SE-10-41-20 (approx. 20 acres). Landlocked, on Fox Brook, tributary to Kettle River.
6. Part of NE-SE-20-42-21 (approx. 1 acre). This lot has more than 150 feet of frontage on the Grindstone River. This lot will be restricted in sale to adjoining landowners as it is a non-conforming lot.
7. Lots 1-3, Sandstone Co, S16, T42, R20 (less than 2 acres). Skunk Creek flows through the lots, may be under 150 feet total.
8. W1/2-W1/2-SE-SW-9-43-19 (approx. 10 acres). Landlocked, Bear Creek flows through the property.
9. W1/2-SW-4-43-20 (approx. 80 acres). O'Mix Creek flows through the property.
10. SE-SE-5-43-20 (approx. 40 acres). O'Mix Creek flows through the property.
11. N1/2-NW-23-43-16 (approx. 80 acres). Hay Creek flows through the property.
12. W1/2-W1/2-SE-SW-17-44-20 (approx. 10 acres). Lies on eastern shore of Clear Lake, access through state land.
13. W1/2-SE-NW-18-45-18 (approx. 20 acres). Landlocked, a tributary of the Willow River flows through it.
14. N1/2-SW-NE-19-45-18 (approx. 20 acres). Landlocked, a tributary of the Willow River flows

- through it.
15. Lot 44, Sturgeon Island, S16, T45, R 19 (less than 1 acres). This lot may have more than 150 feet of frontage on Sturgeon Lake. This lot will be restricted in sale to adjoining landowners as it is a non-conforming lot.
 16. Government Lot 1, 23-45-20 (approx. 2 acres). West bank of the Moose Horn River. This lot will be restricted in sale to adjoining landowners as it is a non-conforming lot.

Below please find the Department recommendations and resource comments with reference to County parcel numbers.

Parcels 3, 4, 5, 7, 11, 14

The Department has no objection if legislation is sought to authorize the sale of these parcels.

Parcels 1, 6, 8, 13, 16

The Department has no objection if legislation is sought to authorize the sale of these parcels to owners of adjoining lands.

Resource comments (parcel 1): This parcel is part of the mapped floodplain of Mission Creek. It appears to be all wetland as well. Use of this parcel would be exceedingly difficult.

Resource comments (parcel 6): This parcel is on a designated trout stream portion of the Grindstone River. Although it doesn't meet the 200-foot lot width requirement of the County it at least appears to be upland and buildable in other respects.

Resource comments (parcel 13): This parcel is surrounded by extensive wetlands and will be difficult to access.

Parcel 2

The County has withdrawn this parcel from sale consideration while it has discussions with the Division of Trails & Waterways about public use options.

Resource comments: The Division of Trails & Waterway would like to consider this parcel for development into a river wayside or campsite in our Water Recreation program. We've had several discussions with individuals from Pine County requesting such facilities.

Parcels 9 and 10

The Department has no objection if legislation is sought to authorize the sale includes combining 9 and 10 for access reasons.

Resource comments (parcels 9 & 10). These parcels would be difficult to access from the east or west due to the presence of wetlands (particularly on the east side where O'Mix creek bisects the property). It is our understanding from talking with the County that access may be an option along the north line of parcel 9.

Parcel 12

The Department has no objection if legislation is sought to authorize the sale of this parcel as a public sale

or sale to owners of adjoining lands.

Resource comments: This parcel doesn't have access and consideration could be given to an adjoining owner sale. If you have questions about access options across state lands, please contact Rick Dunkley, Sandstone Area Forestry Supervisor, 320/245-6789 ext. 233.

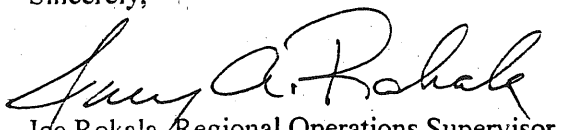
Parcel 15

The Department has no objection if the legislation being sought to authorize the sale of this parcel is to owners of adjoining lands and includes a deed restriction on development that is 75 feet in width along the shoreline. The owner could be allowed a 15-foot strip for lake access and a dock.

Resource comments: This is a bluff lot and it's unbuildable under shoreland standards.

Please feel free to call me if you have any questions at 218/999-7894.

Sincerely,


Joe Rokala, Regional Operations Supervisor
Division of Lands and Minerals

Cc: Gloria Johnson

Special Legislative Authority for sale of lands that have been Statutorially withdrawn

Pine County, MN

Legal	Section	Township (N)	Range (W)	Township Name	Acres	PID	Comments
Part of NWNW	9	41	20	Barry	15	03.0074.000	Landlocked, on Deer Creek, tributary to the Kettle River
	9	41	20	Barry		03.0075.000	
	9	41	20	Barry		03.0076.000	
W½SESE	10	41	20	Barry	20	03.0090.000	Landlocked, on Fox Brook, tributary to the Kettle River
	10	41	20	Barry		03.0089.000	
NESE	14	40	22	Brook Park	40	06.0086.000	Landlocked, on tributary of Pokegama Creek.
Part of the NW¼	34	39	20	Chengwatana	15	08.0286.000	Landlocked, on north and east bank of Snake River
	34	39	20	Chengwatana		26.0381.000	
Part of NESE	20	42	21	Dell Grove	1	12.0300.000	This lot has more than 150 feet of frontage on the Grindstone River
W¼SW	4	43	20	Finlayson	80	13.0053.000	O'Mix Creek flows through the property
	4	43	20	Finlayson		13.0054.000	
SESE	5	43	20	Finlayson	40	13.0059.000	O'Mix Creek flows through the property
W½SENW	18	45	18	Kerrick	20	16.0190.000	Landlocked, a tributary of the Willow River flows through it
N¼SWNE	19	45	18	Kerrick	20	16.0198.000	Landlocked, a tributary of the Willow River flows through it
	19	45	18	Kerrick		16.0201.000	
W¼W½SESW	17	44	20	Kettle River	10	17.0225.000	Lies on Eastern Shore of Clear Lake, Access through State Land
N¼NW	23	43	16	New Dosey	80	20.0164.000	Hay Creek flows through the property
W¼W½SESW	9	43	19	Partridge	10	25.0107.000	Landlocked, Bear Creek flows through the property
Part of NENE	36	39	22	Pokegama	20	28.1134.001	Mission Creek flows through the property
Lots 1-3, Sandstone Co	16	42	20	Sandstone		45.5567.000	Skunk Creek flows through the lots, may be under 150 feet total
Gov't Lot 1	23	45	20	Sturgeon Lake	2	31.0174.000	West bank of the Moose Horn River
Lot 44, Sturgeon Island	16	45	19	Windemere		33.5487.000	This lot may have more than 150 feet of frontage on Sturgeon Lake

*1/2 W 1/2 E 1/2 NW NW
1/2 E 1/2 E 1/2 NW NW
1/2 W 1/2 E 1/2 NW NW*

OPEN

OK OPEN BID

} withdrawn

Adjoin only

} combine, open

Adjoin only

OPEN

OPEN on adjoin

OPEN

Adjoin

Adjoining only

OPEN

Adjoin only

Deed Restriction, adjoin only



Minnesota Department of Natural Resources

Division of Lands and Minerals
2115 Birchmont Beach Road NE
Bemidji, MN 56601

March 7, 2006

Bruce Cox
Land Commissioner
Clearwater County
213 Main Ave N. #107
Bagley, MN 56621-8304

**Re: Clearwater County Tax-Forfeited Sale Review
DNR Sale Review No. 15-06-01L**

Dear Mr. Cox:

Thank you for contacting me. The Department of Natural Resources has completed a review of your proposed tax-forfeited land sale to the City of Bagley involving the parcels containing more than 150 feet of water frontage described below. As we discussed, the Department does not have authority to approve the sale of parcels with frontage greater than 150 feet and the county will need to obtain special legislation for the authority to proceed with this sale. The review completed by the Department is provided for your information.

RIPARIAN PARCELS

PIN 23.308.0500	1,820 feet of frontage on Clearwater River
PIN 23.308.0220	1,940 feet of frontage on Clearwater River
PIN 23.318.0050	168 feet of frontage on Lake Lomond
PIN 23.030.1700	186 feet of frontage on unnamed tributary to Clearwater River

During our recent phone conversation, you provided the following additional information on the 4 parcels. The parcel with **PIN 23.318.0050** on Lomond Lake is a nonconforming lot. The city is currently mowing the lot in the summer and in the winter, the lot is used by snowmobilers for access to the lake. This parcel is within the city limits of Bagley and the city has no plans to change the public use of this parcel.

Parcels with **PIN 23.308.0500** and **PIN 23.308.0220** are on the Clearwater River and include land on both sides of the river. The parcel with **PIN 23.030.1700** includes land on both sides of an unnamed creek. All three of these parcels are within the city limits and zoned as conservation. The city intends that these parcels remain in conservation status.

DNR Information: 651-296-6157 • 1-888-646-6367 • TTY: 651-296-5484 • 1-800-657-3929



Bruce Cox
March 7, 2006
Page 2 of 2

Your proposal has been reviewed by the Regional Management Team. Based on our understanding of the proposed sale, we support the sale of the 4 above-referenced riparian parcels to the City of Bagley provided they remain in public ownership and in conservation status.

This concludes the Department's review of Legislative Sale No. 15-06-01L. Please call me at 218/755-4067 if I can be of further assistance. I look forward to working with you on future land transactions in Clearwater County.

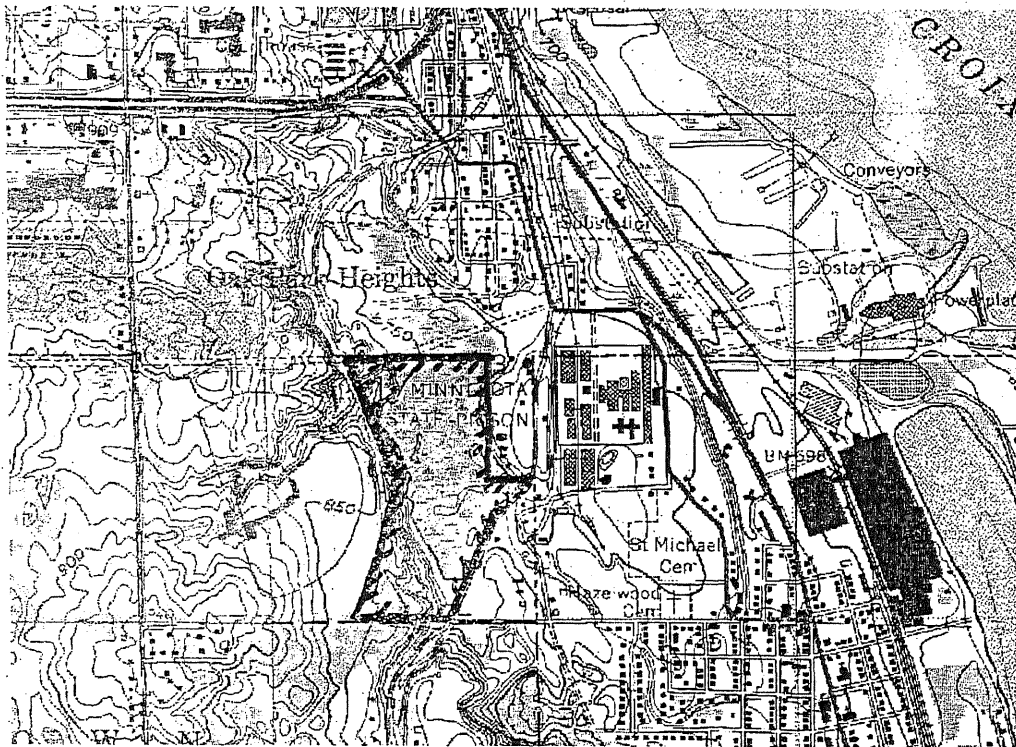
Sincerely,

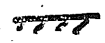


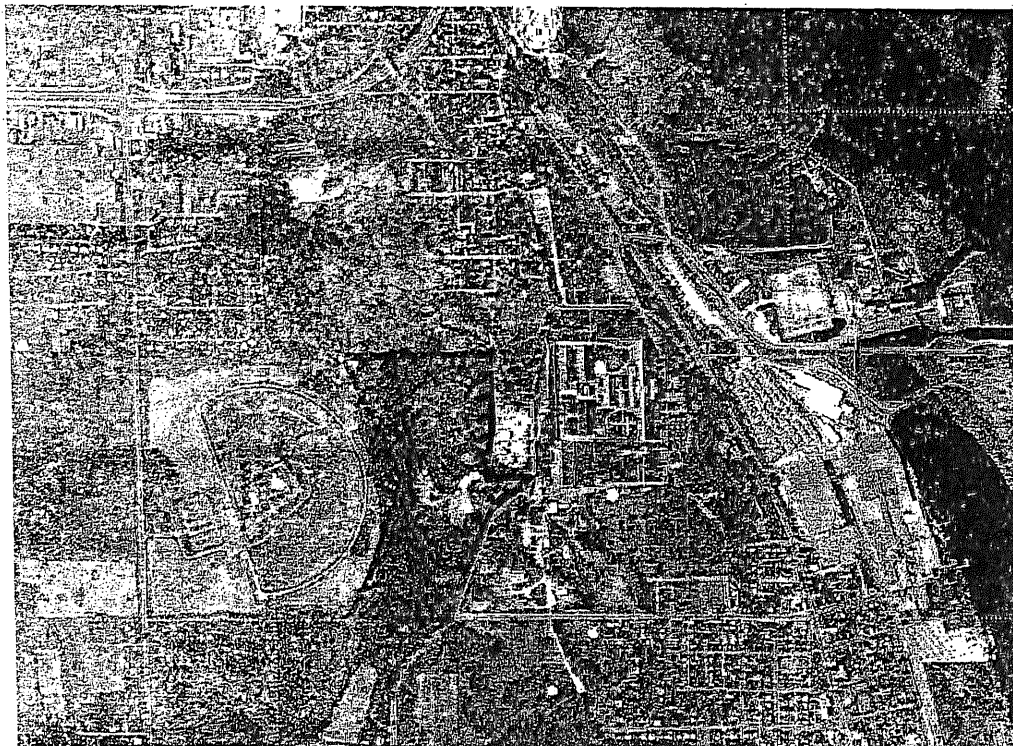
Cindy Buttleman
Division of Lands & Minerals
Regional Supervisor

Cc: Mike Carroll, DNR Regional Director – Bemidji
Kathy Lewis & Gloria Johnson, DNR Lands & Minerals – St. Paul

PUBLIC SALE, WASHINGTON COUNTY
Location Map and Aerial Photo of this Parcel



 = Subject Parcel



PUBLIC SALE, WASHINGTON COUNTY

Action:

Sale land bordering public water

**Ownership: State of MN
(Non-Trust Land)**

Profile

Acquired in: 1973

Area: 66 Acres

Water Frontage: frontage on an un-named wetland

WHY SELL?

The parcel transferred from the Department of Corrections to the DNR in 1973. This portion has been determined to no longer be needed for natural resource purposes

CLEARWATER COUNTY, MN
BOARD OF COMMISSIONERS
County Board Motion 2006

SALE OF TAX FORFEITED LAND TO THE CITY OF BAGLEY

	Motion By:	Motion Seconded	Vote:
Keith Larson District 1	✓		ayes /
Dean Newland District 2		✓	
Kenneth Solberg District 3			
John Nelson District 4			
Thomas Anderson District 5			

Motion: To authorize the Land Commissioner to pursue Special Legislation which will allow Clearwater County to sell to the City of Bagley, the following tax forfeited tracts which abut protected water; and further, the Board directs the Land Commissioner to seek approval from the Department of Natural Resources before pursuing such legislation.

- Unplatted, SENE & NESE lying west of Blk 1 Pleasant Addition Parcel #23.030.1700
- Block 8 Auditor's 2nd Subda Parcel #23.308.0220
- Lots 1, 2, 3 & 4 Blk 13 Auditor's 2nd Subd Parcel #23.308.0500
- Lot 8 Blk 1 Lamond Addition Parcel #23.318.0050

Passed: ✓ _____

Failed: _____

-----Certification-----

I hereby certify that the foregoing is a true and correct copy of a motion presented to and adopted by the Clearwater County Board of Commissioners at a duly authorized meeting there of, on the 21st day of February, 2006, as shown by the Minutes in my possession.

Emily Carpenter
Emily Carpenter, Board Coordinator

2006 State Park Boundary Changes Summary
February, 2006

<u>State Park</u>	<u>Acres Add</u>	<u>Acres Delete</u>	<u>Proposal</u>
Banning		-80	Delete private parcel recently developed with K-12 school. School has plans for total acreage.
Crow Wing	+217		Add private lands owned by Allete Co. (MN Power) as part of a larger multi-divisional DNR project. This site protects 1.4 miles of Crow Wing River shoreline. This parcel has high cultural significance (Chippewa Agency historical site and part of Red River Oxcart Trail).
Frontenac	+ 87		Add private lands consisting of primarily wetlands adjacent to Wells Creek delta. The site includes about 400 feet along Lake Pepin/Mississippi River and supports many "species of concern" identified in the County Biological Survey.
Grand Portage	+14		Add private parcel for future facility location
Mille Lacs Kathio	+6		Add DNR administered lands that are culturally significant (Indian mounds). Parcel donated to the state
Schoolcraft		- 79	Delete State Trust Fund land to be managed by the Division of Forestry.
Split Rock Creek	+617		Add four private parcels to will allow for the expansion of native prairie management and recreational trail opportunities within the park. One parcel in particular is the site of a historic town and is considered an area of cultural interest.
William O'Brien	+24	-58	Private lands being developed with homes Key private parcel will provide better management of the interior of this park. Parcel also contains one of the finest untilled virgin prairies in the area and is part of a wetland complex that feeds Mill Stream (trout stream management).
MN Valley SRA		-407	Deletes the Rush River Wayside boundary from the MN Valley SRA

TOTAL ACRES ADDED: 6 acres (DNR administered)
959 acres (private)

TOTAL ACRES DELETED: 79 acres (DNR administered)
545 acres (private)

Courtland Nelson, Director of the Division of Parks and Recreation 651-259-5591
Larry Peterson, Park Development and Real Estate Manager 651-259-5593
John Lilly, Assistant to the Director and Legislative Liaison 651-259-5589

Prepared by: Teresa Thews, State Park Real Estate Program Coordinator 651-259-5599

BANNING STATE PARK

Action:

**Park Boundary Deletion:
80 Acres**

Ownership: Public School

Profile

Established in: 1963

**Statutory Boundary: 6173 acres
State Ownership: 5225 acres**

Annual Visitation Total: 70,407

WHY DELETE?

This parcel is owned and occupied by a K-12 school. The school system has plans for the total acreage.

PRESENT OWNERSHIP OF PROPOSED DELETION:

School District

LEGISLATORS:

Senators: Becky Lourey

Representatives: Bill Hilty

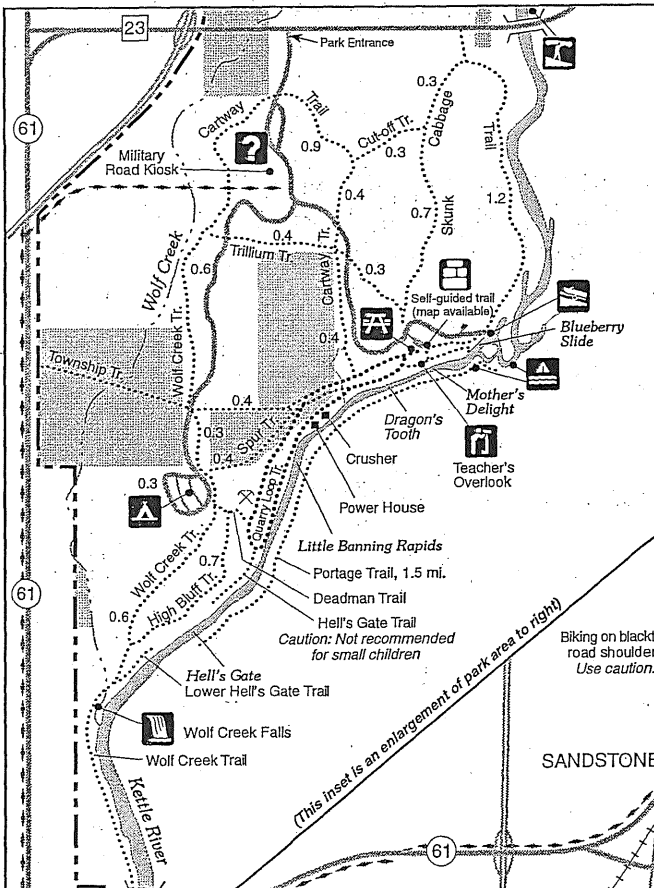
SUMMER TRAILS

- Hiking
Trail distances shown in miles
- - - Biking

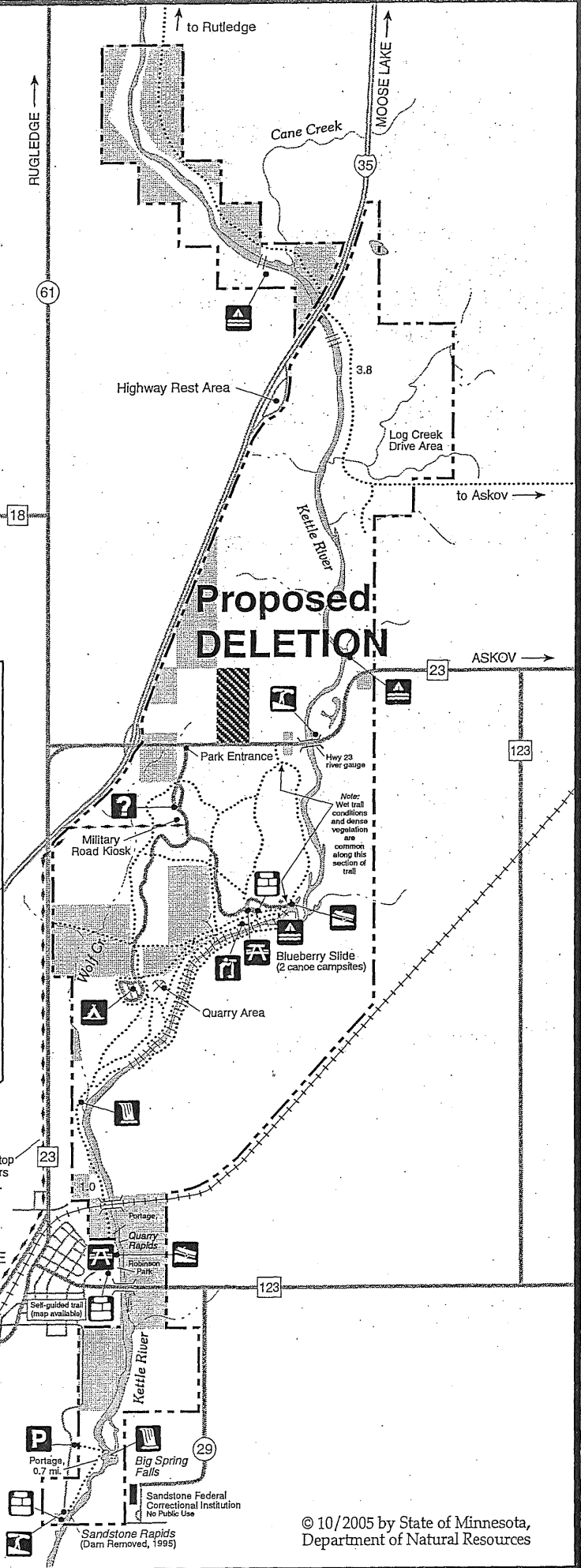


FACILITIES

- Information/Office
- Picnic Area
- Overlook
- Boat Ramp
- Carry-in Access
- Campground
- Watercraft Camping
- Waterfall
- Interpretive Site
- Private Property
Public Use Prohibited
(except on designated trails)



BANNING STATE PARK



CROW WING STATE PARK

Action:

**Park Boundary Addition:
217 Acres**

Ownership: Private

Profile

Established in: 1959

**Statutory Boundary: 2903 acres
State Ownership: 2170 acres**

Annual Visitation Total: 53,384

WHY ADD?

This site protects 1.4 miles of Crow Wing River shoreline and has high cultural significance (Chippewa Agency historical site and part of the Red River Oxcart Trail). Adding these private lands owned by Allete Co. (MN Power) is part of a larger multi-divisional DNR project.

Cass County and Sylvan Township Boards support this boundary change proposal.

PRESENT OWNERSHIP OF PROPOSED ADDITION:

One private owner that is supportive of the boundary change proposal.

LEGISLATORS:

Senators: Paul Koering

Representatives: Greg Blaine

Proposed ADDITION

Crow Wing State Park

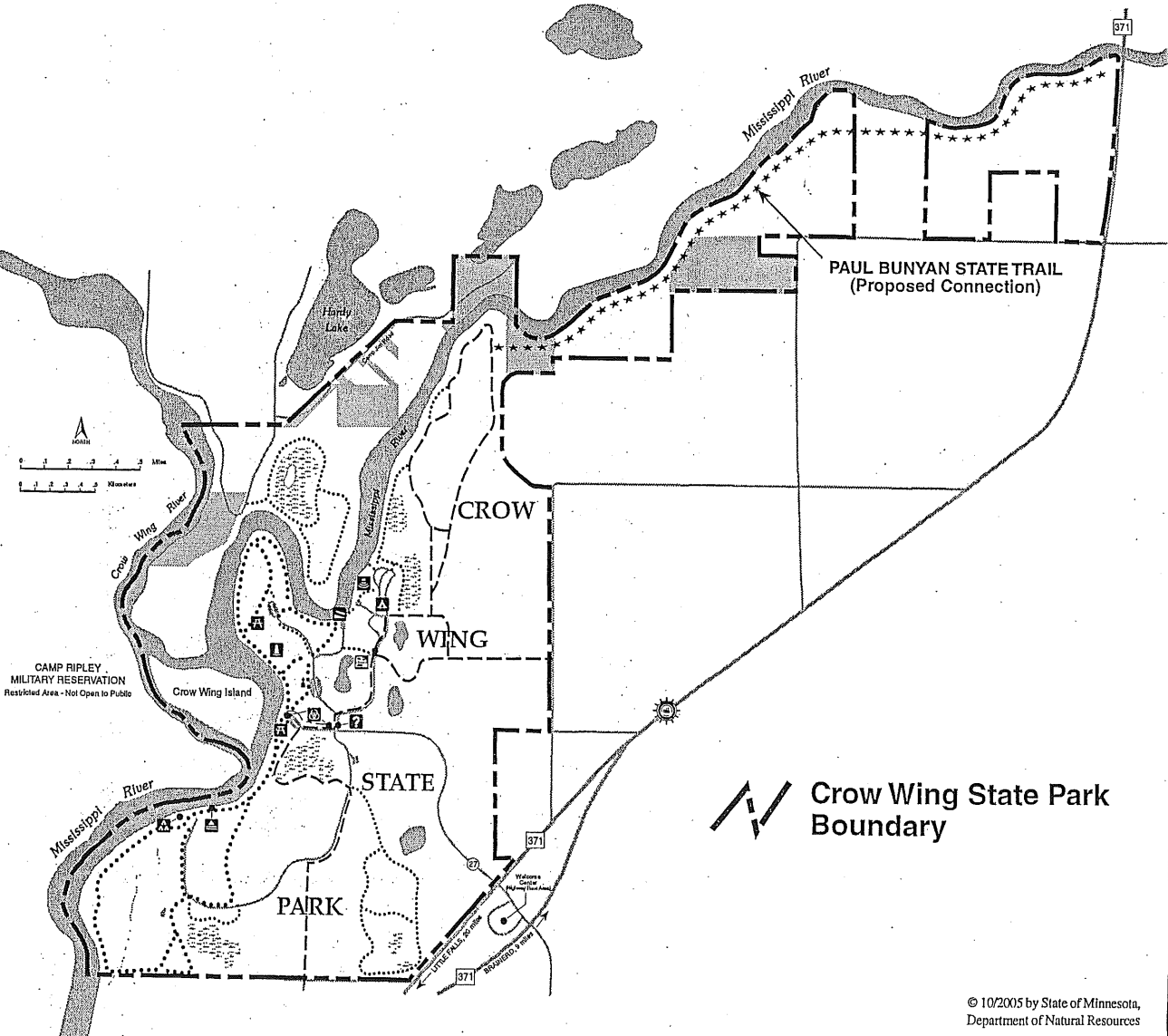
TRAILS

- Hiking
- Hiking/Skiing
- Hiking/Snowmobiling
- - - Interpretive

FACILITIES

- Information/Office
- Picnic Area
- Trailer Dump Station
- Amphitheater

- Historic Site
- Interpretive Display
- Boat Ramp
- Campground
- Primitive Group Camp
- Watercraft Camping
- Private Property - Public Use Prohibited
- Great River Road



Crow Wing State Park Boundary

FRONTENAC STATE PARK

Action:

**Park Boundary Addition:
87 Acres**

Ownership: Private

Profile

Established in: 1957

**Statutory Boundary: 2812 acres
State Ownership: 2227 acres**

Annual Visitation Total: 97,279

WHY ADD?

This parcel consists of primarily wetlands adjacent to Wells Creek delta. The site includes about 400 feet along Lake Pepin and supports many "species of concern" identified in the County Biological Survey. The site is also surrounded by park ownership.

Goodhue County and Florence Township Boards support this boundary change proposal.

PRESENT OWNERSHIP OF PROPOSED ADDITION:

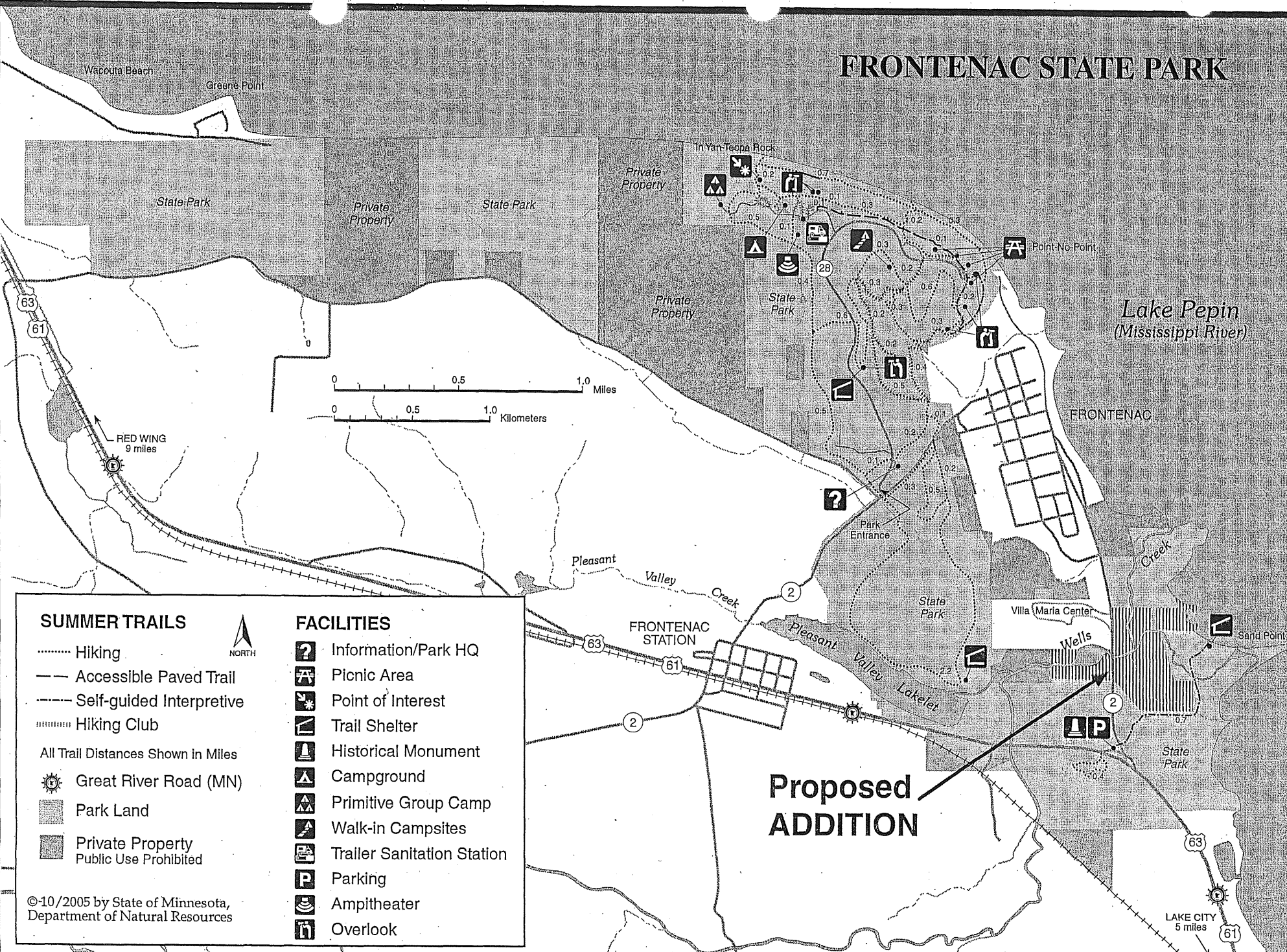
One private owner is supportive of the boundary change.

LEGISLATORS:

Senators: Steve Murphy

Representatives: Jerry Dempsey

FRONTENAC STATE PARK



SUMMER TRAILS

- Hiking
- Accessible Paved Trail
- Self-guided Interpretive
- ||||| Hiking Club

All Trail Distances Shown in Miles

- Great River Road (MN)
- Park Land
- Private Property
Public Use Prohibited

FACILITIES

- Information/Park HQ
- Picnic Area
- Point of Interest
- Trail Shelter
- Historical Monument
- Campground
- Primitive Group Camp
- Walk-in Campsites
- Trailer Sanitation Station
- Parking
- Amphitheater
- Overlook

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**Proposed
ADDITION**

GRAND PORTAGE

Action:

**Park Boundary Addition:
14 Acres**

Ownership: Private

Profile

Established: 1989

**Owned by the Grand Portage Band
25 year lease to the State of Minnesota**

Statutory Boundary: 278 acres

Annual Visitation Total: 31,119

WHY ADD?

This 14 acres private parcel for future facility location.

The Cook County Board supports this boundary change proposal.

PRESENT OWNERSHIP OF PROPOSED ADDITION:

One private owner that is supportive of the boundary change.

LEGISLATORS:

Senators: Thomas Bakk

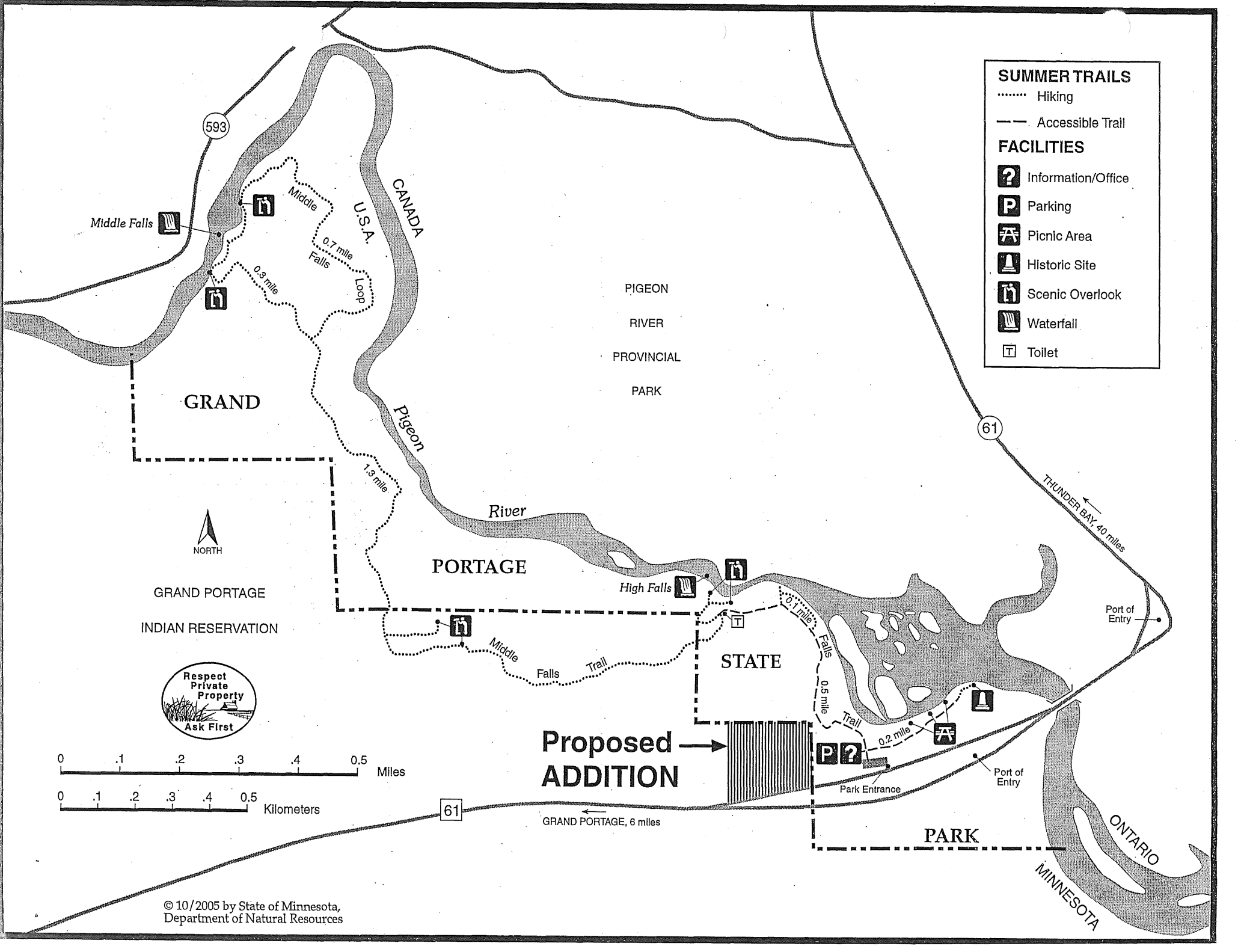
Representatives: David Dill

SUMMER TRAILS

- Hiking
- Accessible Trail

FACILITIES

- ? Information/Office
- P Parking
- ⛺ Picnic Area
- 🗿 Historic Site
- 👤 Scenic Overlook
- 🌊 Waterfall
- 🚻 Toilet



MILLE LACS KATHIO STATE PARK

Action:

**Park Boundary Addition:
6 Acres**

Ownership: State-DNR

Profile

Established in: 1957

**Statutory Boundary: 10566 acres
State Ownership: 9682 acres**

Annual Visitation Total: 105,430

WHY ADD?

This 6-acre parcel is a culturally significant (Indian mounds) parcel gifted to the state and is adjacent to state owned park lands.

The Mille Lacs County Board Supports this proposal

PRESENT OWNERSHIP OF PROPOSED ADDITION:

State of Minnesota, Administered by the DNR

LEGISLATORS:

Senators: Betsy Wergin

Representatives: Sondra Erickson

MILLE LACS KATHIO STATE PARK

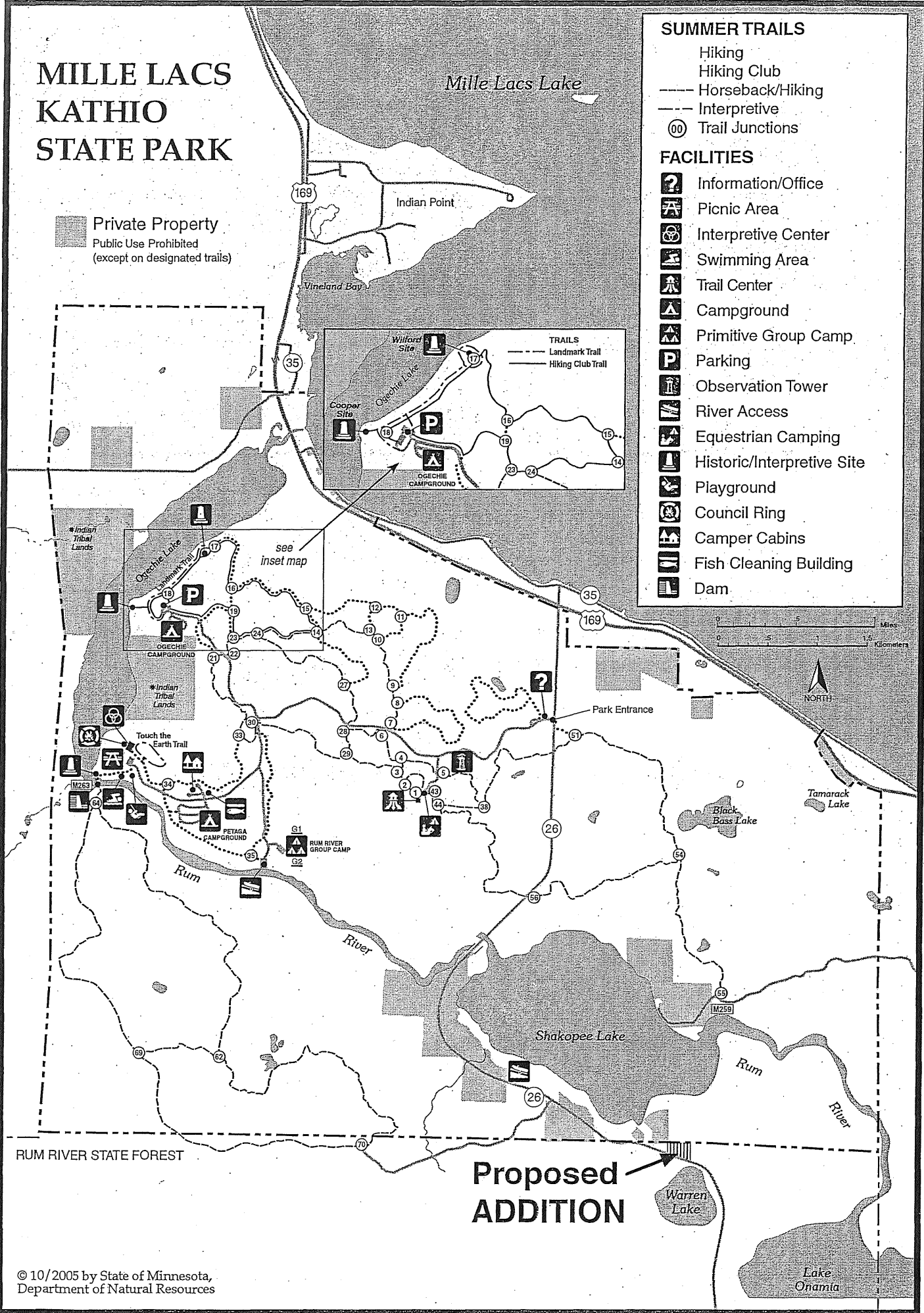
Private Property
Public Use Prohibited
(except on designated trails)

SUMMER TRAILS

- Hiking
- Hiking Club
- Horseback/Hiking
- Interpretive
- Trail Junctions

FACILITIES

- Information/Office
- Picnic Area
- Interpretive Center
- Swimming Area
- Trail Center
- Campground
- Primitive Group Camp
- Parking
- Observation Tower
- River Access
- Equestrian Camping
- Historic/Interpretive Site
- Playground
- Council Ring
- Camper Cabins
- Fish Cleaning Building
- Dam



RUM RIVER STATE FOREST

**Proposed
ADDITION**

SCHOOLCRAFT

Action:

**Park Boundary Deletion:
79 Acres**

**Ownership: State of MN
(Trust Fund)**

Profile

Established in: 1959

**Statutory Boundary: 295 acres
State Ownership: 147 acres (+79 acres
trust fund)**

Annual Visitation Total: 7865

WHY DELETE?

This is Trust Fund land currently being managed by the Division of Forestry

PRESENT OWNERSHIP OF PROPOSED DELETION:

State of Minnesota – Trust Fund

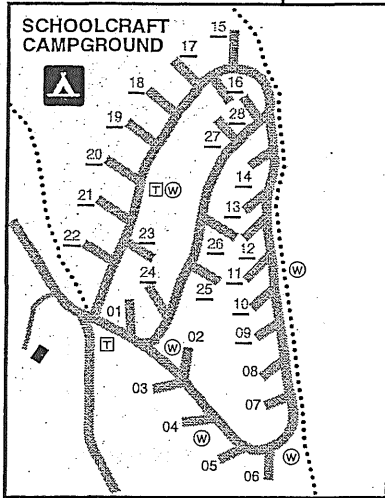
LEGISLATORS:

Senators: Carrie Ruud

Representatives: Frank Moe

SCHOOLCRAFT STATE PARK


 **Proposed DELETION**



SUMMER TRAILS

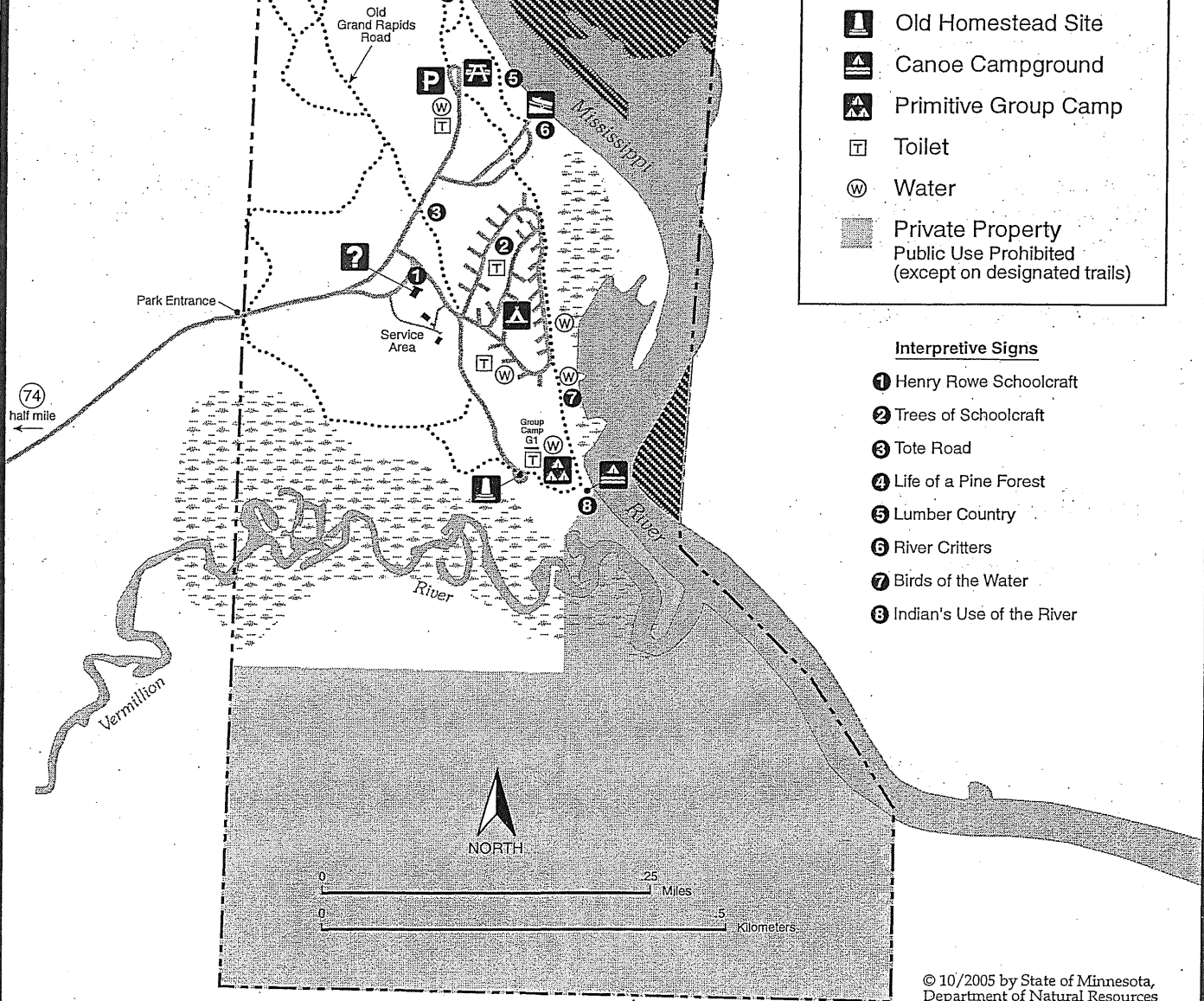
- Hiking
- 8** Interpretive Signs

FACILITIES

- ?** Information/Office
- P** Parking
- ⌘** Picnic Area
- ▲** Campground
- ⌘** Old Homestead Site
- ⌘** Canoe Campground
- ⌘** Primitive Group Camp
- T** Toilet
- ⊙** Water
-  Private Property
Public Use Prohibited
(except on designated trails)

Interpretive Signs

- 1** Henry Rowe Schoolcraft
- 2** Trees of Schoolcraft
- 3** Tote Road
- 4** Life of a Pine Forest
- 5** Lumber Country
- 6** River Critters
- 7** Birds of the Water
- 8** Indian's Use of the River



SPLIT ROCK CREEK STATE PARK

Action:

**Park Boundary Addition:
617 Acres**

Ownership: Private

Profile

Established in: 1937

**Statutory Boundary: 1325 acres
State Ownership: 953 acres**

Annual Visitation Total: 43,279

WHY ADD?

These parcels will allow the expansion of native prairie management and recreational trail opportunities within the park. One parcel in particular is the site of a historic town and is considered an area of cultural interest.

Pipestone County and Eden Township Boards support this boundary change proposal.

PRESENT OWNERSHIP OF PROPOSED ADDITION:

Four private owners that are all supportive of the boundary change.

LEGISLATORS:












Senators: Jim Vickerman

Representatives: Doug Magnus

SUMMER TRAILS

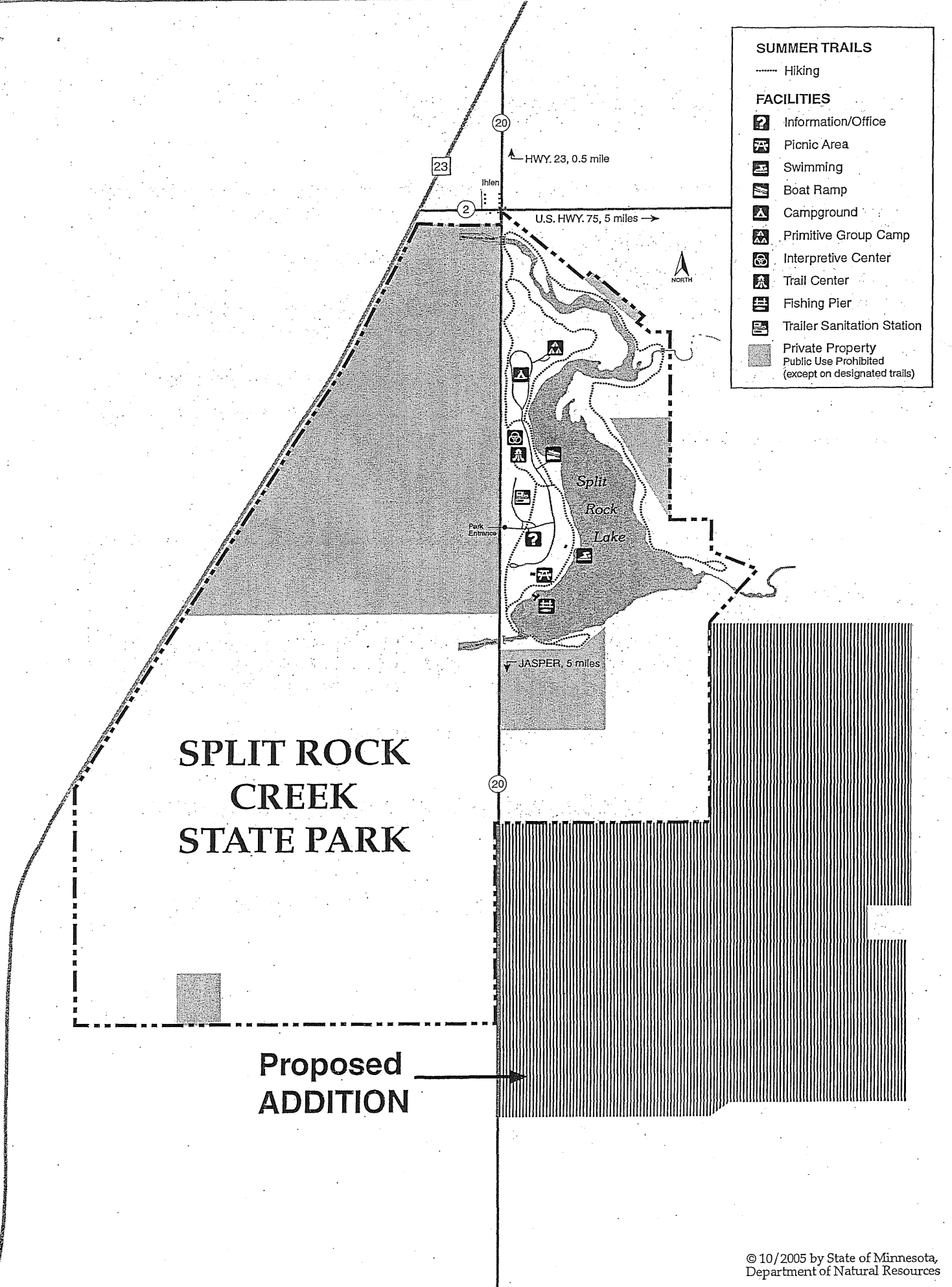
----- Hiking

FACILITIES

-  Information/Office
-  Picnic Area
-  Swimming
-  Boat Ramp
-  Campground
-  Primitive Group Camp
-  Interpretive Center
-  Trail Center
-  Fishing Pier
-  Trailer Sanitation Station
-  Private Property
Public Use Prohibited
(except on designated trails)

SPLIT ROCK CREEK STATE PARK

**Proposed
ADDITION** →



WILLIAM O'BRIEN STATE PARK

Action:

**Park Boundary Addition
and Deletion: +24 Acres,
-58 acres**

Ownership: Private

Profile

Established in: 1947

**Statutory Boundary: 2060 acres
State Ownership: 1579 acres**

Annual Visitation Total: 218,780

WHY ADD and DELETE?

The proposed addition is a 24 acre private parcel within the middle of the park. This is a key parcel to help better manage the interior of this park. Parcel also contains one of the finest untilled virgin prairies in the area and is part of a wetland complex that feeds Mill Stream (trout stream management).

The proposed deletion is 58 acres now being developed with homes.

The Washington County, New Scandia Township and May Township Boards support this boundary change proposal.

PRESENT OWNERSHIP OF PROPOSED ADDITION AND DELETION:

Private ownership – landowner supports addition to the state park statutory boundary

LEGISLATORS:

Senators: Michele Bachmann

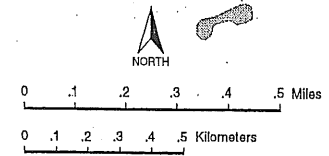
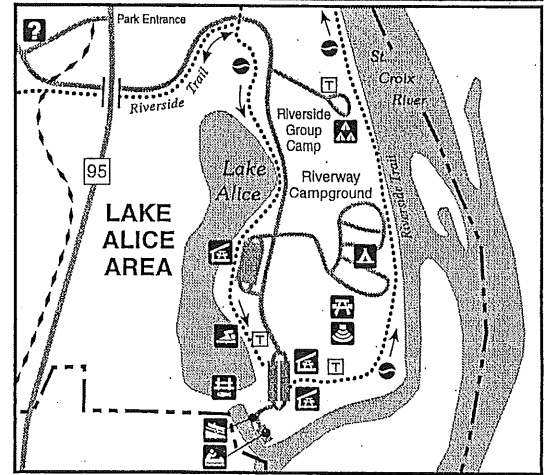
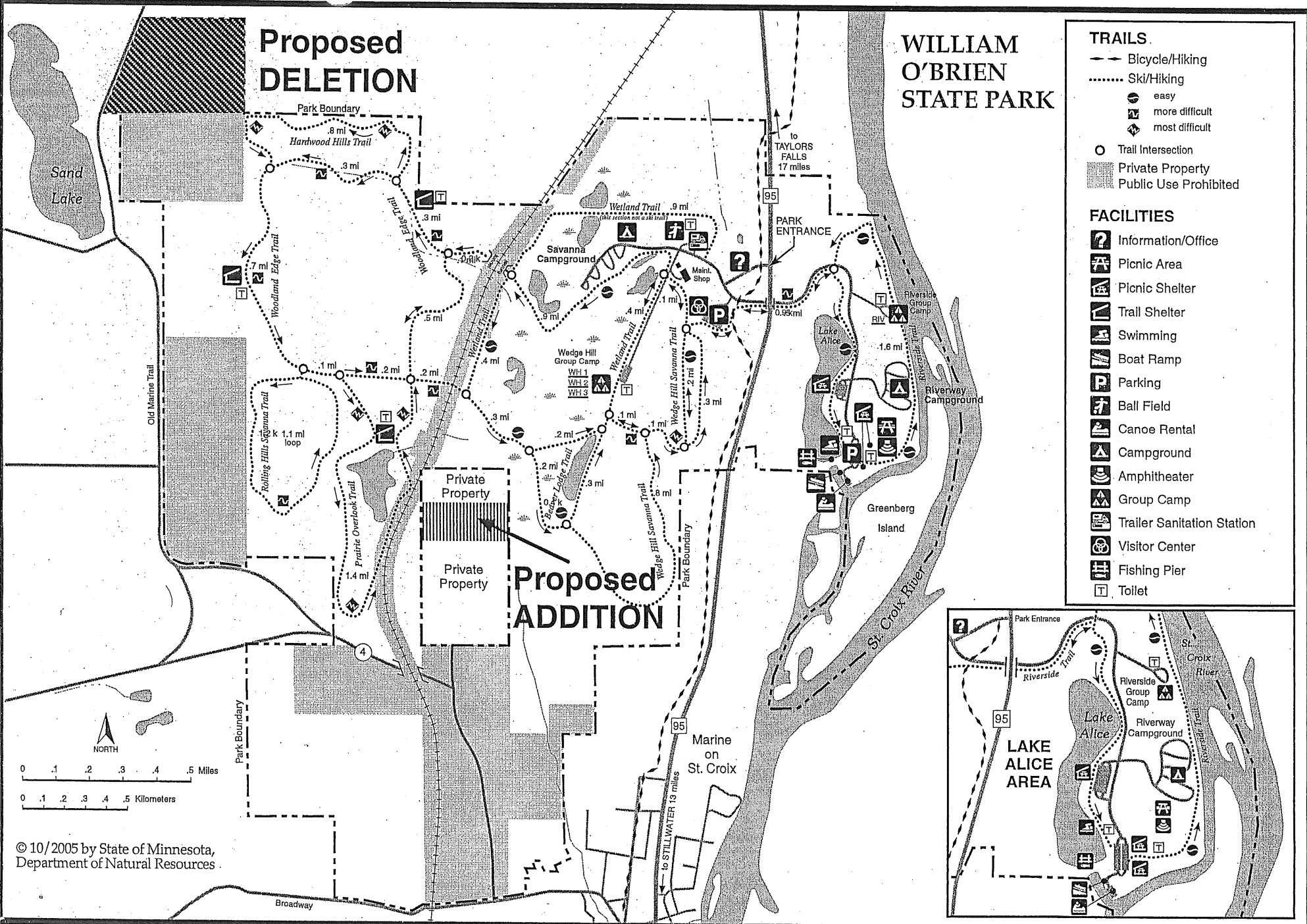
Representatives: Matt Dean

Proposed DELETION

WILLIAM O'BRIEN STATE PARK

- TRAILS**
- Bicycle/Hiking
 - Ski/Hiking
 - easy
 - more difficult
 - most difficult
 - Trail Intersection
 - Private Property
 - Public Use Prohibited

- FACILITIES**
- Information/Office
 - Picnic Area
 - Picnic Shelter
 - Trail Shelter
 - Swimming
 - Boat Ramp
 - Parking
 - Ball Field
 - Canoe Rental
 - Campground
 - Amphitheater
 - Group Camp
 - Trailer Sanitation Station
 - Visitor Center
 - Fishing Pier
 - Toilet



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MINNESOTA VALLEY STATE RECREATION AREA

Action:

**Park Boundary Deletion:
407 Acres**

Ownership: Private

Profile

Established in: 1994

State Ownership: 5306 acres

Annual Visitation Total: 135,627

WHY DELETE?

Legislation in 2003 deleted the State ownership from the statutory boundary of Rush River Unit and allowed for the transfer of these lands to Sibley County. Legislation did not include the private lands within the statutory boundary. This proposal deletes the remaining lands of the Rush River Unit within MN Valley State Recreation Area.

PRESENT OWNERSHIP OF PROPOSED DELETION:

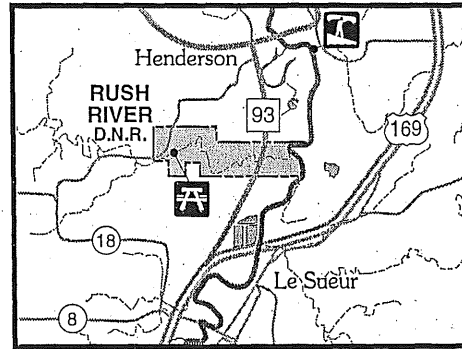
Private

LEGISLATORS:

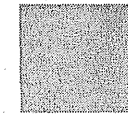
Senators: Thomas Neuville

Representatives: Laura Brod

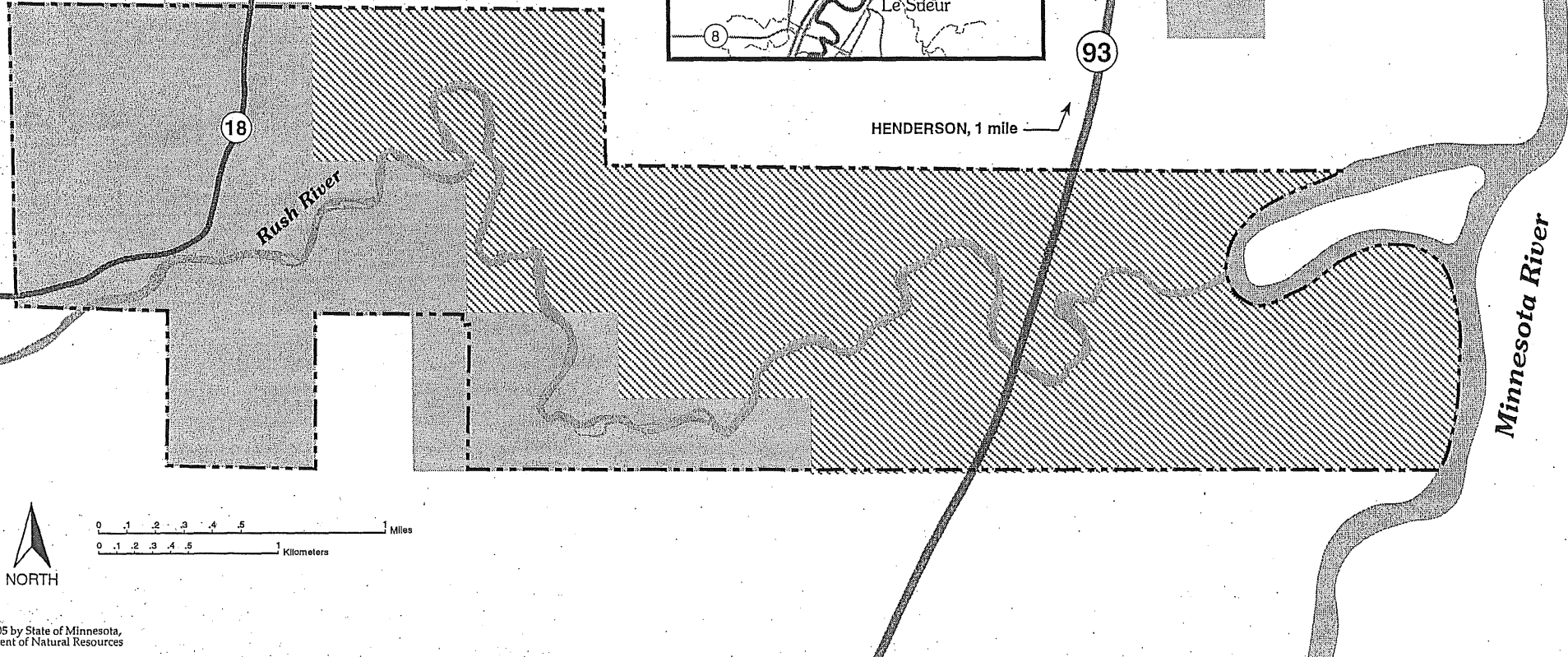
MN VALLEY SRA
RUSH RIVER
WAYSIDE UNIT



Proposed
Boundary
DELETION



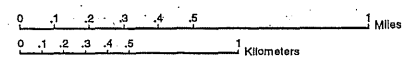
Deleted in 2003



HENDERSON, 1 mile



NORTH



1.1 Senator Marty from the Committee on Environment and Natural Resources,
1.2 to which was referred

1.3 S.F. No. 2632: A bill for an act relating to natural resources; providing for extension
1.4 of timber permits in the event of adverse climatic conditions; amending Minnesota
1.5 Statutes 2004, section 90.041, by adding a subdivision.

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

1.7 Page 1, line 8, delete "climatic" and insert "surface"

1.8 Page 1, line 9, delete "climatic" and insert "surface"

1.9 Page 1, line 14, delete "climatic" and insert "surface"

1.10 Amend the title accordingly

1.11 And when so amended the bill do pass and be placed on the Consent Calendar.
1.12 Amendments adopted. Report adopted.

1.13
1.14 (Committee Chair)

1.15 March 8, 2006
1.16 (Date of Committee recommendation)

1.1 Senator Marty from the Committee on Environment and Natural Resources,
1.2 to which was referred

1.3 S.F. No. 2851: A bill for an act relating to state lands; adding to and deleting from
1.4 state parks and recreation areas; providing for public and private sales and exchanges of
1.5 certain state lands.

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

1.7 Delete everything after the enacting clause and insert:

1.8 "Section 1. ADDITIONS TO STATE PARKS.

1.9 Subdivision 1. [85.012] [Subd. 14.] Crow Wing State Park, Crow Wing, Cass,
1.10 and Morrison Counties. The following areas are added to Crow Wing State Park,
1.11 Cass County:

1.12 (1) Government Lots 3, 4, and 5, the Southeast Quarter of the Northeast Quarter,
1.13 and the Northeast Quarter of the Southeast Quarter, all in Section 24, Township 133
1.14 North, Range 30 West;

1.15 (2) that part of Government Lot 4 lying southerly of Cass County State-Aid Highway
1.16 36 and that part of the Southeast Quarter of the Southwest Quarter lying southerly and
1.17 westerly of Cass County State-Aid Highway 36 and also lying westerly of the Gull River,
1.18 all in Section 19, Township 133 North, Range 29 West; and

1.19 (3) that part of Government Lot 2 lying westerly of the Gull River, Section 30,
1.20 Township 133 North, Range 29 West.

1.21 Subd. 2. [85.012] [Subd. 21.] Frontenac State Park, Goodhue County. The
1.22 following areas are added to Frontenac State Park, Goodhue County:

1.23 (1) beginning at the corners of Sections 11, 12, 13, and 14, in Township 112 North,
1.24 Range 13 West; thence running South along the east line of said Section 14, 660 feet;
1.25 thence at right angles East 2,220 feet; thence at right angles North 1,522 feet; thence
1.26 West 900 feet to the center of the Lake City and Frontenac public highway; thence South
1.27 860 feet, more or less, along the centerline of said public highway to the north line of
1.28 said Section 12; thence West 1,320 feet, more or less, along said north line to the point
1.29 of beginning;

1.30 (2) that part of Government Lot 3 of Section 12 and Government Lot 1 and the
1.31 Northeast Quarter of the Northwest Quarter of Section 13, all in Township 112 North,
1.32 Range 13 West, described as follows: Beginning at a point 600 feet North of the southwest
1.33 corner of the Northeast Quarter of the Northwest Quarter of said Section 13; thence run
1.34 due North 60 feet, more or less, to south line of Convent property; thence due East 900
1.35 feet to the southeast corner of Convent property; thence due North 1,062 feet to a point
1.36 which is 460 feet due South of a stone monument at corner of Convent property; thence
1.37 due East 150 feet; thence South 16 degrees East 1,104 feet, more or less, to a point which
1.38 is 450 feet due East of the southeast corner of Convent property above described; thence

2.1 due East 407 feet; thence due South 660 feet, more or less, to south line of Government
2.2 Lot 1 of said Section 13, which point is 1,757 feet East of southwest corner of Northeast
2.3 Quarter of the Northwest Quarter of said Section 13; thence West along said south line of
2.4 Government Lot 1, 1,167 feet, more or less, to center of Wells Creek; thence northwesterly
2.5 along center of Wells Creek 800 feet, more or less, to a point which is due East of the place
2.6 of beginning; thence due West 100 feet to place of beginning. Also right-of-way 60 feet
2.7 wide adjoining on the North of this tract is given, which runs East and West 150 feet; and

2.8 (3) commencing at the northeast corner of the Ursuline Convent Lands (where a
2.9 stone is set) in the Southwest Quarter of Section 12, Township 112 North, Range 13 West;
2.10 thence East on the line of continuation of the north line, which runs East and West of
2.11 said "Convent Lands," a distance of 20 feet for a place of beginning; thence South and
2.12 parallel with the east line of said "Convent Lands," a distance of 400 feet; thence East
2.13 to the line of low water mark of Lake Pepin a distance of 750 feet, be the same more or
2.14 less; thence in a northwesterly direction and following said line of low water mark of said
2.15 Lake Pepin to a point where the same intersects the said continuation of said north line
2.16 of said "Ursuline Convent Lands" if continued to said line of low water mark of said
2.17 Lake Pepin; thence West and on said continued north line to the place of beginning, said
2.18 premises being a part of Lot 3, Section 12.

2.19 Subd. 3. [85.012] [Subd. 27a.] **Grand Portage State Park, Cook County.** The
2.20 following area is added to Grand Portage State Park, all in Section 30, Township 64 North,
2.21 Range 7 East, Cook County: All of the Southwest Quarter of the Northeast Quarter lying
2.22 northerly of the center line of Minnesota Trunk Highway 61.

2.23 Subd. 4. [85.012] [Subd. 42.] **Mille Lacs Kathio State Park, Mille Lacs County.**
2.24 The following area is added to Mille Lacs Kathio State Park, Mille Lacs County: That
2.25 part of Government Lot 1, Section 26, Township 42 North, Range 27 West, described as
2.26 follows: Beginning at the northeast corner of said Government Lot 1; thence North 89
2.27 degrees 09 minutes 54 seconds West, bearing based on Mille Lacs County Coordinate
2.28 System, along the north line of said Government Lot 1 a distance of 665.82 feet to a
2.29 3/4-inch iron rod with survey cap stamped "MN DNR LS 16098" (DNR monument);
2.30 thence South 00 degrees 00 minutes 00 seconds West a distance of 241.73 feet to a DNR
2.31 monument, thence continuing South 00 degrees 00 minutes 00 seconds West a distance of
2.32 42.18 feet to a P.K. nail in the centerline of County Road 26; thence southeasterly along the
2.33 centerline of County Road 26 a distance of 860 feet, more or less, to the east line of said
2.34 Government Lot 1; thence North 00 degrees 22 minutes 38 seconds East along the east line
2.35 of said Government Lot 1 a distance of 763 feet, more or less, to the point of beginning.

3.1 Subd. 5. [85.012] [Subd. 53b.] Split Rock Creek State Park, Pipestone County.

3.2 The following areas are added to Split Rock Creek State Park, all in Township 105 North,
 3.3 Range 46 West, Pipestone County:

3.4 (1) the Northeast Quarter; the Southwest Quarter; and the Southeast Quarter, except
 3.5 that part beginning at a point on the east line of said Southeast Quarter, 1,112 feet North of
 3.6 the southeast corner of said Southeast Quarter; thence West 561 feet to a point; thence
 3.7 North 529 feet to a point; thence East 561 feet to a point on the east line of said Southeast
 3.8 Quarter; thence South along the east line of said Southeast Quarter 528 feet to the point of
 3.9 beginning, all in Section 22; and

3.10 (2) the North 105 acres, more or less, of the North Half of Section 27, lying North
 3.11 and West of the southeasterly right-of-way line of the former Chicago, Rock Island and
 3.12 Pacific Railway Company, now abandoned, as it was originally located on and across said
 3.13 Section 27 and that part of the North Half of Section 27 beginning at the northeast corner
 3.14 of said Section 27; thence South 89 degrees 40 minutes 00 seconds West, a distance of
 3.15 1,608.29 feet; thence South 46 degrees 05 minutes 00 seconds West, a distance of 155.63
 3.16 feet; thence deflect left along a curve having a delta angle of 11 degrees 46 minutes, a
 3.17 radius of 844.28 feet, for a distance of 173.39 feet; thence South 34 degrees 18 minutes 00
 3.18 seconds West, a distance of 909.30 feet; thence South 89 degrees 57 minutes 00 seconds
 3.19 East, a distance of 1,718.36 feet; thence North 01 degree 03 minutes 00 seconds East, a
 3.20 distance of 120.70 feet; thence South 89 degrees 44 minutes 00 seconds East, a distance
 3.21 of 623.70 feet to the east line of said Section 27; thence North 00 degrees 00 minutes 00
 3.22 seconds East, along said east line, a distance of 882.95 feet, to the point of beginning.

3.23 Subd. 6. [85.012] [Subd. 60.] William O'Brien State Park, Washington County.

3.24 The following areas are added to William O'Brien State Park, all in Township 32 North,
 3.25 Range 20 West, Washington County:

3.26 (1) the South 165.0 feet of the North 495.0 feet of the West Half of the Southeast
 3.27 Quarter of Section 36;

3.28 (2) the South 165.0 feet of the North 660.0 feet of the West Half of the Southeast
 3.29 Quarter of Section 36; and

3.30 (3) that part of the Northwest Quarter of the Southeast Quarter of Section 36 lying
 3.31 South of the North 660 feet thereof and lying North of the South 200 feet of the North
 3.32 1,326.20 feet of the West Half of the Southeast Quarter of said Section 36, except that part
 3.33 thereof conveyed to the Minneapolis, St. Paul and Sault Ste. Marie Railway Company by
 3.34 deed recorded in Book 74 of Deeds, page 491 in the Office of the Washington County
 3.35 Recorder.

3.36 Sec. 2. DELETIONS FROM STATE PARKS.

4.1 Subdivision 1. [85.012] [Subd. 2.] Banning State Park, Pine County. The
 4.2 following area is deleted from Banning State Park, Pine County: the West Half of the
 4.3 Northwest Quarter, Section 26, Township 43 North, Range 20 West.

4.4 Subd. 2. [85.012] [Subd. 52a.] Schoolcraft State Park, Cass and Itasca Counties.
 4.5 The following areas are deleted from Schoolcraft State Park, Itasca County, all in
 4.6 Township 143 North, Range 25 West:

4.7 (1) Government Lots 5, 6, 9, and 12 of Section 2; and

4.8 (2) Government Lot 4 of Section 11.

4.9 Subd. 3. [85.012] [Subd. 60.] William O'Brien State Park, Washington County.
 4.10 The following area is deleted from William O'Brien State Park, all in Section 26,
 4.11 Township 32 North, Range 20 West, Washington County: that part of the South Half of
 4.12 the Northeast Quarter lying east of Oxboro Avenue.

4.13 **Sec. 3. DELETIONS FROM STATE RECREATION AREAS.**

4.14 Subdivision 1. [85.013] [Subd. 12a.] Iron Range Off-Highway Vehicle
 4.15 Recreation Area, St. Louis County. The following areas are deleted from the Iron Range
 4.16 Off-Highway Vehicle Recreation Area, St. Louis County:

4.17 (1) the Southeast Quarter of the Southeast Quarter, Section 4, Township 58 North,
 4.18 Range 17 West;

4.19 (2) the East Half of the Northeast Quarter and the East Half of the Southeast Quarter,
 4.20 Section 8, Township 58 North, Range 17 West; and

4.21 (3) Section 9, Township 58 North, Range 17 West.

4.22 Subd. 2. [85.013] [Subd. 17a.] Minnesota Valley State Recreation Area,
 4.23 Hennepin, Dakota, Scott, Carver, Sibley, and LeSueur Counties. The following area
 4.24 is deleted from the Minnesota Valley State Recreation Area, Sibley County: the Rush
 4.25 River Wayside.

4.26 **Sec. 4. ADDITIONS TO RUM RIVER STATE FOREST.**

4.27 [89.021] [Subd. 43.] Rum River State Forest. The following areas are added to
 4.28 Rum River State Forest:

4.29 (1) the South Half of the Southwest Quarter of Section 8, Township 39 North, Range
 4.30 25 West, Kanabec County;

4.31 (2) the North Half of the Northeast Quarter of Section 25, Township 39 North,
 4.32 Range 26 West, Mille Lacs County;

4.33 (3) Sections 7, 8, 9, and 10; the West Half of Section 11; the Northwest Quarter,
 4.34 North Half of the Southwest Quarter, and the Southeast Quarter of the Southwest Quarter
 4.35 of Section 14; the North Half of the South Half and the North Half of Section 15; the

5.1 Southwest Quarter of the Southwest Quarter, the North Half of the South Half, and the
 5.2 North Half of Section 16; the North Half of Section 17; the North Half of Section 18; the
 5.3 Southeast Quarter of the Southwest Quarter and the Southwest Quarter of the Southeast
 5.4 Quarter of Section 24; the West Half of the Northeast Quarter and the East Half of the
 5.5 Northwest Quarter of Section 25; and the South Half of the Southeast Quarter of Section
 5.6 26; all in Township 40 North, Range 27 West, Mille Lacs County;

5.7 (4) the East Half of the Southwest Quarter and the Southeast Quarter of Section 36,
 5.8 Township 41 North, Range 27 West, Mille Lacs County;

5.9 (5) the Southeast Quarter of the Southeast Quarter of Section 19, Township 42
 5.10 North, Range 27 West, Mille Lacs County; and

5.11 (6) Section 36, Township 41 North, Range 28 West, Morrison County.

5.12 Sec. 5. Laws 1999, chapter 161, section 31, subdivision 5, as amended by Laws 2004,
 5.13 chapter 262, article 3, section 2, is amended to read:

5.14 Subd. 5. [SURVEY.] (a) Itasca county shall cause each lot to be surveyed by a
 5.15 licensed surveyor, except that a survey is not required for Lots 11 and 12, Plat of Third
 5.16 River, according to the plat of record in the office of the recorder for Itasca County.

5.17 (b) The costs of survey shall be allocated by the county to the lots offered for sale
 5.18 and the successful purchaser on each lot shall reimburse the county for the survey costs
 5.19 allocated to the lot purchased. If no one purchases the lot, the county is responsible for the
 5.20 survey costs. All surveying must be conducted by a licensed surveyor.

5.21 Sec. 6. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
 5.22 **WATER; ANOKA COUNTY.**

5.23 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
 5.24 resources may sell by public sale the surplus land bordering public water that is described
 5.25 in paragraph (c).

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

5.29 (c) The land that may be sold is located in Anoka County and is described as follows:
 5.30 That part of Government Lot 1 in Section 17, Township 33 North, Range 22 West,
 5.31 commencing at a point on the southeasterly right-of-way line of County Aid Road
 5.32 No. 4, as the road was laid out and constructed across said Government Lot 1 as of
 5.33 January 31, 1948, which is 99 feet northeasterly from the point of the intersection
 5.34 of said right-of-way line and the west line of said Section 17, running thence
 5.35 southwesterly a distance of 99 feet to the said intersection of the right-of-way line

6.1 and the west line of Section 17; thence South along the west line of said Section
6.2 17 to the shoreline of Linwood Lake; thence northeasterly along the shoreline of
6.3 Linwood Lake a distance of 126 feet; and thence northwesterly in a straight line to
6.4 the point of beginning, all according to the United States government survey thereof.

6.5 (d) The land was formerly used as a water access site on Linwood Lake and is no
6.6 longer needed for natural resource purposes.

6.7 **Sec. 7. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
6.8 **WATER; CLEARWATER COUNTY.**

6.9 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
6.10 and the public sale requirements in Minnesota Statutes, chapter 282, Clearwater County
6.11 may sell the tax-forfeited land bordering public water described in paragraph (c) to the
6.12 city of Bagley, under the remaining provisions of Minnesota Statutes, chapter 282. The
6.13 conveyance must provide that the land described in paragraph (c) be used for the public,
6.14 and revert to the state in trust for the taxing districts, if the city of Bagley fails to provide
6.15 for public use or abandons the public use of the land.

6.16 (b) The conveyance must be in a form approved by the attorney general for the
6.17 appraised value of the land. The attorney general may make necessary changes to the legal
6.18 description to correct errors and ensure accuracy.

6.19 (c) The land to be sold is located in Clearwater County and is described as:

6.20 (1) all that part of the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4)
6.21 and the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4), Section Thirty (30),
6.22 Township One Hundred Forty-seven (147) North, Range Thirty-seven (37), West of the
6.23 Fifth Principal Meridian, described as follows:

6.24 Commencing at the Southwest corner of Lot One (1) of Block One (1) of Pleasant
6.25 Addition of Bagley at its intersection with Highway #2 right-of-way as the point of
6.26 beginning; thence North on the West boundary line of said Lot One to the Northern
6.27 boundary line of the alley North of and adjacent to Block One; thence Westerly on said
6.28 North boundary line if produced to the East boundary line of Block Eight; thence South on
6.29 said East boundary line to the intersection with U.S. Highway #2 right-of-way; thence
6.30 Easterly and following the Northern boundary line of the U.S. Highway #2 right-of-way
6.31 to the point of beginning;

6.32 (2) Lot Eight (8), Block One (1), Lake Lamond Addition, according to the plat
6.33 thereof on file and of record in the office of the county recorder, Clearwater County,
6.34 Minnesota;

7.1 (3) Block Eight (8), Auditor's 2nd Subdivision of Bagley, according to the plat
7.2 thereof on file and of record in the office of the county recorder, Clearwater County,
7.3 Minnesota; and

7.4 (4) Lots One (1), Two (2), Three (3), & Four (4), Block Thirteen (13), Auditor's 2nd
7.5 Subdivision of Bagley, according to the plat thereof on file and of record in the office of
7.6 the county recorder, Clearwater County, Minnesota.

7.7 (d) The county has determined that the county's land management interests would
7.8 be best served if the lands were sold to the city of Bagley.

7.9 **Sec. 8. PRIVATE SALE OF SURPLUS LAND; GOODHUE COUNTY.**

7.10 (a) Notwithstanding Minnesota Statutes, sections 85.012, 94.09, and 94.10, the
7.11 commissioner of natural resources may sell by private sale the surplus land that is located
7.12 within the boundaries of Frontenac State Park and described in paragraph (c).

7.13 (b) The conveyance must be in a form approved by the attorney general. The
7.14 conveyance shall reserve an easement to ensure public access to Frontenac State Park.
7.15 The attorney general may make necessary changes to the legal description to correct
7.16 errors and ensure accuracy.

7.17 (c) The land to be sold is located in Goodhue County and is described as follows:
7.18 That part of the East Half of the East Half of the Northwest Quarter of Section 4, Township
7.19 112 North, Range 13 West, Goodhue County, Minnesota, described as follows:

7.20 Commencing at the south quarter corner of said Section 4; thence on an assumed
7.21 bearing of North, along the north-south quarter line of said Section 4, to the centerline
7.22 of Hill Avenue, as now located and established; thence on a bearing of North, along said
7.23 north-south quarter line of said Section 4, a distance of 450.00 feet; thence on a bearing
7.24 of West, a distance of 500.00 feet to the POINT OF BEGINNING; thence continuing on
7.25 a bearing of West, a distance of 61.00 feet; thence on a bearing of South, a distance of
7.26 548 feet, more or less, to the centerline of Hill Avenue; thence northeasterly along said
7.27 centerline a distance of 65 feet, more or less, to a line which bears South from the point of
7.28 beginning; thence on a bearing of North, a distance of 526 feet, more or less to the point of
7.29 beginning. Said parcel contains 0.75 acres, more or less.

7.30 (d) The sale resolves an unintentional trespass that occurred when a pole barn was
7.31 constructed on state park land.

7.32 **Sec. 9. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
7.33 **WATER; HENNEPIN COUNTY.**

8.1 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
8.2 commissioner of natural resources may sell to a governmental subdivision of the state the
8.3 surplus land bordering public water that is described in paragraph (c).

8.4 (b) The conveyance must be in a form approved by the attorney general and may
8.5 be conveyed for less than the value of the land as determined by the commissioner. The
8.6 attorney general may make necessary changes to the legal description to correct errors
8.7 and ensure accuracy. The conveyance must provide that the land described in paragraph
8.8 (c) be used for the public and reverts to the state if the governmental subdivision fails to
8.9 provide for public use or abandons the public use of the land.

8.10 (c) The land that may be sold is located in Hennepin County and is described
8.11 as follows:

8.12 A strip of land 130 feet wide in the S1/2-NW1/4 of Section 20, Township 117 North,
8.13 Range 21 West, the center line of which strip has its beginning in the center of
8.14 Minnehaha Creek on the southeasterly right-of-way line of the Chicago, Milwaukee,
8.15 St. Paul and Pacific Railroad Company across the SW1/4-NW1/4 of said Section 20,
8.16 which point is distant 806 feet northeasterly along said railroad right-of-way line
8.17 from the west line of said Section 20; thence South 50 degrees 5 minutes East a
8.18 distance of 239 feet to a point which is 818.8 feet North of the south boundary
8.19 line of the SW1/4-NW1/4 and 412 feet West from the east boundary line of said
8.20 SW1/4-NW1/4, and thence continuing South 50 degrees 5 minutes East 100 feet;
8.21 thence East on a line parallel with and 753.8 feet distant from the south boundary
8.22 line of said SW1/4-NW1/4, to the east boundary line of said SW1/4-NW1/4.

8.23 Excepting the bed of Minnehaha Creek.

8.24 (d) The sale to a local unit of government for management for public use would
8.25 allow continued recreational use of the land while reducing cost to state government.

8.26 **Sec. 10. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
8.27 **WATER; ITASCA COUNTY.**

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

8.31 (b) The conveyance must be in a form approved by the attorney general for not
8.32 less than the appraised value of the land.

8.33 (c) The land to be sold is located in Itasca County and is described as: Lot 8,
8.34 Block 1, Anderson Addition, according to the plat on file and of record in the office of
8.35 the recorder for Itasca County.

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

9.3 **Sec. 11. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
9.4 **WATER; ITASCA COUNTY.**

9.5 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
9.6 and the public sale requirements in Minnesota Statutes, chapter 282, Itasca County may
9.7 sell the tax-forfeited land described in paragraph (c) by private sale, under the remaining
9.8 provisions of Minnesota Statutes, chapter 282.

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

9.11 (c) The land to be sold is located in Itasca County and is described as: Government
9.12 Lot 3, Section 27, Township 55 North, Range 26 West.

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

9.15 **Sec. 12. SUSTAINABLE FOREST INCENTIVE ACT; PARCEL**
9.16 **REPLACEMENT; ITASCA COUNTY.**

9.17 (a) The commissioner of revenue shall allow a claimant participating in the
9.18 Sustainable Forest Incentive Act, under Minnesota Statutes, chapter 290C, to remove
9.19 parcels from the sustainable forest incentive program without penalty and enroll
9.20 replacement parcels, if the claimant:

9.21 (1) has at least 50,000 acres of land currently enrolled in the program;

9.22 (2) agrees to have at least 5,000 acres of land but not more than 8,000 acres of land
9.23 removed from the program for use in connection with a proposed steel mill in Itasca
9.24 County referenced in Laws 1999, chapter 240, article 1, section 8, subdivision 3; and

9.25 (3) makes application on or before December 31, 2010, under the Sustainable Forest
9.26 Incentive Act and this section to remove from the program and to simultaneously add to
9.27 the program parcels of like value.

9.28 (b) The application must be accompanied by a cover letter that makes reference to
9.29 this section, identifies the parcels to be removed, and identifies the parcels to be added.
9.30 For purposes of incentive payments and subsequent removals from the program, the
9.31 parcels added to the program under this section will be treated as if they were included on
9.32 the claimant's original application for the parcels removed from the program under this
9.33 section. Within 90 days of approving the application, the commissioner shall execute and
9.34 mail to the claimant a document in recordable form that releases the removed parcels from
9.35 the covenant required for parcels enrolled under the Sustainable Forest Incentive Act.

10.1 EFFECTIVE DATE. This section is effective the day following final enactment.

10.2 Sec. 13. EXCHANGE OF TAX-FORFEITED LAND; PRIVATE SALE; ITASCA
 10.3 COUNTY.

10.4 (a) For the purpose of a land exchange for use in connection with a proposed
 10.5 steel mill in Itasca County referenced in Laws 1999, chapter 240, article 1, section 8,
 10.6 subdivision 3, title examination and approval of the land described in paragraph (b)
 10.7 shall be undertaken as a condition of exchange of the land for class B land, and shall be
 10.8 governed by Minnesota Statutes, section 94.344, subdivisions 9 and 10, and the provisions
 10.9 of this subdivision. Notwithstanding the evidence of title requirements in Minnesota
 10.10 Statutes, section 94.344, subdivisions 9 and 10, the county attorney shall examine one
 10.11 or more title reports or title insurance commitments prepared or underwritten by a title
 10.12 insurer licensed to conduct title insurance business in this state, regardless of whether
 10.13 abstracts were created or updated in the preparation of the title reports or commitments.
 10.14 The opinion of the county attorney, and approval by the attorney general, shall be based on
 10.15 those title reports or commitments.

10.16 (b) The land subject to this subdivision is located in Itasca County and is described
 10.17 as:

10.18 (1) Sections 3, 4, 7, 10, 14, 15, 16, 17, 18, 20, 21, 22, 23, 26, 28, and 29, Township
 10.19 56 North, Range 22 West;

10.20 (2) Sections 3, 4, 9, 10, 13, and 14, Township 56 North, Range 23 West;

10.21 (3) Section 30, Township 57 North, Range 22 West; and

10.22 (4) Sections 25, 26, 34, 35, and 36, Township 57 North, Range 23 West.

10.23 (c) Riparian land given in exchange by Itasca County for the purpose of the steel
 10.24 mill referenced in paragraph (a), is exempt from the restrictions imposed by Minnesota
 10.25 Statutes, section 94.342, subdivision 3.

10.26 (d) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
 10.27 and the public sale provisions of Minnesota Statutes, chapter 282, Itasca County may sell,
 10.28 by private sale, any land received in exchange for the purpose of the steel mill referenced
 10.29 in paragraph (a), under the remaining provisions of Minnesota Statutes, chapter 282. The
 10.30 sale must be in a form approved by the attorney general.

10.31 EFFECTIVE DATE. This section is effective the day following final enactment.

10.32 Sec. 14. LAND REPLACEMENT TRUST FUND; ITASCA COUNTY.

10.33 Notwithstanding the provisions of Minnesota Statutes, chapter 282, and any other
 10.34 law relating to the apportionment of proceeds from the sale of tax-forfeited land, and
 10.35 except as otherwise provided in this section, Itasca County must deposit the money

11.1 received from the sale of tax-forfeited lands within Minnesota Steel Industries permit to
11.2 mine area near Nashwauk, Minnesota, into a tax-forfeited land replacement trust fund
11.3 established by Itasca County under this section. The principal and interest from this fund
11.4 may be spent only on the purchase of lands to replace the tax-forfeited lands sold to
11.5 Minnesota Steel Industries. Lands purchased with the land replacement fund must:
11.6 (1) become subject to trust in favor of the governmental subdivision wherein they lie
11.7 and all laws related to tax-forfeited lands; and
11.8 (2) be for forest management purposes and dedicated as memorial forest under
11.9 Minnesota Statutes, section 459.06, subdivision 2.

11.10 **Sec. 15. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
11.11 **WATER; LAKE OF THE WOODS COUNTY.**

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

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

11.18 (c) The land that may be sold is located in Lake of the Woods County and is
11.19 described as follows:

11.20 That part of Government Lot 7, Section 23, Township 168 North, Range 35 West,
11.21 described as follows:

11.22 Commencing at the northwest corner of said Government Lot 7, being a 3/4 inch
11.23 by 24 rebar with plastic cap stamped "MN DNR LS 17005"; thence on a bearing
11.24 based on the 1983 Lake of the Woods County Coordinate System (1996 Adjustment)
11.25 of North 89 degrees 35 minutes 54 seconds East along the north line of said
11.26 Government Lot 7 a distance of 640.21 feet to a 3/4 inch by 24 rebar with plastic
11.27 cap stamped "MN DNR LS 17005", and the point of beginning of the land to be
11.28 described; thence South 00 degrees 24 minutes 6 seconds East 40.00 feet to an
11.29 inplace iron rod; thence North 89 degrees 35 minutes 54 seconds East, parallel with
11.30 said north line of Government Lot 7, a distance of 142.59 feet to an inplace iron rod;
11.31 thence North 46 degrees 18 minutes 16 seconds East 58.26 feet to an inplace iron
11.32 rod on the north line of said Government Lot 7; thence South 89 degrees 35 minutes
11.33 54 seconds East, along the north line of said Government Lot 7, a distance of 184.99
11.34 feet to the point of beginning, containing 0.15 acres.

11.35 (d) The sale would resolve an unintentional trespass when a portion of a cabin
11.36 and shed were constructed on state land.

12.1 Sec. 16. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;
12.2 MILLE LACS COUNTY.

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

12.6 (b) The conveyance must be in a form approved by the attorney general. The
12.7 conveyance may include any personal property owned by the state and deposited in Mille
12.8 Lacs Lake as part of the breakwater under water permits numbered P.A. 59-735 and P.A.
12.9 61-230. The attorney general may make necessary changes to the legal description to
12.10 correct errors and ensure accuracy.

12.11 (c) The land to be sold is located in Mille Lacs County and is described as follows:
12.12 That part of Government Lot 1, Section 4, Township 42 North, Range 27 West, lying
12.13 between the water's edge of Mille Lacs Lake and the following described lines:

12.14 Commencing at the intersection of the east line of said Government Lot 1 and the
12.15 southerly right-of-way line of County State-Aid Highway 35, formerly Highway
12.16 169, which point is 72.6 feet South of the meander corner on said east line; thence
12.17 in a northwesterly direction along said southerly right-of-way line angle measured
12.18 from said east line 75 degrees 10 minutes a distance of 267.0 feet to the actual point
12.19 of beginning of the first line to be described and Point "A"; thence deflect 89 degrees
12.20 55 minutes to the right in a northeasterly direction a distance of 178 feet, more or
12.21 less, to the water's edge of Mille Lacs Lake and there terminating.

12.22 The second line begins at Point "A"; thence continuing northwesterly on said
12.23 southerly right-of-way line a distance of 17.5 feet; thence deflecting 90 degrees to
12.24 the right in a northeasterly direction a distance of 90 feet, more or less, to the water's
12.25 edge of Mille Lacs Lake and there terminating.

12.26 (d) The sale resolves an unintentional trespass that occurred when two docks were
12.27 constructed on state land.

12.28 Sec. 17. PUBLIC SALE OF SURPLUS LAND BORDERING PUBLIC WATER;
12.29 MORRISON COUNTY.

12.30 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
12.31 resources may sell by public sale the surplus land bordering public water that is described
12.32 in paragraph (c).

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

13.1 (c) The land to be sold is located in Morrison County and is described as follows:
13.2 the Northwest Quarter of the Southwest Quarter, Section 30, Township 41 North, Range
13.3 28 West.

13.4 (d) The state has determined that the school trust land management interests would
13.5 best be served if the land was sold, as the land has no access to a public road and minimal
13.6 timber value.

13.7 **Sec. 18. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
13.8 **WATER; OTTER TAIL COUNTY.**

13.9 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
13.10 resources may sell by public sale the surplus land bordering public water that is described
13.11 in paragraph (c).

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

13.15 (c) The land that may be sold is located in Otter Tail County and is described
13.16 as follows:

13.17 That part of the E1/2-SW1/4 of Section 24, Township 136 North, Range 39 West,
13.18 described as follows: Beginning at Right-of-Way Monument B12 as shown on
13.19 State Highway Right-of-Way Plat No. 56-7 on file and of record in the Office
13.20 of the Register of Deeds in and for said county; thence run North 40 degrees 42
13.21 minutes 47 seconds West (bearings oriented to Minnesota State Plane Grid, 00
13.22 degrees 00 minutes 00 seconds being grid north) for 651.92 feet to Right-of-Way
13.23 Monument B13; thence South 82 degrees 38 minutes 47 seconds East for 304.14
4 feet; thence South 73 degrees 11 minutes 03 seconds East for 266.02 feet; thence
13.25 South 16 degrees 18 minutes 57 seconds West for 67.63 feet; thence southerly along
13.26 a tangential curve concave to East having a radius of 393.31 feet and a central angle
13.27 of 78 degrees 00 minutes 00 seconds for 495.04 feet; thence North 64 degrees 11
13.28 minutes 28 seconds West for 335.11 feet to Right-of-Way Monument B12 and the
13.29 point of beginning; containing 3.35 acres, more or less.

13.30 (d) The land was transferred by the Department of Transportation to the Department
13.31 of Natural Resources upon completion of a road project in 1974 and the Department
13.32 of Natural Resources has determined the land is no longer needed for natural resource
13.33 purposes.

13.34 **Sec. 19. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
13.35 **WATER; PINE COUNTY.**

14.1 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
14.2 1, Pine County may sell the tax-forfeited land described in paragraph (c) by public sale,
14.3 under the remaining provisions of Minnesota Statutes, chapter 282.

14.4 (b) The conveyance must be in a form approved by the attorney general for not less
14.5 than the appraised value of the land. The attorney general may make necessary changes to
14.6 the legal description to correct errors and ensure accuracy.

14.7 (c) The land to be sold is located in Pine County and is described as:

14.8 (1) Property ID Numbers 03.0074.000, 03.0075.000, and 03.0076.000, all in Section
14.9 9, Township 41 North, Range 20 West;

14.10 (2) Property ID Numbers 03.0089.000 and 03.0090.000, all in Section 10, Township
14.11 41 North, Range 20 West;

14.12 (3) Property ID Number 06.0086.000 in Section 14, Township 40 North, Range
14.13 22 West;

14.14 (4) Property ID Numbers 13.0053.000, and 13.0054.000, all in Section 4, Township
14.15 43 North, Range 20 West;

14.16 (5) Property ID Number 13.0059.000 in Section 5, Township 43 North, Range
14.17 20 West;

14.18 (6) Property ID Numbers 16.0198.000 and 16.0201.000, all in Section 19, Township
14.19 45 North, Range 18 West;

14.20 (7) Property ID Number 20.0164.000 in Section 23, Township 43 North, Range
14.21 16 West; and

14.22 (8) Property ID Number 45.5567.000 in Section 16, Township 42 North, Range
14.23 20 West.

14.24 (d) The conveyance of land described in paragraph (c), clauses (4) and (5), shall
14.25 be combined and sold as a single parcel.

14.26 (e) The county has determined that the county's land management interests would be
14.27 best served if the lands were returned to private ownership.

14.28 **Sec. 20. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
14.29 **WATER; PINE COUNTY.**

14.30 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
14.31 and the public sale requirements in Minnesota Statutes, chapter 282, Pine County may sell
14.32 by private sale the tax-forfeited land bordering public water described in paragraph (c),
14.33 under Minnesota Statutes, section 282.01, subdivision 7a.

14.34 (b) The conveyance must be in a form approved by the attorney general for the
14.35 appraised value of the land. The attorney general may make necessary changes to the legal
14.36 description to correct errors and ensure accuracy.

15.1 (c) The land to be sold is located in Pine County and is described as:

15.2 (1) Property ID Number 28.1134.001 in Section 36, Township 39 North, Range

15.3 22 West;

15.4 (2) Property ID Number 12.0300.000 in Section 20, Township 42 North, Range

15.5 21 West;

15.6 (3) Property ID Number 25.0107.000 in Section 9, Township 43 North, Range

15.7 19 West;

15.8 (4) Property ID Number 16.0190.000 in Section 18, Township 45 North, Range

15.9 18 West;

15.10 (5) Property ID Number 31.0174.000 in Section 23, Township 45 North, Range

15.11 20 West; and

15.12 (6) Property ID Number 33.5487.000 in Section 16, Township 45 North, Range

15.13 19 West.

15.14 (d) The conveyance of land described in paragraph (c), clause (6), must contain a
 15.15 deed restriction on development that is 75 feet in width along the shoreline, excluding a
 15.16 15-foot access strip.

15.17 (e) The county has determined that the county's land management interests would be
 15.18 best served if the lands were returned to private ownership.

15.19 **Sec. 21. PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND**

15.20 **BORDERING PUBLIC WATER; PINE COUNTY.**

15.21 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
 15.22 Pine County may sell the tax-forfeited land bordering public water described in paragraph
 15.23 (c), by public sale or as provided in Minnesota Statutes, section 282.01, subdivision 7a,
 15.24 under the remaining provisions of Minnesota Statutes, chapter 282.

15.25 (b) The conveyance must be in a form approved by the attorney general for the
 15.26 appraised value of the land. The attorney general may make necessary changes to the legal
 15.27 description to correct errors and ensure accuracy.

15.28 (c) The land to be sold is located in Pine County and is described as:

15.29 Property ID Number 17.0225.000 in Section 17, Township 44 North, Range 20 West.

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

15.32 **Sec. 22. EXCHANGE OF STATE LAND WITHIN NERSTRAND BIG WOODS**

15.33 **STATE PARK; RICE COUNTY.**

15.34 (a) Notwithstanding Minnesota Statutes, section 94.342, subdivision 4, the

15.35 commissioner of natural resources may, with the approval of the Land Exchange Board as

16.1 required under the Minnesota Constitution, article XI, section 10, and according to the
16.2 remaining provisions of Minnesota Statutes, sections 94.342 to 94.346, exchange the land
16.3 located within state park boundaries that is described in paragraph (c).

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

16.7 (c) The state land that may be exchanged is located in Rice County and will be a
16.8 portion of the southerly one acre of the following described land:

16.9 All that part of the East 10 acres of the Northwest Quarter of the Southwest Quarter,
16.10 Section 3, Township 110 North, Range 19 West, lying South and West of County
16.11 State-Aid Highway 29, except the South one-half acre thereof.

16.12 The exact area to be exchanged will be determined by completion of a further site
16.13 analysis.

16.14 (d) The exchange would resolve an unintentional trespass of a driveway the location
16.15 of which was not determined until after the state's acquisition of the land.

16.16 Sec. 23. Laws 2005, chapter 161, section 19, is amended to read:

16.17 **Sec. 19. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
16.18 **WATER; ST. LOUIS COUNTY.**

16.19 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
16.20 St. Louis County may sell the tax-forfeited lands bordering public water that are described
16.21 in paragraphs (c) to (g), under the remaining provisions of Minnesota Statutes, chapter 282.

16.22 (b) The conveyances must be in a form approved by the attorney general. The
16.23 attorney general may make necessary changes to legal descriptions to correct errors and
16.24 ensure accuracy.

16.25 (c) The land to be sold is located in St. Louis County and is described as:

16.26 (1) the westerly 400 feet of the easterly 800 feet of Lot 4, Section 13, Township 54
16.27 North, Range 17 West; and

16.28 (2) the West Half of the Northwest Quarter of the Southwest Quarter, Section 33,
16.29 Township 51 North, Range 16 West.

16.30 (d) Except as provided in clause (6), the conveyances of land under this paragraph
16.31 must retain for the state a 150-foot trout stream easement lying 75 feet on each side of
16.32 the centerline of the stream. The land to be sold is located in St. Louis County and is
16.33 described as:

16.34 (1) the Northeast Quarter of the Northeast Quarter, Section 7, Township 50 North,
16.35 Range 18 West;

17.1 (2) the North Half of the Northeast Quarter and the North Half of the Northwest
17.2 Quarter, Section 8, Township 50 North, Range 18 West;

17.3 (3) the Northwest Quarter of the Northeast Quarter, except the North Half, and that
17.4 part of the West 10 acres of the Northeast Quarter of the Northeast Quarter lying south
17.5 of Lester River and the West 10 acres of the Northeast Quarter of the Northeast Quarter
17.6 lying north of Lester River, except the North 5 acres, Section 17, Township 51 North,
17.7 Range 13 West;

17.8 (4) the Northwest Quarter of the Southeast Quarter, except the West Half, and the
17.9 East 165 feet of the West Half of the Northwest Quarter of the Southeast Quarter, Section
17.10 5, Township 51 North, Range 13 West;

17.11 (5) the East Half of the Southeast Quarter of the Southeast Quarter, Section 34,
17.12 Township 58 North, Range 20 West; and

17.13 (6) Government Lot 2, Section 17, Township 51 North, Range 12 West, Wonderland
17.14 1st Addition to the town of Duluth, Lot 22, Block 1 subject to a trout stream easement 75
17.15 feet in width on the southwest side from the centerline of the stream.

17.16 (e) The conveyance of land under this paragraph must contain a deed restriction that
17.17 is 75 feet in width along the shoreline, excluding a 15-foot access strip. The land to be
17.18 sold is located in St. Louis County and is described as: Lot 6, Lot 7, and Lot 8, except
17.19 the easterly 50 feet, Erickson's Beach, town of Fayal, Section 27, Township 57 North,
17.20 Range 17 West.

17.21 (f) The conveyance of land under this paragraph must contain a deed restriction that
17.22 is 75 feet in width along the shoreline. The land to be sold is located in St. Louis County
17.23 and is described as: Lots 64 and 65, Vermilion Dells, 1st Addition Greenwood, Section 2,
17.24 Township 62 North, Range 16 West.

17.25 (g) The conveyances of land under this paragraph must retain for the state a 150-foot
17.26 conservation easement lying 75 feet on each side of the centerline of the stream. The land
17.27 to be sold is located in St. Louis County and is described as:

17.28 (1) the Northeast Quarter of the Southeast Quarter, Section 31, Township 52 North,
17.29 Range 14 West;

17.30 (2) the Northeast Quarter of the Southwest Quarter, Section 31, Township 52 North,
17.31 Range 14 West; and

17.32 (3) the South Half of the Southwest Quarter of the Southwest Quarter, except the
17.33 westerly 15 acres, Section 31, Township 52 North, Range 14 West.

17.34 (h) The county has determined that the county's land management interests would
17.35 best be served if the lands were returned to private ownership.

17.36

8.1 **Sec. 24. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
8.2 **WATER; ST. LOUIS COUNTY.**

8.3 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
8.4 St. Louis County may sell the tax-forfeited land bordering public water that is described
8.5 in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

8.6 (b) The conveyance must be in a form approved by the attorney general.
8.7 Conveyances of the lands described in paragraph (c), clauses (4), (7), and (9), must retain
8.8 for the state the easements indicated. The attorney general may make changes to the land
8.9 descriptions to correct errors and ensure accuracy.

8.10 (c) The land to be sold is located in St. Louis County and is described as:

8.11 (1) the North Half of the Northeast Quarter of the Southwest Quarter, Section 26,
8.12 Township 60 North, Range 16 West;

8.13 (2) the northerly 400 feet of the southerly 600 feet of the Northeast Quarter of the
8.14 Southeast Quarter, Section 21, Township 56 North, Range 18 West;

8.15 (3) Lot 3, except the North 900 feet and except the South 100 feet of the North
8.16 1000 feet of the West 600 feet and except the West 633 feet of the South 80 feet of the
8.17 North 1080 feet and except that party lying southerly of the North 1080 feet, Section 6,
8.18 Township 56 North, Range 20 West;

8.19 (4) the northerly 330 feet of the Northwest Quarter of the Southwest Quarter, Section
8.20 12, Township 55 North, Range 20 West;

8.21 (5) the South Half of the South Half of the Southwest Quarter of the Southwest
8.22 Quarter, Section 8, Township 55 North, Range 19 West;

8.23 (6) the Southeast Quarter and the Northeast Quarter, Section 28, Township 51 North,
8.24 Range 15 West.

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

18.27 **Sec. 25. PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND**
18.28 **BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

18.29 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
18.30 and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may
18.31 sell by public or private sale the tax-forfeited land bordering public water that is described
18.32 in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

18.36 (c) The land to be sold is located in St. Louis County and is described as:

19.1 (1) that part of the Southwest Quarter of the Northwest Quarter beginning 511 feet
 19.2 East of the northwest corner; running thence southwesterly to a point 511 feet South of
 19.3 the northwest corner; thence North to said northwest corner; thence East to the point of
 19.4 beginning and Lot 4 lying westerly of the county road, Section 3, Township 57 North,
 19.5 Range 15 West;

19.6 (2) Lot 14, Michael's Beach Town of Ellsburg, Section 6, Township 55 North,
 19.7 Range 17 West;

19.8 (3) an undivided 1/4 interest, Northeast Quarter of the Northeast Quarter, Section 22,
 19.9 Township 63 North, Range 12 West; and

19.10 (4) an undivided 1/4 interest, Northwest Quarter of the Northwest Quarter, Section
 19.11 23, Township 63 North, Range 12 West.

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

19.14 **Sec. 26. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

19.15 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282,
 19.16 or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited
 19.17 land described in paragraph (c).

19.18 (b) The conveyance must be in a form approved by the attorney general. The attorney
 19.19 general may make changes to the land description to correct errors and ensure accuracy.

19.20 (c) The land to be sold is located in St. Louis County and is described as:

19.21 That part of the Southeast Quarter of the Northeast Quarter of Section 21, Township
 19.22 56 North, Range 18 West, lying East of the East right-of-way line of Fermoy Road as
 19.23 located on this day of recording. This parcel contains 4.23 acres, more or less.

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

19.26 **Sec. 27. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
 19.27 **WATER; ST. LOUIS COUNTY.**

19.28 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
 19.29 and the public sale requirements in Minnesota Statutes, chapter 282, St. Louis County
 19.30 may sell the tax-forfeited land bordering public water described in paragraph (c) to the
 19.31 city of Chisholm, under the remaining provisions of Minnesota Statutes, chapter 282.

19.32 (b) The conveyance must be in a form approved by the attorney general for the
 19.33 appraised value of the land. The attorney general may make necessary changes to the legal
 19.34 description to correct errors and ensure accuracy.

19.35 (c) The land to be sold is located in St. Louis County and is described as:

20.1 The East One-half (E1/2) of the Northwest Quarter (NW1/4) of Section 27,
20.2 Township 58 North, Range 20 West.

20.3 (d) The county has determined that the county's land management interests would be
20.4 best served if the lands were sold to the city of Chisholm.

20.5 **Sec. 28. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
20.6 **WATER; WASHINGTON COUNTY.**

20.7 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
20.8 resources may sell by public sale the surplus lands bordering public water that are
20.9 described in paragraph (c).

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

20.13 (c) The lands that may be sold are located in Washington County and are described
20.14 as follows:

20.15 (1) all that part of the NE1/4-SW1/4 of Section 3, Township 29 North, Range 20
20.16 West, described as follows: Beginning at a point on the north line of said tract 26 rods
20.17 West of the center of said Section 3; and running thence West along the quarter section
20.18 line to the northwest corner of said tract; thence South along the west line of said tract 80
20.19 rods to the southwest corner of the same; thence East along the south line of said tract to a
20.20 point which is 26 rods West of the southeast corner thereof; thence North parallel with
20.21 the east line of said tract 80 rods to the point of beginning;

20.22 (2) the W1/2-SW1/4 of Section 3, Township 29 North, Range 20 West, except that
20.23 part lying westerly of the following described line: Beginning at a point on the south line
20.24 of said Section 3, distant 430 feet West of the southeast corner of the SW1/4-SW1/4
20.25 of said Section 3; thence northeasterly to the northeast corner of the SW1/4-SW1/4 of
20.26 Section 3; thence northwesterly to a point on the north line of the SW1/4 of Section 3,
20.27 distance 430 feet West of the northeast corner of the NW1/4-SW1/4 of said Section 3; and

20.28 (3) all that part of the SE1/4-SW1/4 of Section 3, Township 29 North, Range 20
20.29 West, lying westerly of County State-Aid Highway 21.

20.30 (d) The Department of Corrections transferred the land to the Department of Natural
20.31 Resources in 1973 and the Department of Natural Resources has determined that the land
20.32 is no longer needed for natural resource purposes.

20.33 **Sec. 29. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
20.34 **WATER; WRIGHT COUNTY.**

21.1 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
 21.2 resources may sell by public sale the surplus land bordering public water that is described
 21.3 in paragraph (c).

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

21.7 (c) The land that may be sold is located in Wright County and is described as follows:
 21.8 All that part of the North 300 feet of Government Lot 2, Section 17, Township 120
 21.9 North, Range 26 West, lying west of the following described line: Beginning at a
 21.10 point on the north line of said lot, 134.23 feet East of the center line of Wright
 21.11 County Aid Road No. 4, thence South 19 degrees, 1 minute West, 317.32 feet,
 21.12 and there terminating. Subject to existing road easements. Said parcel contains
 21.13 1.2 acres, more or less.

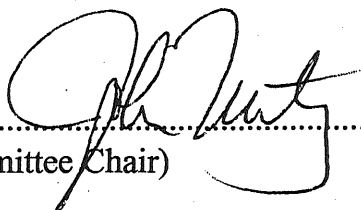
21.14 (d) The land was formally used as a water access site on Ramsey Lake and is no
 21.15 longer needed for natural resource purposes as the water access site has been relocated
 21.16 to other land."

21.17 Amend the title accordingly

21.18 And when so amended the bill do pass and be re-referred to the Committee on
 21.19 Taxes. Amendments adopted. Report adopted.

21.20
 21.21

.....
 (Committee Chair)



21.22
 21.23

March 8, 2006
 (Date of Committee recommendation)

1.1 Senator Marty from the Committee on Environment and Natural Resources,
1.2 to which was referred

1.3 S.F. No. 2852: A bill for an act relating to natural resources; providing for land
1.4 donor appraisal reimbursement; providing for acquisition of land for certain facilities;
1.5 modifying certain definitions; modifying forest services provided to private owners;
1.6 granting authority to establish state forest user fees; modifying the State Timber Act;
1.7 eliminating the requirement for a comprehensive forest resource management plan;
1.8 providing criminal penalties; appropriating money; amending Minnesota Statutes 2004,
1.9 sections 84.085, subdivision 1; 88.79, subdivision 1; 90.14; 90.151, subdivisions 1, 6, by
1.10 adding subdivisions; 103I.005, subdivision 9; Minnesota Statutes 2005 Supplement,
1.11 section 90.195; proposing coding for new law in Minnesota Statutes, chapters 85; 89; 90;
1.12 repealing Minnesota Statutes 2004, section 89.011, subdivisions 1, 2, 3, 6.

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

1.14 Delete everything after the enacting clause and insert:

1.15 "Section 1. Minnesota Statutes 2004, section 84.085, subdivision 1, is amended to read:

1.16 Subdivision 1. **Authority.** (a) The commissioner of natural resources may accept for
1.17 and on behalf of the state any gift, bequest, devise, or grants of lands or interest in lands or
1.18 personal property of any kind or of money tendered to the state for any purpose pertaining
1.19 to the activities of the department or any of its divisions. Any money so received is hereby
1.20 appropriated and dedicated for the purpose for which it is granted. Lands and interests in
1.21 lands so received may be sold or exchanged as provided in chapter 94.

1.22 (b) When the commissioner of natural resources accepts lands or interests in land,
1.23 the commissioner may reimburse the donor for costs incurred to obtain an appraisal needed
1.24 for tax reporting purposes. If the state pays the donor for a portion of the value of the
1.25 lands or interests in lands that are donated, the reimbursement for appraisal costs shall not
1.26 exceed \$1,500. If the donor receives no payment from the state for the lands or interests in
1.27 lands that are donated, the reimbursement for appraisal costs shall not exceed \$5,000.

1.28 ~~(b)~~ (c) The commissioner of natural resources, on behalf of the state, may accept and
1.29 use grants of money or property from the United States or other grantors for conservation
1.30 purposes not inconsistent with the laws of this state. Any money or property so received
1.31 is hereby appropriated and dedicated for the purposes for which it is granted, and shall
1.32 be expended or used solely for such purposes in accordance with the federal laws and
1.33 regulations pertaining thereto, subject to applicable state laws and rules as to manner
1.34 of expenditure or use providing that the commissioner may make subgrants of any
1.35 money received to other agencies, units of local government, private individuals, private
1.36 organizations, and private nonprofit corporations. Appropriate funds and accounts shall be
1.37 maintained by the commissioner of finance to secure compliance with this section.

1.38 ~~(c)~~ (d) The commissioner may accept for and on behalf of the permanent school fund
1.39 a donation of lands, interest in lands, or improvements on lands. A donation so received
1.40 shall become state property, be classified as school trust land as defined in section 92.025,
1.41 and be managed consistent with section 127A.31.

2.1 Sec. 2. **[85.0145] ACQUISITION OF LAND FOR FACILITIES.**

2.2 The commissioner of natural resources may acquire interests in land by gift,
 2.3 purchase, or lease for facilities outside the boundaries of state parks, state recreation areas,
 2.4 or state waysides that are needed for the management of state parks, state recreation areas,
 2.5 or state waysides established under sections 85.012 and 85.013.

2.6 Sec. 3. Minnesota Statutes 2004, section 88.79, subdivision 1, is amended to read:

2.7 Subdivision 1. **Employment of competent foresters; service to private owners.**

2.8 The commissioner of natural resources may employ competent foresters to furnish owners
 2.9 of forest lands within the state of Minnesota ~~owning respectively not exceeding~~ who own
 2.10 not more than 1,000 acres of such forest land, forest management services consisting of:

2.11 (1) advice in management and protection of timber, including written stewardship
 2.12 and forest management plans;

2.13 (2) selection and marking of timber to be cut;

2.14 (3) measurement of products;

2.15 (4) aid in marketing harvested products;

2.16 (5) provision of tree-planting equipment; and

2.17 (6) such other services as the commissioner of natural resources deems necessary or
 2.18 advisable to promote maximum sustained yield of timber upon such forest lands.

2.19 Sec. 4. **[89.22] USES OF STATE FOREST LANDS; FEES.**

2.20 Subdivision 1. Establishing fees. Notwithstanding section 16A.1283, the
 2.21 commissioner may, by written order, establish fees providing for the use of state forest
 2.22 lands, including: motorcycle, snowmobile, and sports car rallies, races, or enduros;
 2.23 orienteering trials; group campouts that do not occur at designated group camps; dog sled
 2.24 races; dog trials; large horse trail rides; and commercial uses. The fees are not subject to
 2.25 the rulemaking provisions of chapter 14 and section 14.386 does not apply.

2.26 Subd. 2. Receipts to natural resources fund. Fees collected under subdivision 1
 2.27 shall be credited to a forest land use account in the natural resources fund.

2.28 Sec. 5. Minnesota Statutes 2004, section 90.14, is amended to read:

2.29 **90.14 AUCTION SALE PROCEDURE.**

2.30 (a) All state timber shall be offered and sold by the same unit of measurement as it
 2.31 was appraised. ~~The sale shall be made to the person who (1) bids the highest price for all~~
 2.32 ~~the several kinds of timber as advertised, or (2) if unsold at public auction, to the person~~
 2.33 ~~who purchases at any subsequent sale authorized under section 90.101, subdivision 1. No~~
 2.34 tract shall be sold to any person other than the purchaser in whose name the bid was made.

3.1 The commissioner may refuse to approve any and all bids received and cancel a sale of
3.2 state timber for good and sufficient reasons.

3.3 (b) The purchaser at any sale of timber shall, immediately upon the approval of the
3.4 bid, or, if unsold at public auction, at the time of purchase at a subsequent sale under
3.5 section 90.101, subdivision 1, pay to the commissioner a down payment of 15 percent
3.6 of the appraised value. In case any purchaser fails to make such payment, the purchaser
3.7 shall be liable therefor to the state in a civil action, and the commissioner may reoffer the
3.8 timber for sale as though no bid or sale under section 90.101, subdivision 1, therefor
3.9 had been made.

3.10 (c) In lieu of the scaling of state timber required by this chapter, a purchaser of
3.11 state timber may, at the time of payment by the purchaser to the commissioner of 15
3.12 percent of the appraised value, elect in writing on a form prescribed by the attorney
3.13 general to purchase a permit based solely on the appraiser's estimate of the volume of
3.14 timber described in the permit, provided that the commissioner has expressly designated
3.15 the availability of such option for that tract on the list of tracts available for sale as
3.16 required under section 90.101. A purchaser who elects in writing on a form prescribed
3.17 by the attorney general to purchase a permit based solely on the appraiser's estimate of
3.18 the volume of timber described on the permit does not have recourse to the provisions
3.19 of section 90.281.

3.20 (d) In the case of a public auction sale conducted by a sealed bid process, tracts shall
3.21 be awarded to the high bidder, who shall pay to the commissioner a down payment of 15
3.22 percent of the appraised value within ten business days of receiving a written award notice.
3.23 If a purchaser fails to make the down payment, the purchaser is liable for the payment to
3.24 the state and the commissioner may offer the timber for sale to the next highest bidder
3.25 as though no higher bid had been made.

3.26 (e) Except as otherwise provided by law, at the time the purchaser signs a permit
3.27 issued under section 90.151, the purchaser shall make a bid guarantee payment to the
3.28 commissioner in an amount equal to 15 percent of the total purchase price of the permit
3.29 less the down payment amount required by paragraph (b). If the bid guarantee payment is
3.30 not submitted with the signed permit, no harvesting may occur, the permit cancels, and the
3.31 down payment for timber forfeits to the state. The bid guarantee payment forfeits to the
3.32 state if the purchaser and successors in interest fail to execute an effective permit.

3.33 **Sec. 6. [90.145] PURCHASER QUALIFICATIONS AND REGISTRATION.**

3.34 **Subdivision 1. Purchaser qualifications. (a) In addition to any other requirements**
3.35 **imposed by this chapter, the purchaser of a state timber permit issued under section 90.151**
3.36 **must meet the requirements in paragraphs (b) to (d).**

4.1 (b) The purchaser and the purchaser's agents, employees, subcontractors, and
4.2 assigns must comply with general industry safety standards for logging adopted by the
4.3 commissioner of labor and industry under chapter 182. The commissioner of natural
4.4 resources shall require a purchaser to provide proof of compliance with the general
4.5 industry safety standards before the start of harvesting operations on any permit.

4.6 (c) The purchaser and the purchaser's agents, subcontractors, and assigns must
4.7 comply with the mandatory insurance requirements of chapter 176. The commissioner
4.8 shall require a purchaser to provide a copy of the proof of insurance required by section
4.9 176.130 before the start of harvesting operations on any permit.

4.10 (d) Before the start of harvesting operations on any permit, the purchaser must
4.11 certify that a foreperson or other designated employee who has a current certificate of
4.12 completion from the Minnesota logger education program (MLEP), the Wisconsin Forest
4.13 Industry Safety and Training Alliance (FISTA), or any similar program acceptable to the
4.14 commissioner, is supervising active logging operations.

4.15 Subd. 2. Purchaser preregistration. To facilitate the sale of permits issued under
4.16 section 90.151, the commissioner may establish a purchaser preregistration system.
4.17 Any system implemented by the commissioner shall be limited in scope to only that
4.18 information that is required for the efficient administration of the purchaser qualification
4.19 provisions of this chapter and shall conform with the requirements of chapter 13.

4.20 Sec. 7. Minnesota Statutes 2004, section 90.151, subdivision 1, is amended to read:

4.21 Subdivision 1. **Issuance; expiration.** (a) Following receipt of the down payment
4.22 for state timber required under section 90.14 or 90.191, the commissioner shall issue a
4.23 numbered permit to the purchaser, in a form approved by the attorney general, by the
4.24 terms of which the purchaser shall be authorized to enter upon the land, and to cut and
4.25 remove the timber therein described as designated for cutting in the report of the state
4.26 appraiser, according to the provisions of this chapter. The permit shall be correctly dated
4.27 and executed by the commissioner and signed by the purchaser. If a permit is not signed
4.28 by the purchaser within 60 days from the date of purchase, the permit cancels and the
4.29 down payment for timber required under section 90.14 forfeits to the state.

4.30 (b) The permit shall expire no later than five years after the date of sale as the
4.31 commissioner shall specify or as specified under section 90.191, and the timber shall
4.32 be cut within the time specified therein. All cut timber, equipment, and buildings not
4.33 removed from the land within 90 days after expiration of the permit shall become the
4.34 property of the state.

4.35 (c) The commissioner may grant an additional period of time not to exceed 120 days
4.36 for the removal of cut timber, equipment, and buildings upon receipt of such request by

5.1 the permit holder for good and sufficient reasons. The commissioner may grant a second
5.2 period of time not to exceed 120 days for the removal of cut timber, equipment, and
5.3 buildings upon receipt of a request by the permit holder for hardship reasons only.

5.4 ~~(d) No permit shall be issued to any person other than the purchaser in whose name~~
5.5 ~~the bid was made.~~

5.6 Sec. 8. Minnesota Statutes 2004, section 90.151, subdivision 6, is amended to read:

5.7 Subd. 6. **Notice and approval required.** The permit shall provide that the permit
5.8 holder shall not start cutting any state timber nor clear building sites nor logging roads until
5.9 the commissioner has been notified and has given prior approval to such cutting operations.
5.10 Approval shall not be granted until the permit holder has completed a presale conference
5.11 with the state appraiser designated to supervise the cutting. The permit holder shall also
5.12 give prior notice whenever permit operations are to be temporarily halted, whenever
5.13 permit operations are to be resumed, and when permit operations are to be completed.

5.14 Sec. 9. Minnesota Statutes 2004, section 90.151, is amended by adding a subdivision
5.15 to read:

5.16 Subd. 15. **Liquidated damages.** The permit may include a schedule of liquidated
5.17 damage charges for breach of permit terms by the permit holder. The damage charges shall
5.18 be limited to amounts that are reasonable based on the anticipated or actual harm caused
5.19 by the breach, the difficulties of proof of loss, and the inconvenience or nonfeasibility of
5.20 otherwise obtaining an adequate remedy.

5.21 Sec. 10. Minnesota Statutes 2004, section 103I.005, subdivision 9, is amended to read:

5.22 Subd. 9. **Exploratory boring.** "Exploratory boring" means a surface drilling done
5.23 to explore or prospect for oil, natural gas, apatite, diamonds, graphite, gemstones, kaolin
5.24 clay, and or metallic minerals, including iron, copper, zinc, lead, gold, silver, titanium,
5.25 vanadium, nickel, cadmium, molybdenum, chromium, manganese, cobalt, zirconium,
5.26 beryllium, thorium, uranium, aluminum, platinum, palladium, radium, tantalum, tin, and
5.27 niobium, and a drilling or boring for petroleum.

5.28 Sec. 11. **REPEALER.**

5.29 Minnesota Statutes 2004, section 89.011, subdivisions 1, 2, 3, and 6, are repealed."

5.30 Amend the title accordingly

5.31 And when so amended the bill do pass and be re-referred to the Committee on State
and Local Government Operations. Amendments adopted. Report adopted.

5.33
5.34 (Committee Chair)

March 8, 2006
(Date of Committee recommendation)