

Senator Larson introduced-

S.F. No. 2695: Referred to the Committee on Environment and Natural Resources.

A bill for an act

1.2 relating to state lands; authorizing a conveyance of certain surplus state land  
1.3 in Otter Tail County.

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

1.5 Section 1. CONVEYANCE OF SURPLUS STATE LAND; OTTER TAIL  
1.6 COUNTY.

1.7 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner  
1.8 of natural resources shall convey to Independent School District No. 544, Fergus Falls, for  
1.9 no consideration the surplus land that is described in paragraph (c).

1.10 (b) The conveyance must be in a form approved by the attorney general and  
1.11 provide that the land reverts to the state if the school district stops using the land for a  
1.12 school facility.

1.13 (c) The land to be conveyed is located in Otter Tail County and is described as:

1.14 (1) the North Half of the Southwest Quarter of the Southwest Quarter of Section  
1.15 22 and that part of the North Half of the Southeast Quarter of the Southeast Quarter of  
1.16 Section 21, Township 133 North, Range 43 West, lying easterly of the centerline of the  
1.17 existing township road. Containing 22.4 acres, more or less;

1.18 (2) the Southeast Quarter of the Southwest Quarter of Section 22, Township 133  
1.19 North, Range 43 West. Containing 40 acres;

1.20 (3) the West Half of the Northeast Quarter of Section 27, Township 133 North,  
1.21 Range 43 West, excepting the area designated for the State Hospital Cemetery located in  
1.22 the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of said section  
1.23 and that part of the Southwest Quarter of the Northeast Quarter previously conveyed to  
1.24 Donald Stevens pursuant to Minnesota Laws 1973, chapter 80, and described as follows:

2.1 That part of the SW1/4 of the NE1/4 of Section 27 described as follows: Beginning  
2.2 at the SE corner of said SW1/4 of the NE1/4; thence on an assumed bearing of North  
2.3 00 degrees 00 minutes 36 seconds West on the easterly line thereof for a distance  
2.4 of 660.00 feet; thence North 89 degrees 40 minutes 12 seconds West parallel to  
2.5 the southerly line thereof for a distance of 7.90 feet; thence South 00 degrees 19  
2.6 minutes 48 seconds West 660.00 feet to the southerly line of said SW1/4 of the  
2.7 NE1/4; thence South 89 degrees 40 minutes 12 seconds East on last said southerly  
2.8 line for a distance of 11.91 feet to point of beginning; also that part of the SW1/4 of  
2.9 the NE1/4 of Section 27 described as follows: Commencing at the SE corner of said  
2.10 SW1/4 of the NE1/4; thence on an assumed bearing of North 89 degrees 40 minutes  
2.11 12 seconds West on the southerly line of the SW1/4 of the NE1/4 for a distance of  
2.12 11.91 feet to point of beginning of tract to be described; thence North 00 degrees  
2.13 19 minutes 48 seconds East 660.00 feet; thence North 89 degrees 40 minutes 12  
2.14 seconds West parallel to the southerly line of the SW1/4 of the NE1/4 for a distance  
2.15 of 25.00 feet; thence South 00 degrees 21 minutes 50 seconds East 660.05 feet to the  
2.16 southerly line of the SW1/4 of said NE1/4 ; thence South 89 degrees 40 minutes 12  
2.17 seconds East on said southerly line for a distance of 17.00 feet to point of beginning.  
2.18 Containing 73.5 acres, more or less;

2.19 (4) the Southeast Quarter of the Northwest Quarter of Section 27, Township 133  
2.20 North, Range 43 West. Containing 40 acres;

2.21 (5) that part of the South Half of Section 27, Township 133 North, Range 43 West,  
2.22 described as follows: Beginning at the center of said Section 27; thence on an assumed  
2.23 bearing of West on the north line of said South Half for a distance of 430 feet; thence  
2.24 South 0 degrees 45 minutes East 200 feet; thence South 46 degrees 30 minutes East 680  
2.25 feet; thence North 0 degrees 45 minutes West 240 feet; thence North 58 degrees 30  
2.26 minutes East 380 feet; thence North 71 degrees 15 minutes East 760 feet, more or less, to  
2.27 the north line of said South Half; thence West to the point of beginning. Containing 9.1  
2.28 acres, more or less; and

2.29 (6) that part of the North Half of the Northeast Quarter of Section 28, Township 133  
2.30 North, Range 43 West, lying northeasterly of U.S. Highway 59 and northwesterly of the  
2.31 centerline of the township road.

2.32 (d) The land is no longer needed for any natural resource purpose and the state's  
2.33 land management interests would best be served if the land was conveyed to Independent  
2.34 School District No. 544, Fergus Falls, for a new school facility.

This Document can be made available in alternative formats upon request

Printed Page No. 390

State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-FOURTH SESSION

HOUSE FILE No. 2994

March 1, 2006

Authored by Dill, Howes and Hackbarth

The bill was read for the first time and referred to the Committee on Environment and Natural Resources

March 16, 2006

To Pass as Amended

Read Second Time

March 23, 2006

Calendar For The Day, Amended

Read Third Time as Amended

Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1 A bill for an act
1.2 relating to natural resources; allowing for the replacement and repair of
1.3 boat storage structures on public waters; amending Minnesota Statutes 2005
1.4 Supplement, section 103G.245, subdivision 4.

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

1.6 Section 1. Minnesota Statutes 2005 Supplement, section 103G.245, subdivision 4,
1.7 is amended to read:

1.8 Subd. 4. Structures in or adjacent to public waters. (a) The following definitions
1.9 apply to this subdivision:

1.10 (1) "boathouse" means a structure or watercraft that is moored by spuds, cables,
1.11 ropes, anchors, or chains that may be intended for habitation and has walls, a roof, and
1.12 either an open well for boats or a floor from wall to wall and does not include watercraft
1.13 that are designed and operated as motorboats; and

1.14 (2) "motorboat" means a watercraft that is designed for and is capable of navigation
1.15 on the water and that has an adequately sized external or internal mechanical propulsion
1.16 system for the type of watercraft; and

1.17 (3) "boat storage structure" means a structure that is used for storing boats or float
1.18 planes.

1.19 (b) ~~The commissioner, subject to the approval of the county board, may grant and~~
1.20 ~~prescribe terms and conditions for granting public waters work permits to establish,~~
1.21 ~~construct, maintain, and control wharves, docks, piers, levees, breakwaters, basins, canals,~~
22 ~~and hangars in or adjacent to public waters of the state, except within the corporate~~
1.23 ~~limits of a municipality.~~

2.1 ~~(e)~~ (b) Boathouses and boat storage structures are prohibited on public waters of  
2.2 Minnesota, except as allowed by ~~paragraph (d)~~ paragraphs (c) to (f).

2.3 ~~(d)~~ (c) The commissioner may issue a public waters work permit for boathouses,  
2.4 when approved by the local governmental unit and:

2.5 (1) only in areas of historic use for the structures, as determined by the commissioner,  
2.6 and where the boathouse was in existence on public waters prior to January 1, 1997; or

2.7 (2) where the boathouse serves as a public service structure within a permitted  
2.8 commercial marina.

2.9 ~~(e)~~ (d) A boathouse in existence on public waters prior to January 1, 1997, may be  
2.10 repaired or replaced, provided that the repairs or replacement are consistent with the  
2.11 permit issued by the commissioner under paragraph ~~(d)~~ (c).

2.12 (e) The commissioner may issue a public waters work permit for the repair or  
2.13 replacement of boat storage structures when:

2.14 (1) approved by the local governmental unit;

2.15 (2) the boat storage structure was in existence prior to 1979 and is currently used  
2.16 for boat storage;

2.17 (3) the boat storage structure is not habitable and is not connected to a sewage  
2.18 system;

2.19 (4) the local government unit has had the opportunity to review the boat storage  
2.20 structure application and has not provided written comments opposing the application;

2.21 (5) the total area of boat storage structures on the applicant's property and on public  
2.22 waters adjacent to the applicant's property is not increased;

2.23 (6) the height of boat storage structures is not increased more than one foot, unless  
2.24 boat storage structures are consolidated and the same pitch roof results in an increased  
2.25 height; and

2.26 (7) the public waters work permit with the specific dimensions and location of the  
2.27 boat storage structure is recorded in the real estate records of the office of the county  
2.28 recorder or registrar of title in the county in which the applicant's property is located.

2.29 (f) A boat storage structure may be repaired, replaced, or consolidated, provided  
2.30 that the repairs, replacement, or consolidation are consistent with the permit issued by the  
2.31 commissioner under paragraph (e). The repair or replacement of a boat storage structure  
2.32 may include:

2.33 (1) the replacement of the foundation of the boat storage structure, provided that the  
2.34 material below the ordinary high water mark is not toxic to aquatic life; and

2.35 (2) the consolidation of multiple boat storage structures.

3.1 (g) Notwithstanding sections 103F.201 to 103F.221, and rules adopted under those  
3.2 sections, the local zoning authority may approve a boat storage structure that is at or above  
3.3 the ordinary high water level to replace a boat storage structure that is at or below the  
3.4 ordinary high water level of a public water if the boat storage structure was in existence  
3.5 prior to 1979. The replacement boat storage structure may not exceed the total area of the  
3.6 boat storage structure being replaced. A boat storage structure that is replaced under this  
3.7 paragraph must be removed prior to building the replacement structure.

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

**Senators Bakk, Tomassoni and Saxhaug introduced-**

**S.F. No. 2736:** Referred to the Committee on Environment and Natural Resources.

1 A bill for an act  
 1.2 relating to natural resources; allowing for the replacement and repair of  
 1.3 watercraft storage structures on public waters; amending Minnesota Statutes  
 1.4 2005 Supplement, section 103G.245, subdivision 4.

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

1.6 Section 1. Minnesota Statutes 2005 Supplement, section 103G.245, subdivision 4,  
 1.7 is amended to read:

1.8 Subd. 4. **Structures in or adjacent to public waters.** (a) The following definitions  
 1.9 apply to this subdivision:

1.10 (1) "boathouse" means a structure or watercraft that is moored by spuds, cables,  
 1.11 ropes, anchors, or chains that may be intended for habitation and has walls, a roof, and  
 1.12 either an open well for boats or a floor from wall to wall and does not include watercraft  
 1.13 that are designed and operated as motorboats; ~~and~~

1.14 (2) "motorboat" means a watercraft that is designed for and is capable of navigation  
 1.15 on the water and that has an adequately sized external or internal mechanical propulsion  
 1.16 system for the type of watercraft; and

1.17 (3) "watercraft storage structure" means a structure that is used for storing boats,  
 1.18 boating equipment, or float planes.

1.19 (b) The commissioner, subject to the approval of the county board, may grant and  
 1.20 prescribe terms and conditions for granting public waters work permits to establish,  
 1.21 construct, maintain, and control wharves, docks, piers, levees, breakwaters, basins, canals,  
 22 and hangars in or adjacent to public waters of the state, except within the corporate  
 1.23 limits of a municipality.

2.1 (c) Boathouses are prohibited on public waters of Minnesota, except as allowed by  
2.2 paragraph (d).

2.3 (d) The commissioner may issue a public waters work permit for boathouses, when  
2.4 approved by the local governmental unit and:

2.5 (1) only in areas of historic use for the structures, as determined by the commissioner,  
2.6 and where the boathouse was in existence on public waters prior to January 1, 1997; or

2.7 (2) where the boathouse serves as a public service structure within a permitted  
2.8 commercial marina.

2.9 (e) A boathouse in existence on public waters prior to January 1, 1997, may be  
2.10 repaired or replaced, provided that the repairs or replacement are consistent with the  
2.11 permit issued by the commissioner under paragraph (d).

2.12 (f) The commissioner may issue a public waters work permit for watercraft storage  
2.13 structures when permitted by the local governmental unit and:

2.14 (1) the watercraft storage structure is in an area of historic use;

2.15 (2) the watercraft storage structure was in existence prior to July 1, 2005, or is a  
2.16 replacement watercraft storage structure;

2.17 (3) the watercraft storage structure is not habitable and is not connected to a sewage  
2.18 system;

2.19 (4) the permit applicant submits a site plan to the commissioner for the watercraft  
2.20 storage structure that includes local design standards;

2.21 (5) the total area of watercraft storage structures on a public water is not increased;

2.22 (6) the height of watercraft storage structures is not increased, unless watercraft  
2.23 storage structures are consolidated and the same pitch roof results in an increased height;  
2.24 and

2.25 (7) the specific dimensions and location of the watercraft storage structure are  
2.26 registered on the deed of the permit applicant's property.

2.27 (g) A watercraft storage structure that was in existence on public waters prior to July  
2.28 1, 2005, or is a replacement watercraft storage structure, may be repaired, or replaced,  
2.29 provided that the repairs or replacement are consistent with the permit issued by the  
2.30 commissioner under paragraph (f). The repair or replacement of a watercraft storage  
2.31 structure may include:

2.32 (1) the replacement of the foundation of the watercraft storage structure; and

2.33 (2) the consolidation of multiple watercraft storage structures.

2.34 (h) Notwithstanding sections 103F.201 to 103F.221, and rules adopted under those  
2.35 sections, the commissioner may issue a permit under paragraph (f) for a watercraft  
2.36 storage structure that is at or above the ordinary high-water level to replace a watercraft

3.1 storage structure that is at or below the ordinary high-water level of a public water and  
3.2 in existence prior to July 1, 2005. The replacement watercraft storage structure may not  
3.3 exceed the total area of the watercraft storage structure being replaced. A watercraft  
3.4 storage structure that is replaced under this paragraph must be removed prior to building  
3.5 the replacement structure.

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



1        Subd. 4. [ORDER.] After the hearing, the joint board  
2 shall, by order, set the amount to be paid as an outlet fee.  
3 The order must describe the property benefited by the outlet  
4 drainage system and state the amount of benefits to the property  
5 for the outlet drainage system. The property benefited is  
6 subject to assessments levied after that time in the outlet  
7 drainage system, on the basis of the benefits as if the benefits  
8 had been determined in the order establishing the outlet  
9 drainage system.

10        Subd. 5. [PAYMENT.] The outlet fee must be paid by  
11 assessment against the benefited property in Pennington County,  
12 under Minnesota Statutes, section 103E.601, and credited to the  
13 established drainage system account for county ditch number 13.

14        Subd. 6. [APPEAL.] A person whose property is subject to  
15 assessments under subdivision 5 may appeal the order under  
16 Minnesota Statutes, section 103E.091.

17        Sec 2. [EFFECTIVE DATE.]

18        Under Minnesota Statutes, section 645.023, subdivision 1,  
19 paragraph (a), this section takes effect, without local  
20 approval, the day following final enactment.



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15 assessments under subdivision 5 may appeal the order under  
16 Minnesota Statutes, section 103E.091.

17       Sec 2. [EFFECTIVE DATE.]

18       Under Minnesota Statutes, section 645.023, subdivision 1,  
19 paragraph (a), this section takes effect, without local  
20 approval, the day following final enactment.



# STATE OF MINNESOTA

## Office of Governor Tim Pawlenty

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

February 10, 2005

The Honorable James P. Metzen  
President of the Senate  
322 State Capitol  
Saint Paul, Minnesota 55155

Dear Senator Metzen:

The following appointment is hereby respectfully submitted to the Senate for confirmation as required by law:

### Minnesota Pollution Control Agency:

Melanie Allen, 4617 Stonecliffe Drive, Eagan, Minnesota 55122, in the county of Dakota, effective February 17, 2005 for a two-year term that expires on January 1, 2007.

Brian Bensen, 5823 47<sup>th</sup> Street Southeast, St. Cloud, Minnesota 56304, in the county of Sherburne, effective February 17, 2005 for a four-year term that expires on January 5, 2009.

Daniel Foley, MD, 1581 Tamberwood Trail, Woodbury, Minnesota 55125, in the county of Washington, effective February 17, 2005 for a four-year term that expires on January 5, 2009.

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Pawlenty".

Tim Pawlenty  
Governor

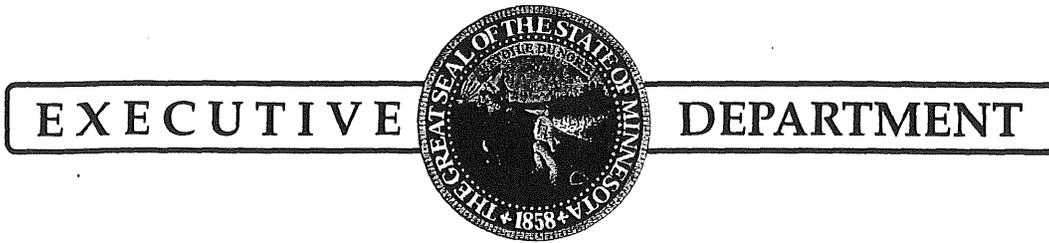
TP/jb

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FEB 15 2005

President of the Senate

# STATE of MINNESOTA



TIM PAWLENTY  
GOVERNOR

## NOTICE OF APPOINTMENT

# MELANIE ALLEN

4617 Stonecliffe Drive  
Eagan, Minnesota 55122  
Dakota County  
Congressional District Two

Because of the special trust and confidence I have in your integrity, judgment and ability, I have appointed and commissioned you to have and to hold the said office of:

*Member*

## MINNESOTA POLLUTION CONTROL AGENCY

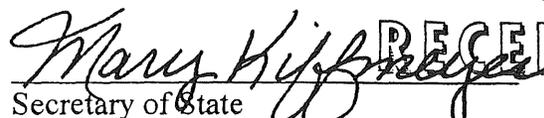
Effective: February 17, 2005  
Term Expires: January 1, 2007

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled by me or other lawful authority or by any law of this State.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the Capitol in the City of Saint Paul, February 10, 2005



  
Governor

  
Secretary of State

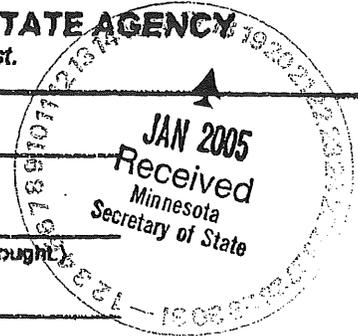
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FEB 15 2005

Replacing: Marcus Marsh

# STATE OF MINNESOTA OPEN APPOINTMENTS APPLICATION FOR SERVICE ON STATE AGENCY

All information on this form is available to the public upon request.



Agency Name: \* MN Minnesota Pollution Control Agency  
(Name of board, council, commission or task force to which you are applying.)

Position Sought: Member  
(Membership position sought or enter "member" if no specific requirements exist for position sought)

Applicant Name: \* Melanie Allen  
(First Name) (Last Name)

Applicant Address: \* 4517 Stonecliffe Drive Eagan MN 55122  
(Street) (City) (State) (Zip)

Day Phone: \* (651) 269 - 0162 Evening Phone: (651) 330 - 0397

E-MAIL: \* melanie@safetyskillbuilders.com

County: Dakota MN House of Rep District: 2 U.S. House of Rep District: 38B

\* Indicates information that will appear on the Office of the Secretary of State web site: [www.sos.state.mn.us](http://www.sos.state.mn.us)

Did the Appointing Authority suggest you submit your application? YES  NO

Any other information the Nominating Person feels would be helpful to the Appointing Authority:  
See attached resume of academic training and professional experience.

(Statement may continue on reverse or attached sheets)

I swear that, to the best of my knowledge, the above information is correct and that I satisfy all legally prescribed qualifications for the position sought.

Melanie L. Allen January 18, 2005  
(Signature of Applicant) (Date)

\* If another person or group is nominating the applicant, the applicant's signature indicates consent to nomination.

### OPTIONAL STATISTICAL INFORMATION

The following information is optional and voluntary. Information is collected for, and compiled in, the annual report on the open appointments process pursuant to *Minnesota Statutes* §15.0597.

Sex:  Female  Male

Disability:  Yes  No

National Origin: (Country of Origin or Principle Tribe)

Political Party:  Democratic-Farmer-Labor  Green  Independence  Republican  Other \_\_\_\_\_  No party preference

Race\*:  African American / Black  American Indian / Alaska Native  Asian  Hispanic  Native Hawaiian / Pacific Islander  White  Other Race \_\_\_\_\_

(\* Select as many as apply)

MAIL, FAX, OR SUBMIT APPLICATION IN PERSON, TO: Office of the Secretary of State, Open Appointments  
180 State Office Building  
100 Rev. Dr. Martin Luther King, Jr., Blvd  
St. Paul, MN 55155-1299

FAX: (651) 296-9073  
Phone: (651) 297-5845  
Email: [open.appointments@state.mn.us](mailto:open.appointments@state.mn.us)

President of the Senate

Applicants will not receive an acknowledgement of submitted applications; the appointing authority will notify you if an interview is desired. By request, this application will be made available in alternative format (for example, braille, large print, audio tape, or computer disk.)

FOR OFFICE USE: Sub by AA: AA: GOVERNOR Trans Date: 1-19-05

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## MELANIE ISABELL ALLEN CIH, CSP, REHS

4617 Stonecliffe Drive, Eagan, MN 55122 (651) 269-0162 email: melanie@safetyskillbuilders.com

### SUMMARY

- 12 years of generating excitement about occupational safety and public health by
  - Making on and off the job safety programs relevant, practical and effective
  - Increasing profitability through loss analysis, strategic planning and timely execution
  - Regarding the health and safety of employees & their families as I regard my own

### EDUCATION

**MSPH** Environmental Health Science, University of Alabama at Birmingham, 1994  
**BS** Chemistry, Texas A&M University, 1991

### PROFESSIONAL CERTIFICATIONS

**RS** Registered Sanitarian, Minnesota Department of Health, 2003  
**REHS** Registered Environmental Health Specialist, Nat'l Environmental Health Association, 2003  
**CIH** Certified Industrial Hygienist, American Industrial Hygiene Association, 2002  
**CSP** Certified Safety Professional, Board of Certified Safety Professionals, 2001

### WORK EXPERIENCE

**SAFETY SKILL BUILDERS LLC,**  
Principal, Eagan, MN

9/04 to PRESENT

- Facilitate OSHA General Industry 10- & 30- hour courses
- Certify food safety managers
- Customize regulatory compliance training
- Audit safety management systems and develop improvement strategy
- Perform worker compensation loss analysis and prevention planning
- Assess chemical exposures and recommend effective control measures
- Design practical driver safety management systems

**ECOLAB INCORPORATED, Treasury Department**  
Manager, Corporate Safety & Health, St. Paul, MN

11/01 to 6/04

- Implemented driver safety management system that reduces auto collision related injuries and expenses by 50% in 4 years.
- Developed the business case for stakeholders at all levels (including senior management) that promotes investment in safety management systems.
- Established minimum safety performance standards for the corporation and assist divisional safety coordinators in developing compliance plans.
- Taught managers how to use employee injury, worker compensation and auto collision data to reduce losses.
- Created safety and health data management infrastructure, i.e. training records, written policies, routine preventative maintenance and incident investigations.

**FMC CORPORATION, Agricultural Products Group (APG)**  
APG Formulation Plants Safety & Health Manager, Philadelphia, PA

1/00 to 10/01

- Defined transitional employment strategies for injured and disabled employees that facilitate earlier return to meaningful work, without hindering recovery.
- Facilitated IH workshop for 3 Asian formulation plants that resulted in the standardization of exposure characterization methods.
- Identified best practices and honed hazard recognition skills by serving as a member of occupational and process safety audit teams.

**MINNESOTA, MINING & MANUFACTURING COMPANY**

5/94 to 12/99

Senior Compliance Auditor, 3M Corporate Product Responsibility, St. Paul, MN

- Promoted consistency among 3M business units for TSCA compliance management systems by sharing best practices.
- Diffused the concerns of 26 assembly workers alleging poor air quality and increased respiratory infections by verifying low worker exposure, adequacy of local exhaust ventilation, then explaining monitoring results and the mechanics of the room environmental controls.
- Stifled rapid growth of ergonomic incidents through aggressive body mechanics awareness campaigns and warm-up exercises promoted by the plant EMS Committee.

### AFFILIATIONS

MN Occupational Safety and Health Advisory Council,  
 MN Environmental Health Specialist/ Registered Sanitarian Advisory Council,  
 American Society of Safety Engineers, Board Certified Safety Professionals,  
 American Industrial Hygiene Association, American Board of Industrial Hygiene

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FEB 15 2005

President of the Senate

## Public Official Information

### Pollution Control Agency

Name: Allen, Melanie  
 Occupation: Business Owner  
 Business Address: 4617 Stonecliffe Dr  
 Address: Eagan, MN 55122  
 Employer Name: Safety Skill Bulders, LLC  
 Appointment Date: 02/17/05

## Sources of Compensation

### Applicable categories

Name of Source	Director	Officer	Owner	Member	Partner	Employer	Employee	Honorari
Minn Council on Black Minnesotans				X				
Minn HEHS/RS Advisory Council				X				
Minn OSHA Advisory Council				X				

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MAR 29 2005

### Securities

None Reported

President of the Senate

### Real Property

None Reported

### Pari-Mutuel Horse Racing Interests

None Reported

<b>**LINKS**</b>	
<u>Current Agency</u>	<u>Agency Index</u>
<u>Current Public</u>	<u>Public Official</u>

# STATE of MINNESOTA

EXECUTIVE



DEPARTMENT

TIM PAWLENTY  
GOVERNOR

## NOTICE OF APPOINTMENT

### BRIAN BENSEN

5823 47<sup>th</sup> Street SE  
St. Cloud, Minnesota 56304  
Sherburne County  
Congressional District Six

Because of the special trust and confidence I have in your integrity, judgment and ability, I have appointed and commissioned you to have and to hold the said office of:

*Member*

### MINNESOTA POLLUTION CONTROL AGENCY

Effective: February 17, 2005  
Term Expires: January 5, 2009

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled by me or other lawful authority or by any law of this State.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the Capitol in the City of Saint Paul, February 10, 2005



  
Governor

  
Secretary of State

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FEB 15 2005

Replacing: reappointment

January 11, 2005

Governor Tim Pawlenty  
Room 130  
State Capitol  
St. Paul, MN 55155

Re: Minnesota Pollution Control Agency Citizen's Board

Governor Pawlenty:

I ask that you consider me for re-appointment to MPCA Citizen's Board for a second four year term. I have appreciated the opportunity to serve on the Board, and I believe I have contributed positively to the difficult but important decisions the Board must make.

Commissioner Corrigan has brought a new attitude to the Agency, stressing accountability and a determined, problem-solving style. I look forward to continuing working with her, Agency staff and fellow Board members.

Thank you for your consideration of my application.

Respectfully,



Brian J. Bensen

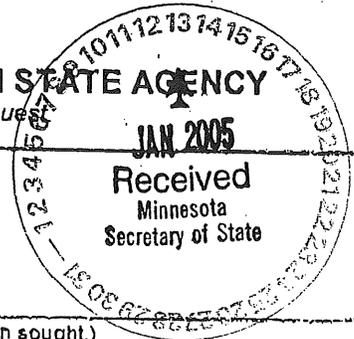
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FEB 15 2005

President of the Senate

# STATE OF MINNESOTA OPEN APPOINTMENTS APPLICATION FOR SERVICE ON STATE AGENCY

All information on this form is available to the public upon request.



Agency Minnesota Pollution Control Agency Citizen's Board

Name: \* (Name of board, council, commission or task force to which you are applying.)

Position Sought: Member  
(Membership position sought or enter "member" if no specific requirements exist for position sought.)

Applicant Name: \* Brian J. Bensen  
(First Name) (Last Name)

Applicant Address: \* 5823 47<sup>th</sup> Street SE St. Cloud MN 56304  
(Street) (City) (State) (Zip)

Day Phone: \* (763) 241-2701 Evening Phone: (320) 743-3122

E-MAIL: \* brian.bensen@co.sherburne.mn.us

County: Sherburne MN House of Rep District: 15B U.S. House of Rep District: 6

\* Indicates information that will appear on the Office of the Secretary of State web site: [www.sos.state.mn.us](http://www.sos.state.mn.us)

Did the Appointing Authority suggest you submit your application? YES  NO

Any other information the Nominating Person feels would be helpful to the Appointing Authority:  
I have enjoyed the opportunity to serve the Governor and the people of Minnesota during the four years I have served on the Citizen's Board. It is a challenge, and one that I am eager to take on for another four years.

(Statement may continue on reverse or attached sheets)

I swear that, to the best of my knowledge, the above information is correct and that I satisfy all legally prescribed qualifications for the position sought.

Brian J. Bensen 1/11/05  
(Signature of Applicant)\* (Date)

\* If another person or group is nominating the applicant, the applicant's signature indicates consent to nomination.

### OPTIONAL STATISTICAL INFORMATION

The following information is optional and voluntary. Information is collected for, and compiled in, the annual report on the open appointments process pursuant to *Minnesota Statutes* §15.0597.

Sex:  Female  Male

Disability:  Yes  No

National Origin: USA+  
(Country of Origin or Principle Tribe)

Political Party:  Democratic-Farmer-Labor  Green  Independence  Republican  Other  No party preference

Race\*:  African American / Black  American Indian / Alaska Native  Asian  Hispanic  Native Hawaiian / Pacific Islander  White  Other Race \_\_\_\_\_

(\* Select as many as apply)

MAIL, FAX, OR SUBMIT APPLICATION IN PERSON, TO:

Office of the Secretary of State, Open Appointments  
180 State Office Building  
100 Rev. Dr. Martin Luther King, Jr., Blvd  
St. Paul, MN 55155-1299

FAX: (651) 296-9073  
Phone: (651) 297-5845  
Email: [open.appointments@state.mn.us](mailto:open.appointments@state.mn.us)



governor 1-13-05  
FEB 15 2005  
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**Brian J. Bensen**  
 5823 47<sup>th</sup> St SE  
 St. Cloud, MN 56304  
 Home Phone Number – 320-743-3122  
 Work Phone Number – 763-241-2701

Statement of Qualifications

Since 1978 I have worked in various roles in the public sector, most involved with balancing environmental issues, regulatory authority and public desires and needs. Following is a listing of my employment background with applicable items of interest.

- 1978-1985 Sherburne County Sanitarian and Solid Waste Officer.**  
 Initiated County Solid Waste planning, groundwater monitoring at the Elk River Landfill, lining of new cells at the Elk River Landfill, and instituting the Solid Waste Landfill Surcharge. Started Township Clean-up Days, helped establish and staffed Tri-County Solid Waste Commission (St. Cloud), began county-wide domestic well water testing program, and started on-going lake water testing program in conjunction with St. Cloud State University.
- 1983-1985 Minnesota Hazardous Waste Planning Council, Citizen Board member, Waste Management Board.**
- 1985-1998 Sherburne County Planning and Zoning Administrator.**  
 Complete review and revision of the County's Comprehensive Land Use Plan, oversee land subdivision, assure development compliance with County and State regulations (WCA, MPCA, DNR, etc.). Established citizen taskforces for Fedlot Management, Agricultural Preservation issues, Open Space preservation and alternative residential development designs.
- 1985-1986 Governor's Sand and Gravel Taskforce Advisory Board.**
- 1993-1994 Minnesota Sustainable Development Initiative – Minerals Team.**
- 1989-present Chair of the Resource Recovery Operations Committee, Elk River Resource Recovery Facility.**  
 Oversee Public/Private partnership in Solid Waste Management.
- 1998-present Sherburne County Administrator**  
 Oversight of County Activities in public policy, personnel, budgeting and regulation.
- 2000-present Member, MPCA Board**  
 Oversight of Agency activities, issuance of controversial permits, decisions on EAW and contested case hearing requests.

Community Involvement

Blandin Community Leadership Program participant  
 Board of Trustees, First United Methodist Church, St. Cloud  
 Sunday School teacher, First United Methodist Church, St. Cloud  
 Cub Scout and Boy Scout Leader  
 Youth Baseball Coach, Clear Lake Youth Baseball Association

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Education

St. Cloud Tech High School  
University of Nebraska  
St. Cloud State University

1968 graduate  
1968-1971  
1972-1974 B.S. Secondary Education/History,  
Political Science

St. Cloud State University

1976-1977 Master's Program – Public Admin.,  
Public Economics

Phi Kappa Phi Academic Honorary

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## Public Official Information

### Pollution Control Agency

Name: Bensen, Brian  
 Occupation: County Administrator  
 Business Address: 13880 Hwy 10  
 Elk River, MN 55330  
 Employer Name: Sherburne County  
 Appointment Date: 02/17/05

## Sources of Compensation

### Applicable categories

<b>Name of Source</b>	<b>Director</b>	<b>Officer</b>	<b>Owner</b>	<b>Member</b>	<b>Partner</b>	<b>Employer</b>	<b>Employee</b>	<b>Honorarium</b>
Sherburne County							X	

## Securities

**Name of Securities**  
 Delaware Minn Tax Free Cl A  
 JDS Uniphase  
 Medtronic  
 Putnam New Opportunity  
 Shurgard Storage Centers (REIT)  
 Sun Life  
 Teradyne, Inc

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## Real Property

County	Street Address and Municipality or Section, Township and Range	Own	Mortgage	Contract to for deed	option to buy, \$2500	option to buy, \$50,000	Acreage
Cass	Sec 19 T 139 R 26W	Yes	No	No	No	No	40
Cook	Sec 29, Twp 58, Rg 5W	Yes	No	No	No	No	1.8

## Pari-Mutuel Horse Racing Interests

None Reported

<b>**LINKS**</b>	
<u>Current Agency</u>	<u>Agency Index</u>
<u>Current Public Official</u>	<u>Public Official Index</u>
<u>Campaign Finance Home Page</u>	

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# STATE of MINNESOTA



TIM PAWLENTY  
GOVERNOR

## NOTICE OF APPOINTMENT

# DANIEL FOLEY

1581 Tamberwood Trail  
Woodbury, Minnesota 55125  
Washington County  
Congressional District Six

Because of the special trust and confidence I have in your integrity, judgment and ability, I have appointed and commissioned you to have and to hold the said office of:

*Member*

## MINNESOTA POLLUTION CONTROL AGENCY

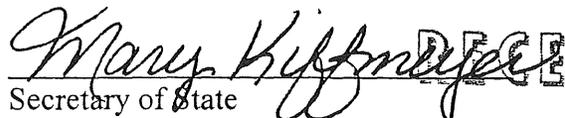
Effective: February 17, 2005  
Term Expires: January 5, 2009

This appointment carries with it all rights, powers, duties, and emoluments granted by law and pertaining to this position until this appointment is superseded or annulled by me or other lawful authority or by any law of this State.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the Capitol in the City of Saint Paul, February 10, 2005



  
Governor

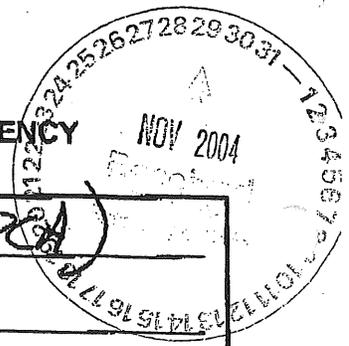
  
Secretary of State

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Replacing: reappointment

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**STATE OF MINNESOTA**  
**OPEN APPOINTMENTS APPLICATION FOR SERVICE ON STATE AGENCY**  
*All information on this form is available to the public upon request.*



Agency Name: \* MINNESOTA Pollution Control Agency (MPCA)  
 (Name of board, council, commission or task force to which you are applying.)

Position Sought: BOARD MEMBER  
 (Membership position sought or enter "member" if no specific requirements exist for position sought.)

Applicant Name: \* DANIEL FOLEY, MD  
 (First Name) (Last Name)

Applicant Address: \* 1581 TAMBERWOOD Tr. Woodbury MN 55125  
 (Street) (City) (State) (Zip)

Day Phone: \* 651.241.8814 Evening Phone: 651.739.6334

E-MAIL: \* DANIEL.FOLEY@ALLINA.COM

County: WASHINGTON MN House of Rep District: 56B U.S. House of Rep District: 06

\* Indicates information that will appear on the Office of the Secretary of State web site: [www.sos.state.mn.us](http://www.sos.state.mn.us)

Did the Appointing Authority suggest you submit your application? YES X NO     

Any other information the Nominating Person feels would be helpful to the Appointing Authority:  
I currently hold a Board Member position.  
I have been a Board Member since 1985.

(Statement may continue on reverse or attached sheets)

I swear that, to the best of my knowledge, the above information is correct and that I satisfy all legally prescribed qualifications for the position sought.

Daniel D Foley, MD 11/29/04  
 (Signature of Applicant) (Date)

\* If another person or group is nominating the applicant, the applicant's signature indicates consent to nomination.

**OPTIONAL STATISTICAL INFORMATION**

The following information is optional and voluntary. Information is collected for, and compiled in, the annual report on the open appointments process pursuant to *Minnesota Statutes* §15.0597.

Sex: X Female      Male      Political Party:      Democratic-Farmer-Labor  
     Green  
     Independence  
     Republican  
     Other \_\_\_\_\_  
     No party preference

Disability:      Yes      No

Race\*:      African American / Black  
     American Indian / Alaska Native  
     Asian  
     Hispanic  
     Native Hawaiian / Pacific Islander  
     White  
     Other Race \_\_\_\_\_

National Origin: USA  
 (Country of Origin or Principle Tribe) (\* Select as many as apply)

MAIL, FAX, OR SUBMIT APPLICATION IN PERSON, TO: Office of the Secretary of State, Open Appointments  
 180 State Office Building  
 100 Rev. Dr. Martin Luther King, Jr., Blvd  
 St. Paul, MN 55155-1299  
 FAX: (651) 296-9073  
 Phone: (651) 297-5845  
 Email: [open.appointments@state.mn.us](mailto:open.appointments@state.mn.us)

Applicants will not receive an acknowledgement of submitted applications; the appointing authority will notify you if an interview is desired. By request, this application will be made available in alternative format (for example, braille, large print, audio tape, or computer disk.)

FOR OFFICE USE: Sub by AA: Governor AA: Governor Trans Date: RECEIVED

OA App revision 3/03

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Dan Foley, M.D.  
**Vice President, Medical Affairs, Allina Hospitals & Clinics, Medical Director,  
United Hospital**

Dan Foley, M.D., who serves on the Allina Leadership Team, is vice president of medical affairs at Allina Hospitals & Clinics, and medical director of Allina's United Hospital. He is board certified in family practice medicine, emergency medicine, and medical toxicology. Dr. Foley is also a clinical professor at the University of Minnesota (U of M) School of Medicine, Department of Family Practice.

Dr. Foley has served on the boards of directors for several Minnesota physician provider organizations (PPOs), and is a member of various medical societies including the Minnesota Medical Association, Aerospace Medical Association, Society of U.S. Army Flight Surgeons, American Association for the Advancement of Science, the American College of Occupational and Environmental Medicine, and others. Since 1985, he has served on the board of the Minnesota Pollution Control Agency, currently as vice chair.

Dr. Foley attended medical school at the University of Parma in Italy, where he also completed a pediatrics residency. He was a cardiovascular pathology resident and research trainee at United Hospital, and completed a U of M family practice residency at North Memorial Medical Center. He has a bachelor of science degree from Creighton University in Omaha, Neb., and studied at the College of St. Thomas, St. Paul.

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Daniel D. Foley, MD  
Vice President, Medical Affairs  
Allina Health System® and United Hospital  
333 North Smith Avenue  
St. Paul, MN 55102

**Date of Birth**

New York City, New York; October 30, 1946

**Education**

High School:

St Felix, Wabasha, MN

College:

St Thomas College, St. Paul, MN; September 1964-June 1966  
Creighton University, Omaha, NE; BS Degree June 1968

Medical School

University of Parma, Italy; MD Degree December 1974

**Postdoctoral Training**

Internship:

**Pediatrics:** University of Parma, January to December 1974

**Medicine:** United Hospitals-Miller Division, December 1974-December 1975

Residency:

**Anatomic and Clinical Pathology:** United Hospitals-Miller Division; December 1975- December 1977

**Cardiovascular Pathology:** Resident and Research Trainee at Jesse E. Edwards Registry of Cardiovascular Disease, United Hospitals-Miller Division; December 1975- December 1977

**Family Practice:** University of Minnesota, North Memorial Medical Center, November 1977-May 1980.

Chief Resident, North Memorial Medical Center: 1979-1980

**Medical License**

State of Minnesota by FLEX Exam, Feb 1977

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## **Board Certification**

American Board of Family Practice  
American Board of Emergency Medicine  
American Board of Medical Toxicology  
Diplomate, Aviation Medicine by US Army School of Aerospace Medicine

## **Awards**

**Ralph Rossen Memorial Education Award**, University of Minnesota, for outstanding achievement during medical training. 1980  
**Service to Humanity Award**, United Hospital Foundation, October 1998

## **Military Service**

Major, Medical Corps United States Army Flight Surgeon: Minnesota Army National Guard, 1977-1992  
Aviation Medicine Advisor Adj. General Mn.ARNNG.  
Diplomate, US Army School of Aerospace Medicine in Aviation Medicine 1982, Fort Rucker, Alabama  
Valley Forge Cross for Valor, US Army National Guard, 1982

## **University Faculty Appointment**

Clinical Professor Dept. of Family Practice and Community Health, University of Minnesota Graduate School of Medicine; May 1980-Present

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## Clinical Activities

- ✓ Private Medical Practice , Afton Road Clinic , St. Paul, May 1980-January 1984
- ✓ Airman Medical Examiner, FAA, Afton Road Clinic Site
- ✓ North Memorial Medical Center, Trauma Center Staff, May 1978-1985
- ✓ St Joseph Hospital Emergency Staff, August 1979-September 1984
- ✓ Mounds Park Hospital Emergency Staff and Director, 1980-1984
- ✓ Director of Emergency Medicine United Hospitals, 1984-1988
- ✓ Consultant for Emergency Medicine and Trauma, HealthOne® Corporation, 1984-1988
- ✓ Founding Chair, Department of Emergency Medicine United Hospital, 1987-1990
- ✓ Vice President for Medical Affairs, East Region HealthOne® and United Hospital of St. Paul, 1988-1992
- ✓ Medical Director, HealthOne Ambulance Transportation Company, 1984-1988
- ✓ Medical Director, Spectrum Physical Therapy and Work Center, 1986-1995
- ✓ Aviation Medicine Advisor to North Air Care Helicopter Project of North Memorial Medical Center; Minneapolis, MN, 1985
- ✓ Clinical Consultant to Queen's Medical Center Hawaii for Out Island Trauma System Development, 1987-1988
- ✓ Consultant to the Metropolitan Airports Commission for Disaster Plan development, 1987
- ✓ Consultant to Providence Medical Center Seattle, Washington for Medical Staff development. (Consultant for development of a Primary Care Network), 1992-1993
- ✓ Member, Advisory Commission to Commissioner of Health, State of Minnesota, for Integrated Service Network development, 1993
- ✓ Member, Advisory Committee to Commissioner of Health, State of Minnesota, for Universal Benefit Set for ISN's and regulated All Payer Option, 1994
- ✓ Regional Vice President for Medical Affairs, Allina® and Medical Director of United Hospital, St. Paul, 1988-Current Position
- ✓ Member, Advisory Committee for Medical Education and Research, MN Department of Health, 1999-present

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## **Environmental Board Membership**

**Minnesota Pollution Control Agency:** (The State Agency responsible for Air Quality, Water Quality, Hazardous Waste, and Solid Waste administration and Rule development) Appointed by Governor Perpich, 1985, Re-appointed 1988, Re-appointed by Governor Carlson 1993, and 1997, Re-appointed by Governor Ventura 2001 - 2005. Board composed of nine citizens appointed by the Governor to staggered four-year terms.

Board Chairman, Minnesota Pollution Control Agency (MPCA), 1989-1993

Vice Chairman, 1988-1989 and 1996-present

### **MPCA Committees:**

Member, Air Quality, Nuclear Waste, and Solid and Hazardous Waste, 1985-Present

Member, Joint Solid Waste Committee MPCA-Waste Management Board (Joint task force to develop Solid Waste Rules for Landfills and Incinerators)

Chair, Air Quality Committee, 1987-1992

Chair, Agency Policy and Procedures Committee, 1989-1996

Member, Executive Committee MPCA, 1993-1996

Chair, Water Quality Committee, 1993-Present

### **Other Miscellaneous Board Membership:**

Board of Directors, Vista Multispecialty Group, 1985-1988

Board of Directors, Metro Medical Associates, 1986-1992

Board of Directors, Preferred One® (A PPO in Minnesota), 1988-1992

Board of Directors, First Health Insurance Co.® (A PPO in Minnesota), 1983-1984

Board of Directors, Select Care® (A PPO in Minnesota), 1993-1995

Chairman of the Board, Mebco, Inc.

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**Medical Societies:** Present and Past Associations

- ✓ Minnesota Medical Association (MMA)
- ✓ Ramsey County Medical Society - Delegate to MMA, 1985-1987
- ✓ American Academy of Family Practice
- ✓ Minnesota Academy of Family Practice
- ✓ Aerospace Medical Association
- ✓ Society of US Army Flight Surgeons - Life Member
- ✓ North Central Society of Critical Care
- ✓ Society of Military Surgeons
- ✓ Minnesota Academy of Medicine, (Secretary-Treasurer, 1987-1989)
- ✓ American Association for the Advancement of Science
- ✓ American College of Occupational and Environmental Medicine

**Fellowships:**

- ✓ Fellow American Academy of Emergency Medicine
- ✓ Fellow American College of Emergency Physicians

**Publications:**

1. Newborn Resuscitation: A Practical Guide, Academic Press, Editor Roberts, D.J.;  
Emergency Congenital Malformations, 1982
2. Newborn Resuscitation: Provider Manual, North Memorial Center, 1981
3. Newborn Resuscitation: Instructor's Manual, North Memorial Medical Center, 1982
4. Toxicology Protocols, United Hospital, 1985
5. Squarcia, UB , Foley D.D., et al, "Late postoperative complications of Tetralogy of  
Fallot", Bulletin of the Italian Society of Cardiology, April, 1973
6. Maron, BJ Edwards J.E., Foley D.D., et al, " Sudden death in Athletes", American  
Journal of Cardiology, May 1978

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**Public Official Information**  
**Pollution Control Agency**

Name: Foley, Daniel  
 Occupation: Physician  
 Business Address: 333 N Smith Ave  
 St Paul, MN 55102  
 Employer Name: United Hospital  
 Appointment Date: 02/17/05

**Sources of Compensation**

Applicable categories

Name of Source	Director	Officer	Owner	Member	Partner	Employer	Employee	Honorarium
Allina Health System			X					X

**Securities**

**Name of Securities**

Cray Computer Corp  
 DFA One Year Fixed Income  
 DFA US 6-10 Small CO  
 DFA US 6-10 Value PORT  
 DFA US Large Cap Value P  
 DFA US Large CO PORT  
 Dreyfus App Fund  
 Fidelity Contra Fund  
 Lincon National Growth FUnd  
 Medtronic  
 Vanguard Intl Growth Fund  
 Vanguard Trust

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**Real Property**

None Reported

**Pari-Mutuel Horse Racing Interests**

None Reported

<b>**LINKS**</b>	
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<u>Current Public Official</u>	<u>Public Official Index</u>
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FEB 15 2005

President of the Senate

Honorable Senator John Marty  
Chair  
Senate Environment and Natural Resources Committee  
Minnesota State Senate

Re: MPCA Board, appointment and Senate confirmation

Dear Senator Marty,

Mr. Tom Schultz, administrator for the Senate Environment and Natural Resources Committee, has informed me that you would like to hold confirmation hearings on my appointment to the MPCA Board. I am sorry that I am not able to appear in person this Wednesday as I have for my prior four (4) confirmation hearings, due to the fact that I also serve on the H&HS, Medicare Medical Coverage Advisory Committee. I must be in Washington that day for a MCAC meeting on Oncology drugs.

I have served on the MPCA Citizens Board since 1985, beginning with an appointment by Governor Perpich. Governor Pawlenty has honored me by again asking me to serve the people of Minnesota on the MPCA Board. I have enjoyed my twenty one years (21) on this Board. I find the environmental issues interesting and challenging. I have a background in clinical toxicology and emergency medicine. I have always tried to come prepared to our meetings and take this public service very seriously. I come from a family that believes in public service as an obligation of citizenship.

I would be happy to come to the Environment Committee at any other time, if your members would like direct testimony.

Sincerely,

Daniel D. Foley, MD, FAAEM  
MPCA Board Member

1.1 Senator ..... moves to amend S.F. No. 2695 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. CONVEYANCE OF SURPLUS STATE LAND; OTTER TAIL  
1.4 COUNTY.

1.5 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner  
1.6 of natural resources shall convey to Independent School District No. 544, Fergus Falls,  
1.7 the surplus land that is described in paragraph (c).

1.8 (b) The conveyance must be at market value and in a form approved by the attorney  
1.9 general. The conveyance must provide that the land reverts to the state if the school  
1.10 district does not use the land for a school facility.

1.11 (c) The land to be conveyed is located in Otter Tail County and is described as:

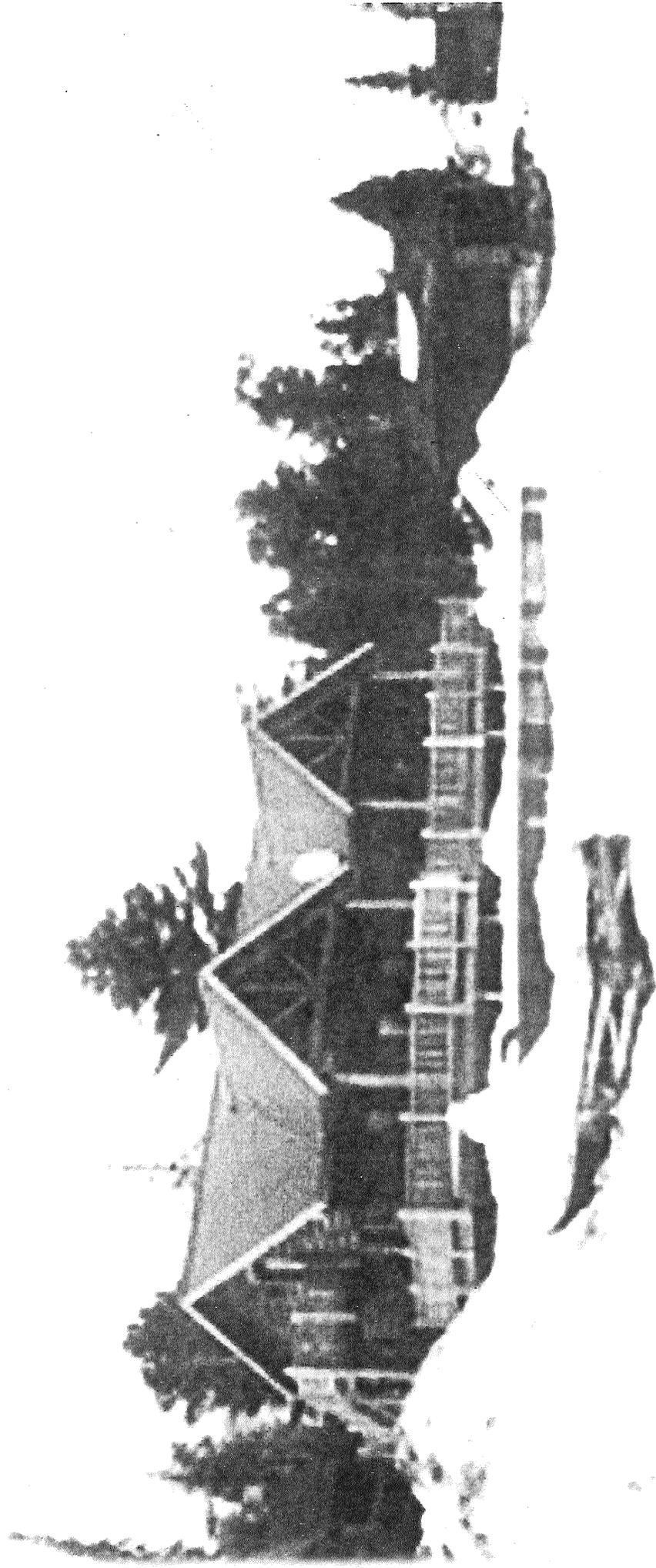
1.12 (1) the West Half of the Northeast Quarter of Section 27, Township 133 North,  
3 Range 43 West, excepting the area designated for the State Hospital Cemetery located in  
1.14 the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of said section  
1.15 and that part of the Southwest Quarter of the Northeast Quarter previously conveyed to  
1.16 Donald Stevens pursuant to Minnesota Laws 1973, chapter 80, and described as follows:

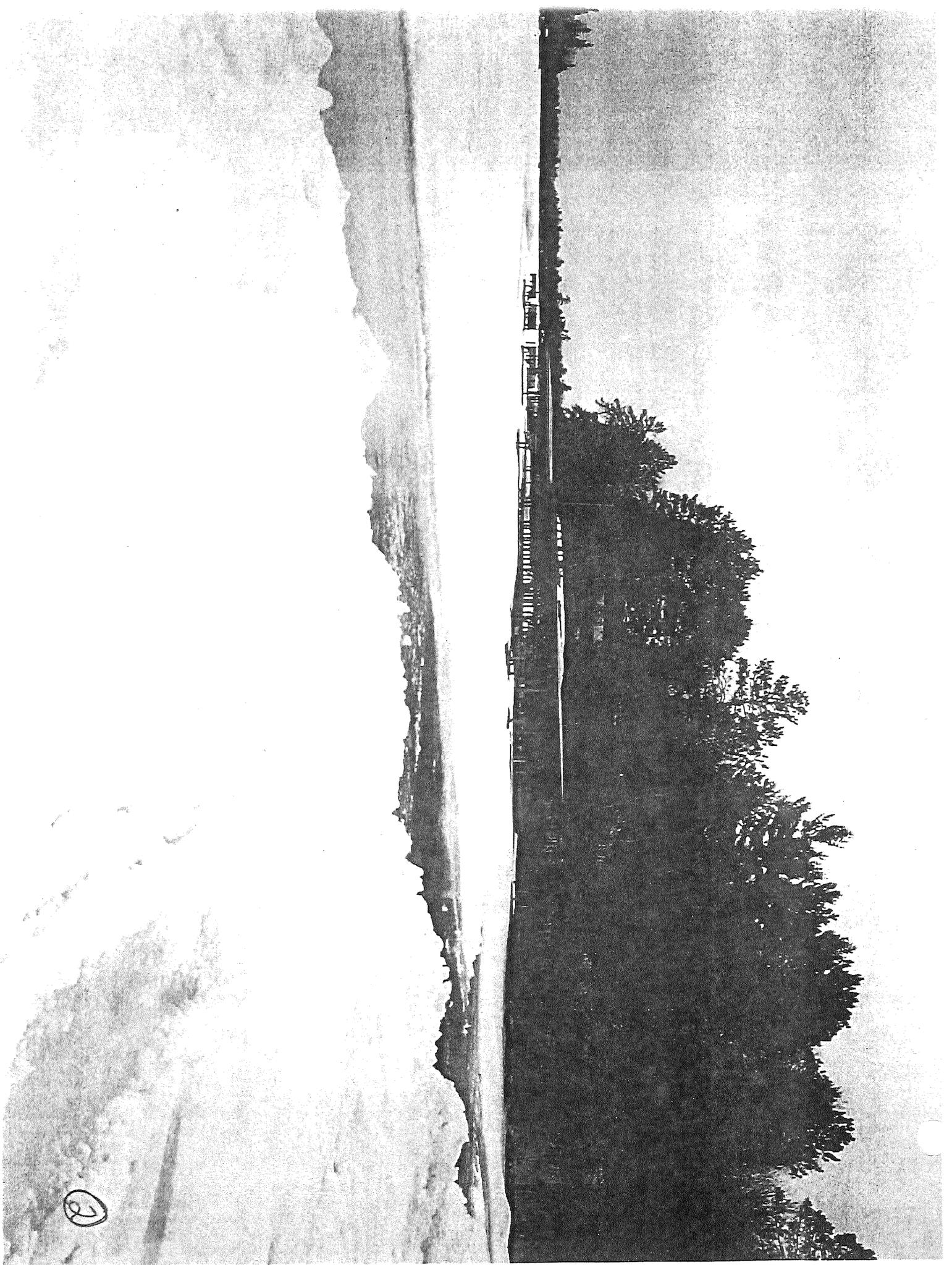
1.17 That part of the SW1/4 of the NE1/4 of Section 27 described as follows: Beginning  
1.18 at the SE corner of said SW1/4 of the NE1/4; thence on an assumed bearing of North  
1.19 00 degrees 00 minutes 36 seconds West on the easterly line thereof for a distance  
1.20 of 660.00 feet; thence North 89 degrees 40 minutes 12 seconds West parallel to  
1.21 the southerly line thereof for a distance of 7.90 feet; thence South 00 degrees 19  
1.22 minutes 48 seconds West 660.00 feet to the southerly line of said SW1/4 of the  
1.23 NE1/4; thence South 89 degrees 40 minutes 12 seconds East on last said southerly  
1.24 line for a distance of 11.91 feet to point of beginning; also that part of the SW1/4 of  
1.25 the NE1/4 of Section 27 described as follows: Commencing at the SE corner of said  
1.26 SW1/4 of the NE1/4; thence on an assumed bearing of North 89 degrees 40 minutes  
1.27 12 seconds West on the southerly line of the SW1/4 of the NE1/4 for a distance of  
1.28 11.91 feet to point of beginning of tract to be described; thence North 00 degrees  
1.29 19 minutes 48 seconds East 660.00 feet; thence North 89 degrees 40 minutes 12  
1.30 seconds West parallel to the southerly line of the SW1/4 of the NE1/4 for a distance  
1.31 of 25.00 feet; thence South 00 degrees 21 minutes 50 seconds East 660.05 feet to the  
1.32 southerly line of the SW1/4 of said NE1/4 ; thence South 89 degrees 40 minutes 12  
1.33 seconds East on said southerly line for a distance of 17.00 feet to point of beginning.  
1.34 Containing 73.5 acres, more or less;

1.35 (2) the Southeast Quarter of the Northwest Quarter of Section 27, Township 133  
1.36 North, Range 43 West. Containing 40 acres; and

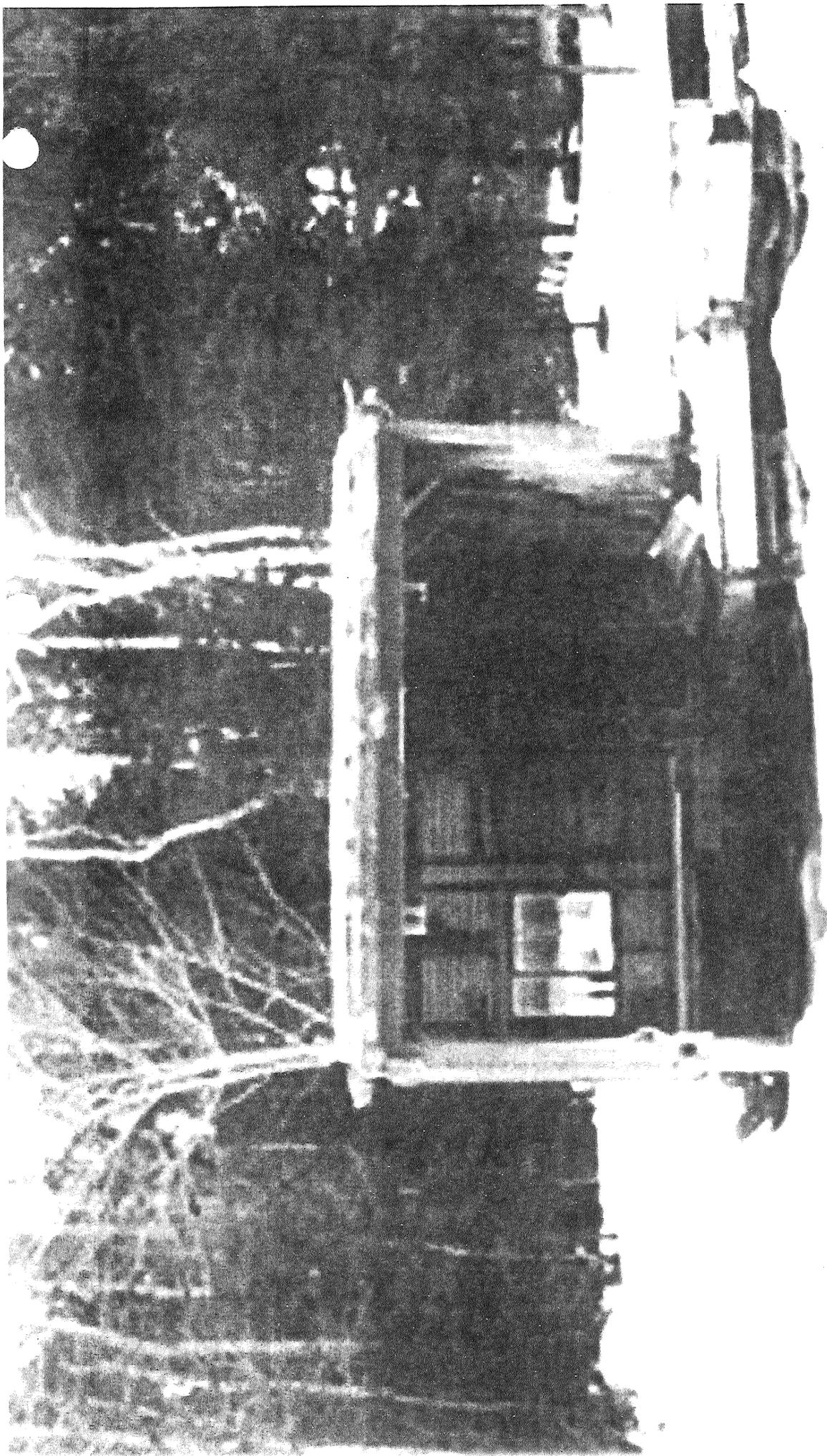
2.1 (3) that part of the South Half of Section 27, Township 133 North, Range 43 West,  
2.2 described as follows: Beginning at the center of said Section 27; thence on an assumed  
2.3 bearing of West on the north line of said South Half for a distance of 430 feet; thence  
2.4 South 0 degrees 45 minutes East 200 feet; thence South 46 degrees 30 minutes East 680  
2.5 feet; thence North 0 degrees 45 minutes West 240 feet; thence North 58 degrees 30  
2.6 minutes East 380 feet; thence North 71 degrees 15 minutes East 760 feet, more or less,  
2.7 to the north line of said South Half; thence West to the point of beginning. Containing  
2.8 9.1 acres, more or less.

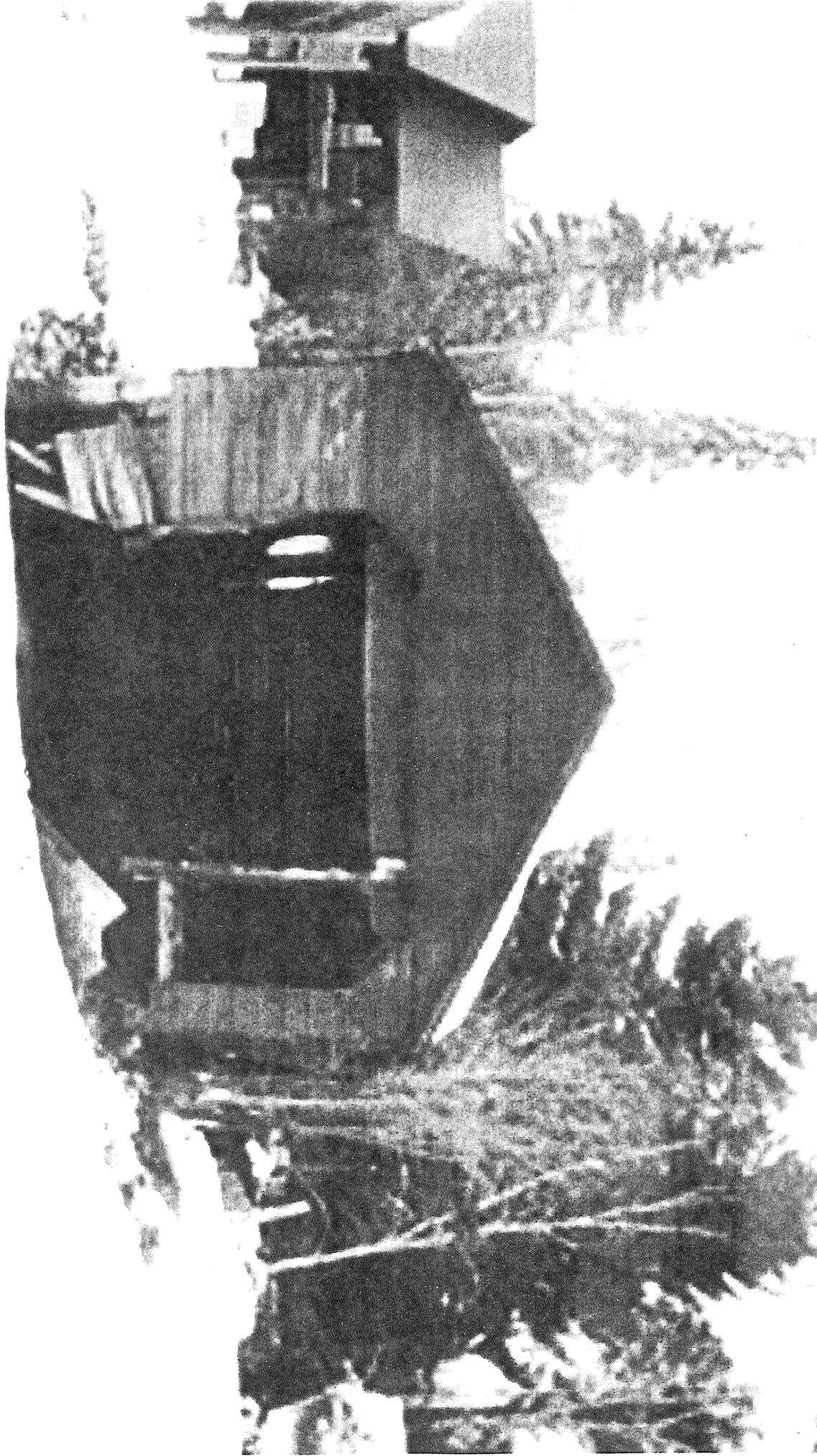
2.9 (d) The land is no longer needed for any natural resource purpose and the state's  
2.10 land management interests would best be served if the land was conveyed to Independent  
2.11 School District No. 544, Fergus Falls, for a new school facility."





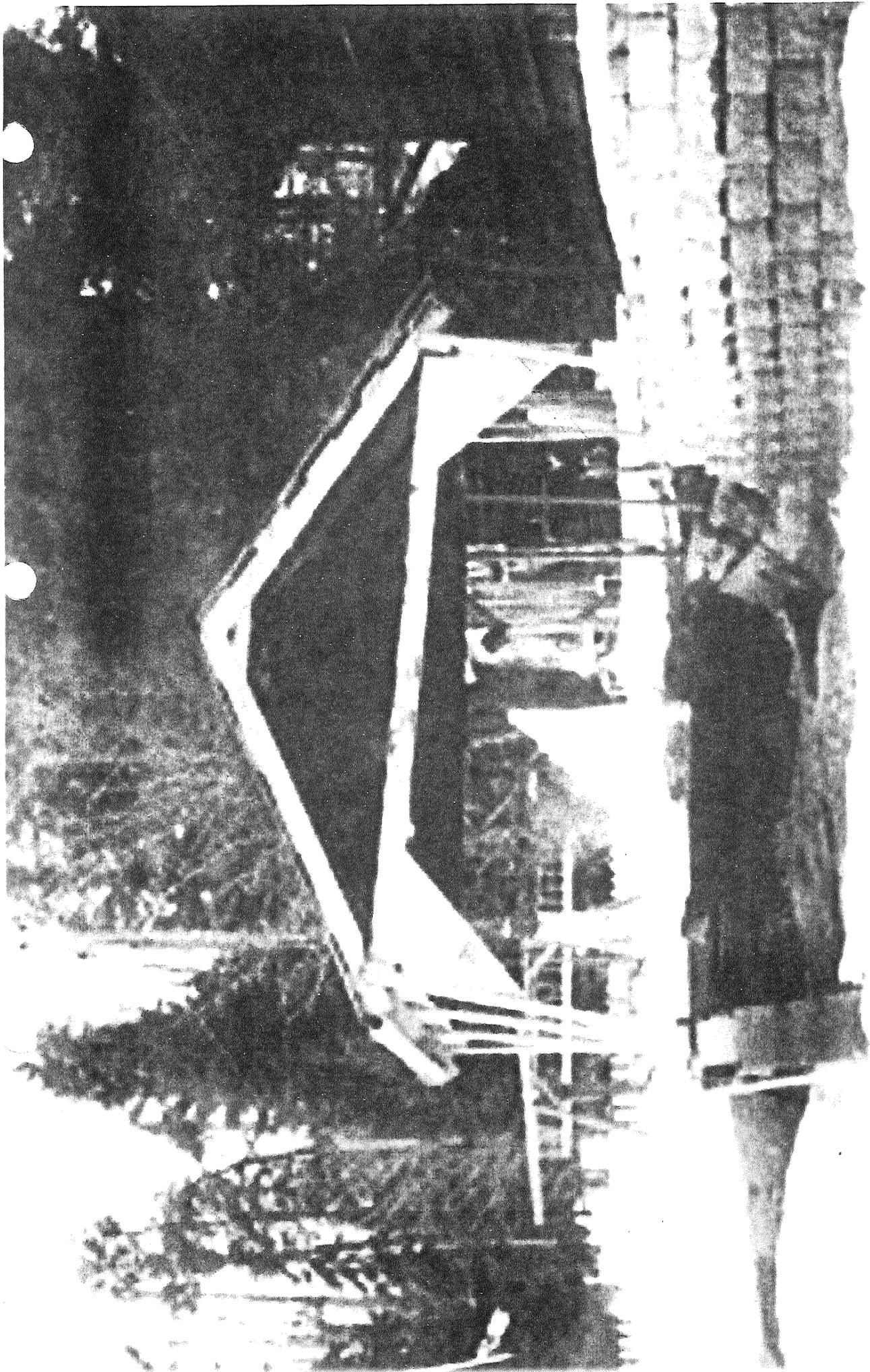
2



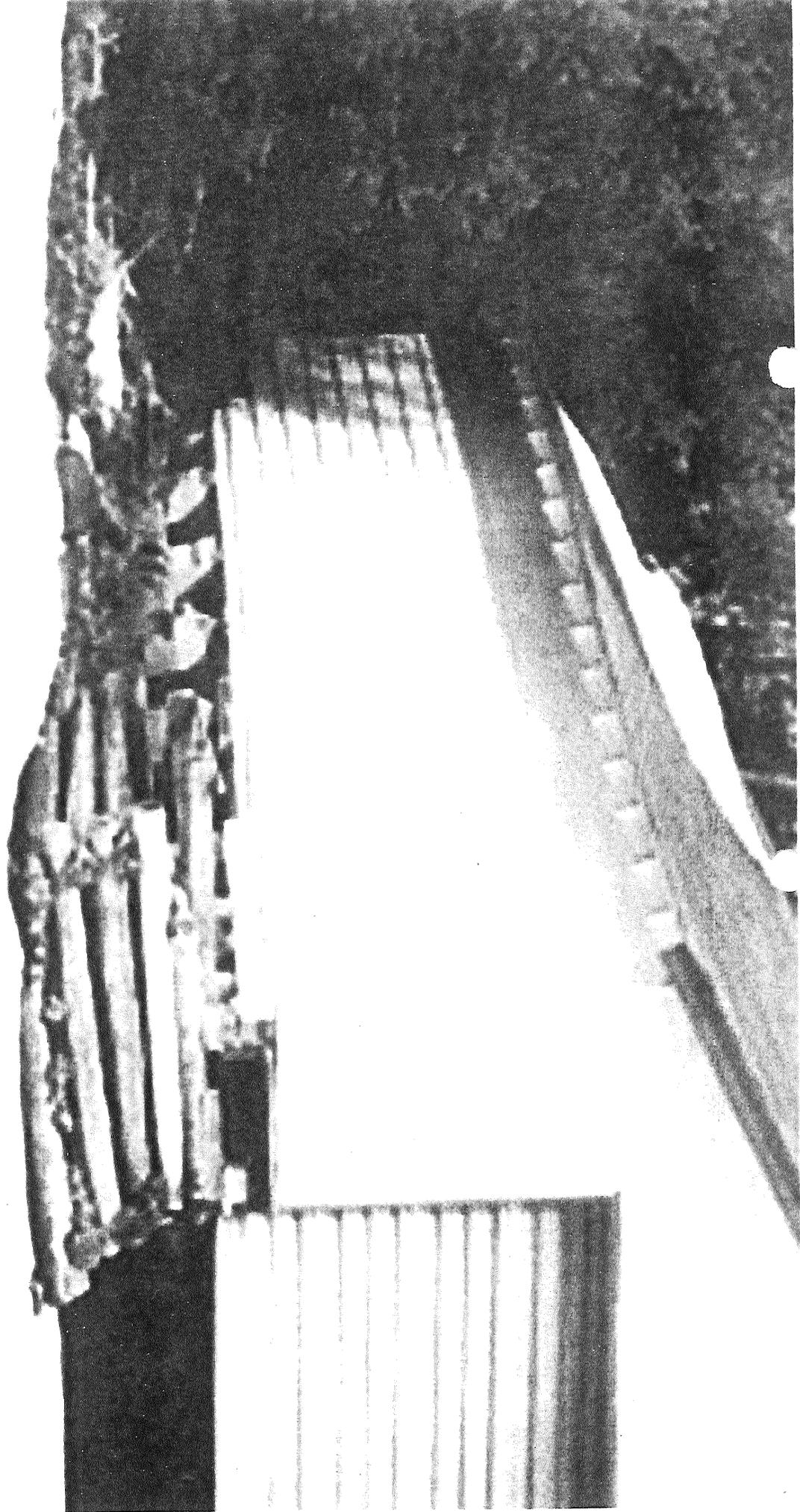


12

(6)



69



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

1.3 **S.F. No. 2695:** A bill for an act relating to state lands; authorizing a conveyance of  
4 certain surplus state land in Otter Tail County.

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

1.6 Delete everything after the enacting clause and insert:

1.7 "Section 1. **CONVEYANCE OF SURPLUS STATE LAND; OTTER TAIL**  
1.8 **COUNTY.**

1.9 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner  
1.10 of natural resources shall convey to Independent School District No. 544, Fergus Falls,  
1.11 the surplus land that is described in paragraph (c).

1.12 (b) The conveyance must be at market value and in a form approved by the attorney  
1.13 general. The conveyance must provide that the land reverts to the state if the school  
4 district does not use the land for a school facility.

1.15 (c) The land to be conveyed is located in Otter Tail County and is described as:

1.16 (1) the West Half of the Northeast Quarter of Section 27, Township 133 North,  
1.17 Range 43 West, excepting the area designated for the State Hospital Cemetery located in  
1.18 the Northeast Quarter of the Northwest Quarter of the Northeast Quarter of said section  
1.19 and that part of the Southwest Quarter of the Northeast Quarter previously conveyed to  
1.20 Donald Stevens pursuant to Minnesota Laws 1973, chapter 80, and described as follows:

1.21 That part of the SW1/4 of the NE1/4 of Section 27 described as follows: Beginning  
1.22 at the SE corner of said SW1/4 of the NE1/4; thence on an assumed bearing of North  
1.23 00 degrees 00 minutes 36 seconds West on the easterly line thereof for a distance  
1.24 of 660.00 feet; thence North 89 degrees 40 minutes 12 seconds West parallel to  
1.25 the southerly line thereof for a distance of 7.90 feet; thence South 00 degrees 19  
1.26 minutes 48 seconds West 660.00 feet to the southerly line of said SW1/4 of the  
1.27 NE1/4; thence South 89 degrees 40 minutes 12 seconds East on last said southerly  
1.28 line for a distance of 11.91 feet to point of beginning; also that part of the SW1/4 of  
1.29 the NE1/4 of Section 27 described as follows: Commencing at the SE corner of said  
1.30 SW1/4 of the NE1/4; thence on an assumed bearing of North 89 degrees 40 minutes  
1.31 12 seconds West on the southerly line of the SW1/4 of the NE1/4 for a distance of  
1.32 11.91 feet to point of beginning of tract to be described; thence North 00 degrees  
1.33 19 minutes 48 seconds East 660.00 feet; thence North 89 degrees 40 minutes 12  
1.34 seconds West parallel to the southerly line of the SW1/4 of the NE1/4 for a distance  
5 of 25.00 feet; thence South 00 degrees 21 minutes 50 seconds East 660.05 feet to the  
1.36 southerly line of the SW1/4 of said NE1/4 ; thence South 89 degrees 40 minutes 12

2.1 seconds East on said southerly line for a distance of 17.00 feet to point of beginning.

2.2 Containing 73.5 acres, more or less;

2.3 (2) the Southeast Quarter of the Northwest Quarter of Section 27, Township 133

2.4 North, Range 43 West. Containing 40 acres; and

2.5 (3) that part of the South Half of Section 27, Township 133 North, Range 43 West,

2.6 described as follows: Beginning at the center of said Section 27; thence on an assumed

2.7 bearing of West on the north line of said South Half for a distance of 430 feet; thence

2.8 South 0 degrees 45 minutes East 200 feet; thence South 46 degrees 30 minutes East 680

2.9 feet; thence North 0 degrees 45 minutes West 240 feet; thence North 58 degrees 30

2.10 minutes East 380 feet; thence North 71 degrees 15 minutes East 760 feet, more or less,

2.11 to the north line of said South Half; thence West to the point of beginning. Containing

2.12 9.1 acres, more or less.

2.13 (d) The land is no longer needed for any natural resource purpose and the state's

2.14 land management interests would best be served if the land was conveyed to Independent

2.15 School District No. 544, Fergus Falls, for a new school facility."

2.16 And when so amended the bill do pass. Amendments adopted. Report adopted.

2.17   
2.18 (Committee Chair)

2.19 March 29, 2006 .....  
2.20 (Date of Committee recommendation)

1.1 **Senator Marty from the Committee on Environment and Natural Resources, to**  
1.2 **which were referred the following appointments:**

1.3 **MINNESOTA POLLUTION CONTROL AGENCY**

1.4 **Melanie Allen**

1.5 **Brian Bensen**

1.6 **Daniel D. Foley, M.D.**

1.7 **Reports the same back with the recommendation that the appointments be confirmed.**

1.8   
1.9 **(Committee Chair)**

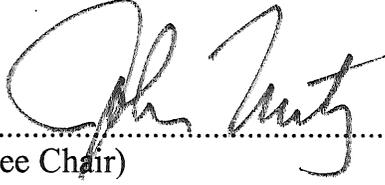
1.10 **March 29, 2006 .....**  
1.11 **(Date of Committee recommendation)**

1.12 **Senator Johnson, D.E. moved that the foregoing committee report be laid on the**  
1.13 **table. The motion prevailed.**

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

1.3 **H.F. No. 2994:** A bill for an act relating to natural resources; allowing for the  
4 replacement and repair of watercraft storage structures on public waters; amending  
1.5 Minnesota Statutes 2005 Supplement, section 103G.245, subdivision 4.

1.6 Reports the same back with the recommendation that the bill do pass. Report  
1.7 adopted.

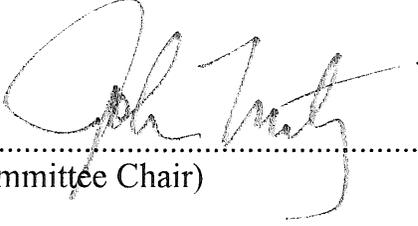
1.8  
1.9   
.....  
(Committee Chair)

1.10 March 29, 2006 .....  
1.11 (Date of Committee recommendation)

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

1.3 **H.F. No. 1480:** A bill for an act relating to drainage; allowing an outlet fee to be  
1.4 charged for use of an established drainage system in Red Lake County as an outlet for  
1.5 drainage originating in Pennington County.

1.6 Reports the same back with the recommendation that the bill do pass. Report  
1.7 adopted.

1.8   
1.9 .....  
(Committee Chair)

1.10 March 29, 2006 .....  
1.11 (Date of Committee recommendation)