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HOUSE FILE No. 1238

THIRD COMMITTEE ENGROSSMENT

March 2, 2009

Authored by Dill

The bill was read for the first time and referred to the Committee on Environment Policy and Oversight

March 19, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on State and Local Government Operations Reform, Technology and Elections

March 25, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Public Safety Policy and Oversight

March 30, 2009

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Finance

Referred by Chair to Environment and Natural Resources Finance Division.

April 22, 2009

Returned to the Committee on Finance as Amended.

A bill for an act

relating to natural resources; modifying refund provisions; modifying commissioner's authority; modifying publication requirements; modifying restrictions in migratory feeding and resting areas; providing certain exemptions from local law; modifying wild animal and fish taking, possession, and licensing requirements; modifying provisions relating to the possession of certain weapons; removing bow and gun case requirements; authorizing certain fees; authorizing acquisition of certain easements; modifying management authority for tax-forfeited lands; adding to and deleting from certain state parks; removing land from the Minnesota wild and scenic rivers program; authorizing public and private sales and exchanges of state land; requiring wind energy lease; modifying previous sales authorization and land description; requiring location of sites for veterans cemetery; requiring increase in appraised estimates for timber sales; requiring forest lease pilot project; requiring rulemaking; requiring reports; amending Minnesota Statutes 2008, sections 17.4981; 17.4988, subdivision 3; 84.027, subdivisions 13, 17; 84.0273; 84.788, subdivision 11; 84.798, subdivision 10; 84.82, subdivision 11; 84.922, subdivision 12; 86B.415, subdivision 11; 97A.051, subdivision 2; 97A.075, subdivision 1; 97A.095, subdivision 2; 97A.137, by adding subdivisions; 97A.405, subdivision 4; 97A.421, subdivision 1; 97A.441, subdivision 7; 97A.445, subdivision 1; 97A.451, subdivision 2, by adding a subdivision; 97A.465, subdivision 1b; 97A.475, subdivisions 2, 3, 7, 11, 12, 29; 97A.525, subdivision 1; 97B.035, subdivision 2; 97B.041; 97B.045, subdivisions 1, 2; 97B.051; 97B.055, subdivision 3; 97B.086; 97B.111, subdivision 1; 97B.211, subdivision 1; 97B.328, subdivision 3; 97B.425; 97B.651; 97B.811, subdivisions 2, 3; 97B.931, subdivision 1; 97C.315, subdivision 1; 97C.355, subdivision 2; 97C.371, by adding a subdivision; 97C.385, subdivision 2; 97C.395, subdivision 1; 282.04, subdivision 1; Laws 2007, chapter 131, article 2, section 38; Laws 2008, chapter 368, article 1, sections 21, subdivisions 4, 5; 34; article 2, section 25; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 2008, sections 97A.525, subdivision 2; 97B.301, subdivisions 7, 8; 97C.405.

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

ARTICLE 1

GAME AND FISH POLICY

Section 1. Minnesota Statutes 2008, section 17.4981, is amended to read:

17.4981 GENERAL CONDITIONS FOR REGULATION OF AQUATIC FARMS.

(a) Aquatic farms are licensed to culture private aquatic life. Cultured aquatic life is not wildlife. Aquatic farms must be licensed and given classifications to prevent or minimize impacts on natural resources. The purpose of sections 17.4981 to 17.4997 is to:

(1) prevent public aquatic life from entering an aquatic farm;

(2) prevent release of nonindigenous or exotic species into public waters without approval of the commissioner;

(3) protect against release of disease pathogens to public waters;

(4) protect existing natural aquatic habitats and the wildlife dependent on them; and

(5) protect private aquatic life from unauthorized taking or harvest.

(b) Private aquatic life that is legally acquired and possessed is an article of interstate commerce and may be restricted only as necessary to protect state fish and water resources.

(c) The commissioner of natural resources shall establish license and other fees as provided in section 16A.1285, subdivision 2, that would make aquaculture licensing and enforcement self-sustaining. Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish the fees required by this section. The fees are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply. The commissioner shall develop best management practices for aquaculture to ensure the long-term sustainability of aquaculture and wetlands used for aquaculture, including, but not limited to, fish farming in man-made ponds.

Sec. 2. Minnesota Statutes 2008, section 17.4988, subdivision 3, is amended to read:

Subd. 3. **Inspection and additional fees.** Notwithstanding section 16A.1283, the commissioner may, by written order published in the State Register, establish fees for the services listed in clauses (1) to (3) and the additional fee required under subdivision 2, paragraph (a). The fees must be set in an amount that does not recover significantly more or less than the cost of providing the service. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The services covered under this provision include:

(1) initial inspection of each water to be licensed;

- 3.1 (2) fish health inspection and certification, including initial tissue sample collection,
3.2 basic fish health assessment, viral pathogen testing, and bacteriological testing; and
3.3 (3) initial inspection for containment and quarantine facility inspections.

3.4 Sec. 3. Minnesota Statutes 2008, section 84.027, subdivision 13, is amended to read:

3.5 Subd. 13. **Game and fish rules.** (a) The commissioner of natural resources may
3.6 adopt rules under sections 97A.0451 to 97A.0459 and this subdivision that are authorized
3.7 under:

3.8 (1) chapters 97A, 97B, and 97C to set open seasons and areas, to close seasons and
3.9 areas, to select hunters for areas, to provide for tagging and registration of game and fish, to
3.10 prohibit or allow taking of wild animals to protect a species, to prevent or control wildlife
3.11 disease, to open or close bodies of water or portions of bodies of water for night bow
3.12 fishing, and to prohibit or allow importation, transportation, or possession of a wild animal;

3.13 (2) sections 84.093, 84.15, and 84.152 to set seasons for harvesting wild ginseng
3.14 roots and wild rice and to restrict or prohibit harvesting in designated areas; and

3.15 (3) section 84D.12 to designate prohibited invasive species, regulated invasive
3.16 species, unregulated nonnative species, and infested waters.

3.17 (b) If conditions exist that do not allow the commissioner to comply with sections
3.18 97A.0451 to 97A.0459, the commissioner may adopt a rule under this subdivision
3.19 by submitting the rule to the attorney general for review under section 97A.0455,
3.20 publishing a notice in the State Register and filing the rule with the secretary of state and
3.21 the Legislative Coordinating Commission, and complying with section 97A.0459, and
3.22 including a statement of the emergency conditions and a copy of the rule in the notice. The
3.23 emergency conditions for opening a water body or portion of a water body for night bow
3.24 fishing under this section may include the need to temporarily open the area to evaluate
3.25 compatibility of the activity on that body of water prior to permanent rulemaking. The
3.26 notice may be published after it is received from the attorney general or five business days
3.27 after it is submitted to the attorney general, whichever is earlier.

3.28 (c) Rules adopted under paragraph (b) are effective upon publishing in the State
3.29 Register and may be effective up to seven days before publishing and filing under
3.30 paragraph (b), if:

3.31 (1) the commissioner of natural resources determines that an emergency exists;

3.32 (2) the attorney general approves the rule; and

3.33 (3) for a rule that affects more than three counties the commissioner publishes the
3.34 rule once in a legal newspaper published in Minneapolis, St. Paul, and Duluth, or for a

4.1 rule that affects three or fewer counties the commissioner publishes the rule once in a legal
4.2 newspaper in each of the affected counties.

4.3 (d) Except as provided in paragraph (e), a rule published under paragraph (c), clause
4.4 (3), may not be effective earlier than seven days after publication.

4.5 (e) A rule published under paragraph (c), clause (3), may be effective the day the
4.6 rule is published if the commissioner gives notice and holds a public hearing on the rule
4.7 within 15 days before publication.

4.8 (f) The commissioner shall attempt to notify persons or groups of persons affected
4.9 by rules adopted under paragraphs (b) and (c) by public announcements, posting, and
4.10 other appropriate means as determined by the commissioner.

4.11 (g) Notwithstanding section 97A.0458, a rule adopted under this subdivision is
4.12 effective for the period stated in the notice but not longer than 18 months after the rule is
4.13 adopted.

4.14 Sec. 4. Minnesota Statutes 2008, section 84.027, subdivision 17, is amended to read:

4.15 Subd. 17. **Background checks for volunteer instructors.** (a) The commissioner
4.16 may conduct background checks for volunteer instructor applicants for department safety
4.17 training and education programs, including the programs established under sections
4.18 84.791 (youth off-highway motorcycle safety education and training), 84.86 and 84.862
4.19 (youth and adult snowmobile safety training), 84.925 (youth all-terrain vehicle safety
4.20 education and training), 97B.015 (youth firearms safety training), and 97B.025 (hunter
4.21 and trapper education and training).

4.22 (b) The commissioner shall perform the background check by retrieving criminal
4.23 history data as defined in section 13.87 maintained in the criminal justice information
4.24 system (CJS) by the Bureau of Criminal Apprehension in the Department of Public
4.25 Safety and other data sources.

4.26 (c) The commissioner shall develop a standardized form to be used for requesting a
4.27 background check, which must include:

4.28 (1) a notification to the applicant that the commissioner will conduct a background
4.29 check under this section;

4.30 (2) a notification to the applicant of the applicant's rights under paragraph (d); and

4.31 (3) a signed consent by the applicant to conduct the background check expiring one
4.32 year from the date of signature.

4.33 (d) The volunteer instructor applicant who is the subject of a background check
4.34 has the right to:

- 5.1 (1) be informed that the commissioner will request a background check on the
5.2 applicant;
- 5.3 (2) be informed by the commissioner of the results of the background check and
5.4 obtain a copy of the background check;
- 5.5 (3) obtain any record that forms the basis for the background check and report;
- 5.6 (4) challenge the accuracy and completeness of the information contained in the
5.7 report or a record; and
- 5.8 (5) be informed by the commissioner if the applicant is rejected because of the
5.9 result of the background check.

5.10 Sec. 5. Minnesota Statutes 2008, section 84.788, subdivision 11, is amended to read:

5.11 Subd. 11. **Refunds.** The commissioner may issue a refund on a registration, not
5.12 including any issuing fees paid under subdivision 3, paragraph (e), or section 84.027,
5.13 subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12~~
5.14 months 60 days of the original registration, the registration is not used or transferred, and:

5.15 (1) the off-highway motorcycle was registered incorrectly ~~by the commissioner~~
5.16 ~~or the deputy registrar~~; or

5.17 (2) the off-highway motorcycle was registered twice, once by the dealer and once by
5.18 the customer.

5.19 Sec. 6. Minnesota Statutes 2008, section 84.798, subdivision 10, is amended to read:

5.20 Subd. 10. **Refunds.** The commissioner may issue a refund on a registration, not
5.21 including any issuing fees paid under subdivision 3, paragraph (b), or section 84.027,
5.22 subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12~~
5.23 months 60 days of the original registration ~~and the vehicle was registered incorrectly by~~
5.24 ~~the commissioner or the deputy registrar~~, the registration is not used or transferred, and:

5.25 (1) the off-road vehicle was registered incorrectly; or

5.26 (2) the off-road vehicle was registered twice, once by the dealer and once by the
5.27 customer.

5.28 Sec. 7. Minnesota Statutes 2008, section 84.82, subdivision 11, is amended to read:

5.29 Subd. 11. **Refunds.** The commissioner may issue a refund on a registration, not
5.30 including any issuing fees paid under subdivision 2, paragraph (e), or section 84.027,
5.31 subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12~~
5.32 months 60 days of the original registration, the registration is not used or transferred, and:

6.1 (1) the snowmobile was registered incorrectly ~~by the commissioner or the deputy~~
6.2 ~~registrar~~; or

6.3 (2) the snowmobile was registered twice, once by the dealer and once by the
6.4 customer.

6.5 Sec. 8. Minnesota Statutes 2008, section 84.922, subdivision 12, is amended to read:

6.6 Subd. 12. **Refunds.** The commissioner may issue a refund on a registration, not
6.7 including any issuing fees paid under subdivision 2, paragraph (e), or section 84.027,
6.8 subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12~~
6.9 ~~months~~ 60 days of the original registration, the registration is not used or transferred, and:

6.10 (1) the vehicle was registered incorrectly ~~by the commissioner or the deputy~~
6.11 ~~registrar~~; or

6.12 (2) the vehicle was registered twice, once by the dealer and once by the customer.

6.13 Sec. 9. Minnesota Statutes 2008, section 86B.415, subdivision 11, is amended to read:

6.14 Subd. 11. **Refunds.** The commissioner may issue a refund on a license or title, not
6.15 including any issuing fees paid under subdivision 8 or section 84.027, subdivision 15,
6.16 paragraph (a), clause (3), or 86B.870, subdivision 1, paragraph (b), if the refund request
6.17 is received within ~~12 months~~ 60 days of the original license or title, the license or title
6.18 is not used or transferred, and:

6.19 (1) the watercraft was licensed or titled incorrectly ~~by the commissioner or the~~
6.20 ~~deputy registrar~~;

6.21 (2) the customer was incorrectly charged a title fee; or

6.22 (3) the watercraft was licensed or titled twice, once by the dealer and once by the
6.23 customer.

6.24 Sec. 10. Minnesota Statutes 2008, section 97A.051, subdivision 2, is amended to read:

6.25 Subd. 2. **Summary of fish and game laws.** (a) The commissioner shall prepare a
6.26 summary of the hunting and fishing laws and rules and deliver a sufficient supply to
6.27 ~~county auditors~~ license vendors to furnish one copy to each person obtaining a hunting,
6.28 fishing, or trapping license.

6.29 (b) At the beginning of the summary, under the heading "Trespass," the
6.30 commissioner shall summarize the trespass provisions under sections 97B.001 to 97B.945,
6.31 state that conservation officers and peace officers must enforce the trespass laws, and
6.32 state the penalties for trespassing.

7.1 (c) In the summary the commissioner shall, under the heading "Duty to Render Aid,"
7.2 summarize the requirements under section 609.662 and state the penalties for failure to
7.3 render aid to a person injured by gunshot.

7.4 Sec. 11. Minnesota Statutes 2008, section 97A.075, subdivision 1, is amended to read:

7.5 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this
7.6 subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2,
7.7 clauses (5), (6), (7), ~~(11)~~, (13), (14), and (15), ~~(16)~~, and ~~(17)~~; and 3, clauses (2), (3), (4),
7.8 ~~(9)~~ (10), (11), (12), and ~~(13)~~; and licenses issued under section 97B.301, subdivision 4.

7.9 (b) \$2 from each annual deer license and \$2 annually from the lifetime fish and
7.10 wildlife trust fund, established in section 97A.4742, for each license issued under section
7.11 97A.473, subdivision 4, shall be credited to the deer management account and shall be
7.12 used for deer habitat improvement or deer management programs.

7.13 (c) \$1 from each annual deer license and each bear license and \$1 annually from
7.14 the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license
7.15 issued under section 97A.473, subdivision 4, shall be credited to the deer and bear
7.16 management account and shall be used for deer and bear management programs, including
7.17 a computerized licensing system.

7.18 (d) Fifty cents from each deer license is credited to the emergency deer feeding
7.19 and wild cervidae health management account and is appropriated for emergency deer
7.20 feeding and wild cervidae health management. Money appropriated for emergency
7.21 deer feeding and wild cervidae health management is available until expended. When
7.22 the unencumbered balance in the appropriation for emergency deer feeding and wild
7.23 cervidae health management at the end of a fiscal year exceeds \$2,500,000 for the first
7.24 time, \$750,000 is canceled to the unappropriated balance of the game and fish fund.
7.25 The commissioner must inform the legislative chairs of the natural resources finance
7.26 committees every two years on how the money for emergency deer feeding and wild
7.27 cervidae health management has been spent.

7.28 Thereafter, when the unencumbered balance in the appropriation for emergency deer
7.29 feeding and wild cervidae health management exceeds \$2,500,000 at the end of a fiscal
7.30 year, the unencumbered balance in excess of \$2,500,000 is canceled and available for deer
7.31 and bear management programs and computerized licensing.

7.32 Sec. 12. Minnesota Statutes 2008, section 97A.095, subdivision 2, is amended to read:

7.33 Subd. 2. **Waterfowl feeding and resting areas.** The commissioner may, by rule,
7.34 designate any part of a lake as a migratory feeding and resting area. Before designation,

8.1 the commissioner must receive a petition signed by at least ten local resident licensed
8.2 hunters describing the area of a lake that is a substantial feeding or resting area for
8.3 migratory waterfowl, and find that the statements in the petition are correct, and that
8.4 adequate, free public access to the lake exists near the designated area. The commissioner
8.5 shall post the area as a migratory waterfowl feeding and resting area. Except as authorized
8.6 in rules adopted by the commissioner, a person may not enter a posted migratory waterfowl
8.7 feeding and resting area, during a period when hunting of migratory waterfowl is allowed,
8.8 with watercraft or aircraft propelled by a motor, other than an electric motor ~~of less than~~
8.9 ~~30 pounds thrust~~ with battery power of 12 volts or less. The commissioner may, by rule,
8.10 further restrict the use of electric motors in migratory waterfowl feeding and resting areas.

8.11 Sec. 13. Minnesota Statutes 2008, section 97A.137, is amended by adding a
8.12 subdivision to read:

8.13 Subd. 4. **Exemption from certain local ordinances.** (a) Wildlife management
8.14 areas that are established according to section 86A.05, subdivision 8; designated under
8.15 section 97A.133 or 97A.145; and 160 contiguous acres or larger are exempt from local
8.16 ordinances that limit the taking of game and fish or vegetation management in the unit as
8.17 authorized by state law.

8.18 (b) Wildlife management areas that are established according to section 86A.05,
8.19 subdivision 8; designated under section 97A.133 or 97A.145; and at least 40 contiguous
8.20 acres and less than 160 contiguous acres are exempt from local ordinances that:

8.21 (1) restrict trapping;

8.22 (2) restrict the discharge of archery equipment;

8.23 (3) restrict the discharge of shotguns with shot sizes of F or .22 inch diameter,
8.24 or smaller diameter shot;

8.25 (4) restrict noise;

8.26 (5) require dogs on a leash; or

8.27 (6) would in any manner restrict the management of vegetation in the unit as
8.28 authorized by state law.

8.29 (c) Existing wildlife management area restrictions in place as of May 1, 2009, under
8.30 Minnesota Rules, part 6230.0200, or under local ordinance, are not superseded by this
8.31 section.

8.32 Sec. 14. Minnesota Statutes 2008, section 97A.137, is amended by adding a
8.33 subdivision to read:

9.1 Subd. 5. **Portable stands.** Prior to the Saturday on or nearest September 16, a
9.2 portable stand may be left overnight in a wildlife management area by a person with a
9.3 valid bear license who is hunting within 100 yards of a bear bait site that is legally tagged
9.4 and registered as prescribed under section 97B.425. Any person leaving a portable stand
9.5 overnight under this subdivision must affix the person's name and address to the stand in
9.6 such a manner that it can be read from the ground.

9.7 Sec. 15. Minnesota Statutes 2008, section 97A.405, subdivision 4, is amended to read:

9.8 Subd. 4. **Replacement licenses.** (a) The commissioner may permit licensed deer
9.9 hunters to change zone, license, or season options. The commissioner may issue a
9.10 replacement license if the applicant submits the original deer license and unused tags that
9.11 are being replaced and the applicant pays any increase in cost between the original and
9.12 the replacement license. A refund of the difference in fees may be issued when a person
9.13 changes from a regular deer license to a youth deer license. ~~When a person submits both~~
9.14 ~~an archery and a firearms license for replacement, the commissioner may apply the value~~
9.15 ~~of both licenses towards the replacement license fee.~~

9.16 (b) A replacement license may be issued only if the applicant has not used any
9.17 tag from the original license or licenses and meets the conditions of paragraph (c). The
9.18 original license or licenses and all unused tags for the licenses being replaced must be
9.19 submitted to the issuing agent at the time the replacement license is issued.

9.20 (c) A replacement license may be issued under the following conditions, or as
9.21 otherwise prescribed by rule of the commissioner:

9.22 (1) when the season for the license being surrendered has not yet opened; or

9.23 (2) when the person is ~~upgrading from a regular firearms or archery deer license to~~
9.24 ~~an all season deer license;~~

9.25 (3) ~~when the person is upgrading from a regular firearms license to a multizone~~
9.26 ~~deer license; or~~

9.27 (4) ~~when the person is changing from a regular firearms deer license to a youth~~
9.28 ~~deer license.~~

9.29 (d) Notwithstanding section 97A.411, subdivision 3, a replacement license is valid
9.30 immediately upon issuance if the license being surrendered is valid at that time.

9.31 Sec. 16. Minnesota Statutes 2008, section 97A.421, subdivision 1, is amended to read:

9.32 Subdivision 1. **General.** (a) The annual license of a person convicted of a violation
9.33 of the game and fish laws relating to the license or wild animals covered by the license
9.34 is void when:

10.1 (1) a second conviction occurs within three years under a license to trap fur-bearing
10.2 animals, take small game or to take fish by angling or spearing;

10.3 (2) a third conviction occurs within one year under a minnow dealer's license;

10.4 (3) a second conviction occurs within three years for violations of section 97A.425
10.5 that do not involve falsifications or intentional omissions of information required to be
10.6 recorded, or attempts to conceal unlawful acts within the records;

10.7 (4) two or more misdemeanor convictions occur within a three-year period under a
10.8 private fish hatchery license;

10.9 (5) the conviction occurs under a license not described in clause (1), (2), or (4) or is
10.10 for a violation of section 97A.425 not described in clause (3); or

10.11 (6) the conviction is related to assisting a person in the illegal taking, transportation,
10.12 or possession of wild animals, when acting as a hunting or angling guide.

10.13 (b) Except for big game licenses and as otherwise provided in this section, for one
10.14 year after the conviction the person may not obtain the kind of license or take wild
10.15 animals under a lifetime license, issued under section 97A.473 or 97A.474, relating to
10.16 the game and fish law violation.

10.17 Sec. 17. Minnesota Statutes 2008, section 97A.441, subdivision 7, is amended to read:

10.18 Subd. 7. **Owners or tenants of agricultural land.** (a) The commissioner may
10.19 issue, without a fee, a license to take an antlerless deer to a resident who is an owner or
10.20 tenant, or a nonresident who is an owner, of at least 80 acres of agricultural land, as
10.21 defined in section 97B.001, in deer permit areas that have deer archery licenses to take
10.22 additional deer under section 97B.301, subdivision 4. A person may receive only one
10.23 license per year under this subdivision. For properties with co-owners or cotenants, only
10.24 one co-owner or cotenant may receive a license under this subdivision per year. The
10.25 license issued under this subdivision is restricted to land leased for agricultural purposes
10.26 or owned by the holder of the license within the permit area where the qualifying land
10.27 is located. The holder of the license may transfer the license to the holder's spouse or
10.28 dependent. Notwithstanding sections 97A.415, subdivision 1, and 97B.301, subdivision
10.29 2, the holder of the license may purchase an additional license for taking deer and may
10.30 take an additional deer under that license.

10.31 (b) A person who obtains a license under paragraph (a) must allow public deer
10.32 hunting on their land during that deer hunting season, with the exception of the first
10.33 Saturday and Sunday during the deer hunting season applicable to the license issued under
10.34 section 97A.475, subdivision 2, ~~clauses (4) and (13)~~ clause (5).

11.1 Sec. 18. Minnesota Statutes 2008, section 97A.445, subdivision 1, is amended to read:

11.2 Subdivision 1. **Angling; Take a Kid Fishing Weekends.** A resident ~~over age 18~~ age
11.3 16 years or older may take fish by angling without an angling or fish house license during
11.4 one three-day consecutive period of the open water angling season and one three-day
11.5 consecutive period of the ice angling season designated by rule of the commissioner
11.6 if accompanied by a child who is under age 16. The commissioner shall publicize the
11.7 three-day periods as "Take a Kid Fishing Weekend" for the open water angling season and
11.8 "Take a Kid Ice Fishing Weekend" for the ice angling season.

11.9 Sec. 19. Minnesota Statutes 2008, section 97A.451, subdivision 2, is amended to read:

11.10 Subd. 2. **Residents under age 16; fishing.** (a) A resident under the age of 16 years
11.11 may take fish without a license.

11.12 (b) A resident under the age of 16 may net ciscoes and whitefish for personal
11.13 consumption without the license required under section 97A.475, subdivision 13. A
11.14 resident netting ciscoes and whitefish under this paragraph must follow all other applicable
11.15 requirements for netting ciscoes and whitefish for personal consumption.

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

11.17 Sec. 20. Minnesota Statutes 2008, section 97A.451, is amended by adding a
11.18 subdivision to read:

11.19 Subd. 8. **Residents 90 years of age or older; fishing.** A resident age 90 or older
11.20 may take fish without a license.

11.21 Sec. 21. Minnesota Statutes 2008, section 97A.465, subdivision 1b, is amended to read:

11.22 Subd. 1b. **Residents discharged from active service.** (a) A resident who has served
11.23 at any time during the preceding 24 months in federal active service, as defined in section
11.24 190.05, subdivision 5c, outside the United States as a member of the National Guard, or as
11.25 a reserve component or active duty member of the United States armed forces and has
11.26 been discharged from active service may take small game and fish without a license if the
11.27 resident possesses official military discharge papers. The resident must obtain the seals,
11.28 tags, and coupons required of a licensee, which must be furnished without charge.

11.29 (b) The commissioner shall issue, without fee, a deer license, valid for a deer of
11.30 either sex, to a resident who has served at any time during the preceding 24 months in
11.31 federal active service, as defined in section 190.05, subdivision 5c, outside the United
11.32 States as a member of the National Guard, or as a reserve component or active duty

12.1 member of the United States armed forces and has been discharged from active service.

12.2 Eligibility under this paragraph is limited to one license per resident.

12.3 Sec. 22. Minnesota Statutes 2008, section 97A.475, subdivision 2, is amended to read:

12.4 Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents
12.5 only, are:

12.6 (1) for persons age 18 or over and under age 65 to take small game, \$12.50;

12.7 (2) for persons ages 16 and 17 and age 65 or over, \$6 to take small game;

12.8 (3) for persons age 18 or over to take turkey, \$23;

12.9 (4) for persons under age 18 to take turkey, \$12;

12.10 (5) for persons age 18 or over to take deer with firearms during the regular firearms
12.11 season, \$26;

12.12 (6) for persons age 18 or over to take deer by archery, \$26;

12.13 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
12.14 season, \$26;

12.15 (8) to take moose, for a party of not more than six persons, \$310;

12.16 (9) to take bear, \$38;

12.17 (10) to take elk, for a party of not more than two persons, \$250;

12.18 (11) ~~multizone license to take antlered deer in more than one zone, \$52;~~

12.19 ~~(12) to take Canada geese during a special season, \$4;~~

12.20 ~~(13) all season license to take three deer throughout the state in any open deer
12.21 season, except as restricted under section 97B.305, \$78;~~

12.22 ~~(14)~~ (12) to take prairie chickens, \$20;

12.23 ~~(15)~~ (13) for persons under age 18 to take deer with firearms during the regular
12.24 firearms season, \$13;

12.25 ~~(16)~~ (14) for persons under age 18 to take deer by archery, \$13; and

12.26 ~~(17)~~ (15) for persons under age 18 to take deer by muzzleloader during the
12.27 muzzleloader season, \$13.

12.28 Sec. 23. Minnesota Statutes 2008, section 97A.475, subdivision 3, is amended to read:

12.29 Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued
12.30 to nonresidents, are:

12.31 (1) for persons age 18 or over to take small game, \$73;

12.32 (2) for persons age 18 or over to take deer with firearms during the regular firearms
12.33 season, \$135;

12.34 (3) for persons age 18 or over to take deer by archery, \$135;

- 13.1 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
 13.2 season, \$135;
- 13.3 (5) to take bear, \$195;
- 13.4 (6) for persons age 18 and older to take turkey, \$78;
- 13.5 (7) for persons under age 18 to take turkey, \$12;
- 13.6 (8) to take raccoon or bobcat, \$155;
- 13.7 (9) ~~multizone license to take antlered deer in more than one zone, \$270;~~
- 13.8 ~~(10)~~ to take Canada geese during a special season, \$4;
- 13.9 ~~(11)~~ (10) for persons under age 18 to take deer with firearms during the regular
 13.10 firearms season in any open season option or time period, \$13;
- 13.11 ~~(12)~~ (11) for persons under age 18 to take deer by archery, \$13; and
- 13.12 ~~(13)~~ (12) for persons under age 18 to take deer during the muzzleloader season, \$13.
- 13.13 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under
 13.14 paragraph (a), clauses (1) to ~~(9)~~ (8). An additional commission may not be assessed
 13.15 on this surcharge.

13.16 Sec. 24. Minnesota Statutes 2008, section 97A.475, subdivision 7, is amended to read:

13.17 Subd. 7. **Nonresident fishing.** (a) Fees for the following licenses, to be issued
 13.18 to nonresidents, are:

- 13.19 (1) to take fish by angling, \$37.50;
- 13.20 (2) to take fish by angling limited to seven consecutive days selected by the licensee,
 13.21 \$26.50;
- 13.22 (3) to take fish by angling for a 72-hour period selected by the licensee, \$22;
- 13.23 (4) to take fish by angling for a combined license for a family for one or both parents
 13.24 and dependent children under the age of 16, \$50.50;
- 13.25 (5) to take fish by angling for a 24-hour period selected by the licensee, \$8.50; ~~and~~
- 13.26 (6) to take fish by angling for a combined license for a married couple, limited to 14
 13.27 consecutive days selected by one of the licensees, \$38.50; ~~and~~ and
- 13.28 (7) to take fish by spearing from a dark house, \$37.50.

13.29 (b) A \$2 surcharge shall be added to all nonresident fishing licenses, except licenses
 13.30 issued under paragraph (a), clause (5). An additional commission may not be assessed
 13.31 on this surcharge.

13.32 Sec. 25. Minnesota Statutes 2008, section 97A.475, subdivision 11, is amended to read:

13.33 Subd. 11. **Fish houses ~~and~~, dark houses, and shelters; residents.** Fees for the
 13.34 following licenses are:

- 14.1 (1) annual for a fish house ~~or~~, dark house, or shelter that is not rented, \$11.50;
- 14.2 (2) annual for a fish house ~~or~~, dark house, or shelter that is rented, \$26;
- 14.3 (3) three-year for a fish house ~~or~~, dark house, or shelter that is not rented, \$34.50; and
- 14.4 (4) three-year for a fish house ~~or~~, dark house, or shelter that is rented, \$78.

14.5 Sec. 26. Minnesota Statutes 2008, section 97A.475, subdivision 12, is amended to read:

14.6 Subd. 12. **Fish houses, dark houses, and shelters; nonresident.** Fees for fish

14.7 house, dark house, and shelter licenses for a nonresident are:

- 14.8 (1) annual, \$33;
- 14.9 (2) seven consecutive days, \$19; and
- 14.10 (3) three-year, \$99.

14.11 Sec. 27. Minnesota Statutes 2008, section 97A.475, subdivision 29, is amended to read:

14.12 Subd. 29. **Private fish hatcheries.** The fees for the following licenses to be issued

14.13 to residents and nonresidents are:

- 14.14 (1) for a private fish hatchery, with annual sales under \$200, \$70;
- 14.15 (2) for a private fish hatchery, with annual sales of \$200 or more, \$210 for the base
- 14.16 license. The commissioner must establish an additional fee based on the acreage of the
- 14.17 operation. Notwithstanding section 16A.1283, the commissioner may, by written order
- 14.18 published in the State Register, establish the additional fee required by this subdivision.
- 14.19 The fee is not subject to the rulemaking provisions of chapter 14 and section 14.386
- 14.20 does not apply; and
- 14.21 (3) to take sucker eggs from public waters for a private fish hatchery, \$400, plus
- 14.22 \$6 for each quart in excess of 100 quarts.

14.23 Sec. 28. Minnesota Statutes 2008, section 97A.525, subdivision 1, is amended to read:

14.24 Subdivision 1. **Residents Generally.** A ~~resident~~ person may transport wild animals

14.25 ~~within the state~~ by common carrier without being in the vehicle if the ~~resident~~ person

14.26 has the license required to take the animals and they are shipped to the ~~resident~~. ~~The~~

14.27 ~~wild animals that may be transported by common carrier are:~~ person or to a licensed

14.28 taxidermist, tanner, or fur buyer.

- 14.29 ~~(1) deer, bear, elk, and moose;~~
- 14.30 ~~(2) undressed game birds; and~~
- 14.31 ~~(3) fish.~~

14.32 Sec. 29. Minnesota Statutes 2008, section 97B.035, subdivision 2, is amended to read:

15.1 Subd. 2. **Possession of crossbows.** A person may not possess a crossbow ~~outdoors~~
15.2 ~~or~~ in a motor vehicle during the open season for any game, unless the crossbow is ~~unstrung,~~
15.3 ~~and in a case or in a closed trunk of a motor vehicle~~ not armed with a bolt or arrow.

15.4 Sec. 30. Minnesota Statutes 2008, section 97B.041, is amended to read:

15.5 **97B.041 POSSESSION OF FIREARMS AND AMMUNITION RESTRICTED**
15.6 **IN DEER ZONES.**

15.7 A person may not possess a firearm or ammunition outdoors during the period
15.8 beginning the fifth day before the open firearms season and ending the second day after
15.9 the close of the season within an area where deer may be taken by a firearm, except:

15.10 (1) during the open season and in an area where big game may be taken, a firearm
15.11 and ammunition authorized for taking big game in that area may be used to take big game
15.12 in that area if the person has a valid big game license in possession;

15.13 (2) an unloaded firearm ~~that is in a case or in a closed trunk of a motor vehicle;~~

15.14 (3) a shotgun and shells containing No. 4 buckshot or smaller diameter lead shot
15.15 or steel shot;

15.16 (4) a handgun or rifle capable of firing only rimfire cartridges of .17 and .22 caliber,
15.17 including .22 magnum caliber cartridges;

15.18 (5) handguns possessed by a person authorized to carry a handgun under sections
15.19 624.714 and 624.715 for the purpose authorized; and

15.20 (6) on a target range operated under a permit from the commissioner.

15.21 This section does not apply during an open firearms season in an area where deer
15.22 may be taken only by muzzleloader, except that muzzleloading firearms lawful for the
15.23 taking of deer may be possessed only by persons with a valid license to take deer by
15.24 muzzleloader during that season.

15.25 Sec. 31. Minnesota Statutes 2008, section 97B.045, subdivision 1, is amended to read:

15.26 Subdivision 1. **Restrictions.** (a) A person may not transport a firearm in a motor
15.27 vehicle unless the firearm is:

15.28 (1) unloaded and in a gun case expressly made to contain a firearm, and the case
15.29 fully encloses the firearm by being zipped, snapped, buckled, tied, or otherwise fastened,
15.30 and without any portion of the firearm exposed;

15.31 (2) unloaded and in the closed trunk of a motor vehicle; or

15.32 (3) a handgun carried in compliance with sections 624.714 and 624.715.

15.33 (b) Notwithstanding paragraph (a), a person may transport an unloaded, uncased
15.34 firearm, excluding a pistol as defined in paragraph (c), in a motor vehicle while at a

16.1 shooting range, as defined under section 87A.01, subdivision 3, where the person has
 16.2 received permission from the lawful owner or possessor to discharge firearms; lawfully
 16.3 hunting on private or public land; or travelling to or from a site the person intends to hunt
 16.4 lawfully that day or has hunted lawfully that day, unless:

16.5 (1) within the seven-county metropolitan area as defined in section 473.121,
 16.6 subdivision 4;

16.7 (2) within an area where the discharge of a firearm has been prohibited under section
 16.8 471.633;

16.9 (3) within the boundaries of a home rule charter or statutory city with a population
 16.10 of 2,500 or more;

16.11 (4) on school grounds as regulated under section 609.66, subdivision 1d; or

16.12 (5) otherwise restricted under section 97A.091, 97B.081, or 97B.086.

16.13 (c) For the purposes of this section, a "pistol" includes a weapon designed to be fired
 16.14 by the use of a single hand and with an overall length less than 26 inches, or having a
 16.15 barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel
 16.16 of a length less than 16 inches in the case of a rifle:

16.17 (1) from which may be fired or ejected one or more solid projectiles by means
 16.18 of a cartridge or shell or by the action of an explosive or the igniting of flammable or
 16.19 explosive substances; or

16.20 (2) for which the propelling force is a spring, elastic band, carbon dioxide, air or
 16.21 other gas, or vapor.

16.22 "Pistol" does not include a device firing or ejecting a shot measuring .18 of an inch, or
 16.23 less, in diameter and commonly known as a "BB gun," a scuba gun, a stud gun, or nail gun
 16.24 used in the construction industry or children's pop guns or toys.

16.25 Sec. 32. Minnesota Statutes 2008, section 97B.045, subdivision 2, is amended to read:

16.26 Subd. 2. **Exception for disabled persons.** The restrictions in subdivision 1 do
 16.27 not apply to a disabled person if:

16.28 (1) the person possesses a permit under section 97B.055, subdivision 3; and

16.29 ~~(2) the person is participating in a hunt sponsored by a nonprofit organization under a~~
 16.30 ~~permit from the commissioner or is hunting on property owned or leased by the person; and~~

16.31 ~~(3)~~ (2) the firearm is not loaded in the chamber until the vehicle is stationary, or is a
 16.32 hinge action firearm with the action open until the vehicle is stationary.

16.33 Sec. 33. Minnesota Statutes 2008, section 97B.051, is amended to read:

16.34 **97B.051 TRANSPORTATION OF ARCHERY BOWS.**

17.1 Except as specified under section 97B.055, subdivision 2, a person may not transport
17.2 an archery bow in a motor vehicle unless the bow is: not armed with a bolt or arrow.

17.3 ~~(1) unstrung;~~

17.4 ~~(2) completely contained in a case; or~~

17.5 ~~(3) in the closed trunk or rear-most enclosed portion of a motor vehicle that is not~~
17.6 ~~accessible from the passenger compartment.~~

17.7 Sec. 34. Minnesota Statutes 2008, section 97B.055, subdivision 3, is amended to read:

17.8 Subd. 3. **Hunting from vehicle by disabled hunters.** (a) The commissioner may
17.9 issue a special permit, without a fee, to discharge a firearm or bow and arrow from a
17.10 stationary motor vehicle to a person who obtains the required licenses and who has a
17.11 permanent physical disability that is more substantial than discomfort from walking. The
17.12 permit recipient must be:

17.13 (1) unable to step from a vehicle without aid of a wheelchair, crutches, braces, or
17.14 other mechanical support or prosthetic device; or

17.15 (2) unable to walk any distance because of a permanent lung, heart, or other internal
17.16 disease that requires the person to use supplemental oxygen to assist breathing.

17.17 (b) The permanent physical disability must be established by medical evidence
17.18 verified in writing by a licensed physician or chiropractor. The commissioner may
17.19 request additional information from the physician or chiropractor if needed to verify the
17.20 applicant's eligibility for the permit. Notwithstanding section 97A.418, the commissioner
17.21 may, in consultation with appropriate advocacy groups, establish reasonable minimum
17.22 standards for permits to be issued under this section. In addition to providing the medical
17.23 evidence of a permanent disability, the applicant must possess a valid disability parking
17.24 certificate authorized by section 169.345 or license plates issued under section 168.021.

17.25 (c) A person issued a special permit under this subdivision and hunting deer may
17.26 take a deer of either sex, except in those antlerless permit areas and seasons where no
17.27 antlerless permits are offered. This subdivision does not authorize another member of a
17.28 party to take an antlerless deer under section 97B.301, subdivision 3.

17.29 (d) A permit issued under this subdivision is valid for five years.

17.30 (e) The commissioner may deny, modify, suspend, or revoke a permit issued under
17.31 this section for cause, including a violation of the game and fish laws or rules.

17.32 (f) A person who knowingly makes a false application or assists another in making a
17.33 false application for a permit under this section is guilty of a misdemeanor. A physician or
17.34 chiropractor who fraudulently certifies to the commissioner that a person is permanently
17.35 disabled as described in this section is guilty of a misdemeanor.

18.1 (g) Notwithstanding paragraph (d), the commissioner may issue a permit valid for
18.2 the entire life of the applicant if the commissioner determines that there is no chance
18.3 that an applicant will become ineligible for a permit under this section and the applicant
18.4 requests a lifetime permit.

18.5 Sec. 35. Minnesota Statutes 2008, section 97B.086, is amended to read:

18.6 **97B.086 POSSESSION OF NIGHT VISION EQUIPMENT.**

18.7 (a) A person may not possess night vision ~~goggle~~ equipment while taking wild
18.8 animals or while having in possession, either individually or as one of a group of persons,
18.9 a firearm, bow, or other implement that could be used to take wild animals.

18.10 (b) This section does not apply to a firearm that is:

18.11 (1) unloaded;

18.12 (2) in a gun case expressly made to contain a firearm that fully encloses the firearm
18.13 by being zipped, snapped, buckled, tied, or otherwise fastened without any portion of
18.14 the firearm exposed; and

18.15 (3) in the closed trunk of a motor vehicle.

18.16 (c) This section does not apply to a bow that is:

18.17 (1) completely encased or unstrung; and

18.18 (2) in the closed trunk of a motor vehicle.

18.19 (d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm
18.20 or bow must be placed in the rearmost location of the vehicle.

18.21 ~~(e) This section does not apply to night vision goggle equipment possessed by peace~~
18.22 ~~officers or military personnel while exercising their duties.~~

18.23 Sec. 36. Minnesota Statutes 2008, section 97B.111, subdivision 1, is amended to read:

18.24 Subdivision 1. **Establishment; requirements.** The commissioner may establish
18.25 criteria, special seasons, and limits for persons who have a physical disability to take big
18.26 game and small game with firearms and by archery in designated areas. A person hunting
18.27 under this section who has a physical disability must have a verified statement of the
18.28 disability by a licensed physician and must be participating in a program for physically
18.29 disabled hunters sponsored by a nonprofit organization that is permitted under subdivision
18.30 2. Notwithstanding section 97B.055, subdivision 3, the commissioner may authorize hunt
18.31 participants to shoot from a stationary motor vehicle. A license is not required for a person
18.32 to assist a physically disabled person hunting during a special season under this section.

18.33 Sec. 37. Minnesota Statutes 2008, section 97B.211, subdivision 1, is amended to read:

19.1 Subdivision 1. **Possession of firearms prohibited.** (a) A person may not take deer
19.2 by archery while in possession of a firearm.

19.3 (b) Paragraph (a) does not apply to a handgun carried in compliance with section
19.4 624.714.

19.5 Sec. 38. Minnesota Statutes 2008, section 97B.328, subdivision 3, is amended to read:

19.6 Subd. 3. **Definition.** For purposes of this section, "bait or feed" includes grains,
19.7 fruits, vegetables, nuts, hay, or other food that is capable of attracting or enticing deer
19.8 and that has been placed by a person. Liquid scents, salt, and minerals, ~~and bird feeders~~
19.9 ~~containing grains or nuts that are at least six feet above the ground~~ are not bait or feed.
19.10 Food that has not been placed by a person and resulting from normal or accepted farming,
19.11 forest management, wildlife food plantings, orchard management, or other similar land
19.12 management activities is not bait or feed.

19.13 Sec. 39. Minnesota Statutes 2008, section 97B.425, is amended to read:

19.14 **97B.425 BAITING BEARS.**

19.15 (a) Notwithstanding section 609.68, a person may place bait to take bear and must
19.16 display a tag at each site where bait is placed and register the sites. The commissioner
19.17 shall prescribe the method of tagging and registering the sites. The tag displayed at each
19.18 site where bait is placed must contain identification information for a licensed bear hunter
19.19 or a licensed bear outfitter. A person must have the license identification number of the
19.20 person with the bear license in their possession or be a licensed bear outfitter while
19.21 attending a bear bait station. To attract bear a person may not use a bait with:

19.22 (1) a carcass from a mammal, if the carcass contains more than 25 percent of the
19.23 intact carcass;

19.24 (2) meat from mammals, if the meat contains bones;

19.25 (3) bones of mammals;

19.26 (4) solid waste containing bottles, cans, plastic, paper, or metal;

19.27 (5) materials that are not readily biodegradable; or

19.28 (6) any part of a swine, except cured pork.

19.29 (b) A private landowner or person authorized by the private landowner may use a
19.30 barrel to bait bear on the person's private land. The barrel must be securely chained or
19.31 cabled to a tree so that it cannot be moved from the site by a bear and the barrel may
19.32 not include a mechanical device for dispensing feed. The barrel must be marked with
19.33 the name and address of the person who registered the bait site. For purposes of this
19.34 paragraph, "barrel" means a 30 gallon or larger drum.

20.1 Sec. 40. Minnesota Statutes 2008, section 97B.651, is amended to read:

20.2 **97B.651 UNPROTECTED MAMMALS AND BIRDS.**

20.3 Subdivision 1. Taking unprotected mammals and birds. Mammals that are
20.4 unprotected wild animals and unprotected birds may be taken at any time and in any
20.5 manner, except with artificial lights, or by using a motor vehicle in violation of section
20.6 97B.091. Poison may not be used to take unprotected mammals or unprotected birds
20.7 unless the safety of humans and domestic livestock is ensured. Unprotected mammals and
20.8 unprotected birds may be possessed, bought, sold, or transported in any quantity, except
20.9 importation or exportation is restricted as provided in subdivision 2.

20.10 Subd. 2. Taking and possessing live coyotes. A person may not export a live
20.11 coyote out of the state or import a live coyote into the state unless authorized under a
20.12 permit from the commissioner.

20.13 Sec. 41. Minnesota Statutes 2008, section 97B.811, subdivision 2, is amended to read:

20.14 Subd. 2. **Hours for placing decoys.** Except as provided in subdivisions 3 and 4,
20.15 a person may not place decoys in public waters or on public lands more than ~~one hour~~
20.16 two hours before lawful shooting hours for waterfowl.

20.17 Sec. 42. Minnesota Statutes 2008, section 97B.811, subdivision 3, is amended to read:

20.18 Subd. 3. **Restrictions on leaving decoys unattended.** During the open season
20.19 for waterfowl, a person may not leave decoys in public waters between sunset and one
20.20 hour before lawful shooting hours or leave decoys unattended during other times for
20.21 more than four consecutive hours unless:

20.22 ~~(1) the decoys are in waters adjacent to~~ completely surrounded by private land under
20.23 ~~the control of the hunter; and~~ and there is no public access to the water.

20.24 ~~(2) there is not natural vegetation growing in water sufficient to partially conceal~~
20.25 ~~a hunter.~~

20.26 Sec. 43. Minnesota Statutes 2008, section 97B.931, subdivision 1, is amended to read:

20.27 Subdivision 1. **Restrictions.** A person may not tend a trap set for wild animals
20.28 between 10:00 p.m. and 5:00 a.m. Between 5:00 a.m. and 10:00 p.m. a person on foot
20.29 may use a portable artificial light to tend traps. While using a light in the field, the person
20.30 may not possess or use a firearm other than a handgun or rifle capable of firing only
20.31 rimfire cartridges of .17 or .22 caliber including .22 magnum.

20.32 Sec. 44. Minnesota Statutes 2008, section 97C.315, subdivision 1, is amended to read:

21.1 Subdivision 1. **Lines.** An angler may not use more than one line except two lines
21.2 may be used to take fish:

21.3 (1) ~~two lines may be used to take fish through the ice; and through the ice; or~~

21.4 (2) ~~the commissioner may, by rule, authorize the use of two lines in areas designated~~
21.5 ~~by the commissioner in Lake Superior~~ if the angler purchases a second line endorsement
21.6 for \$10.

21.7 Sec. 45. Minnesota Statutes 2008, section 97C.355, subdivision 2, is amended to read:

21.8 Subd. 2. **License required.** A person may not leave a dark house ~~or~~, fish house, or
21.9 shelter unattended on the ice at any time between midnight and one hour before sunrise
21.10 unless the house or shelter is licensed and has ~~a~~ the license tag attached to the exterior in a
21.11 readily visible location, except as provided in this subdivision. The commissioner must
21.12 issue a tag with a dark house ~~or~~, fish house, or shelter license, marked with a number to
21.13 correspond with the license and the year of issue. A dark house ~~or~~, fish house, or shelter
21.14 license is not required of a resident on boundary waters where the adjacent state does not
21.15 charge a fee for the same activity.

21.16 Sec. 46. Minnesota Statutes 2008, section 97C.371, is amended by adding a
21.17 subdivision to read:

21.18 Subd. 5. **Nonresidents.** Nonresidents may spear from a fish house or dark house.

21.19 Sec. 47. Minnesota Statutes 2008, section 97C.385, subdivision 2, is amended to read:

21.20 Subd. 2. **Summer Angling limits must be same as and spearing limits.** (a) If the
21.21 commissioner reduces the limit of a species of game fish taken by spearing in any waters
21.22 under section 97A.045, subdivision 2, the commissioner must reduce the limit for taking
21.23 of the species by angling in the waters during the following open season for angling.

21.24 (b) The commissioner shall not limit the size of a northern pike allowed to be taken
21.25 by spear.

21.26 Sec. 48. Minnesota Statutes 2008, section 97C.395, subdivision 1, is amended to read:

21.27 Subdivision 1. **Dates for certain species.** (a) The open seasons to take fish by
21.28 angling are as follows:

21.29 (1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and
21.30 smallmouth bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend
21.31 to the last Sunday in February;

21.32 (2) for lake trout, from January 1 to October 31;

22.1 (3) for the winter season for lake trout on all lakes located outside or partially within
22.2 the Boundary Waters Canoe Area, from January 15 to March 31;

22.3 (4) for the winter season for lake trout on all lakes located entirely within the
22.4 Boundary Waters Canoe Area, from January 1 to March 31;

22.5 (5) for brown trout, brook trout, rainbow trout, and splake, between January 1 to
22.6 October 31 as prescribed by the commissioner by rule except as provided in section
22.7 97C.415, subdivision 2;

22.8 ~~(5)~~ (6) for the winter season for brown trout, brook trout, rainbow trout, and splake
22.9 on all lakes, from January 15 to March 31; and

22.10 ~~(6)~~ (7) for salmon, as prescribed by the commissioner by rule.

22.11 (b) The commissioner shall close the season in areas of the state where fish are
22.12 spawning and closing the season will protect the resource.

22.13 Sec. 49. Laws 2008, chapter 368, article 2, section 25, the effective date, is amended to
22.14 read:

22.15 **EFFECTIVE DATE.** The amendments to paragraph (a) are effective March 1,
22.16 ~~2009~~ 2010.

22.17 **EFFECTIVE DATE.** This section is effective retroactively from March 1, 2009.

22.18 Sec. 50. **ELK MANAGEMENT PLAN.**

22.19 (a) Within 90 days of the effective date of this section, the commissioner of natural
22.20 resources shall:

22.21 (1) develop an elk management plan consistent with the requirements under
22.22 Minnesota Statutes, section 97B.516;

22.23 (2) present the elk management plan to the Kittson, Marshall, and Roseau County
22.24 Boards; and

22.25 (3) begin implementing the plan.

22.26 (b) If the commissioner fails to meet all the requirements in paragraph (a), the
22.27 commissioner shall establish an open season for elk in Kittson, Marsha11, and Roseau
22.28 Counties to begin in 2009 and continue until the elk population reaches 30 or less in
22.29 Marshall County and 30 or less in Kittson County.

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

22.31 Sec. 51. **RULEMAKING.**

23.1 (a) The commissioner of natural resources shall adopt or amend rules to establish
 23.2 minimum size limits for muskellunge on inland waters consistent with the provisions
 23.3 of this section. The commissioner must:

23.4 (1) establish a 48-inch statewide minimum size restriction for muskellunge and
 23.5 muskellunge-northern pike hybrids in inland waters, except for the lakes listed in clause
 23.6 (2) that are managed specifically for muskellunge-northern pike hybrids in Carver, Dakota,
 23.7 Hennepin, Ramsey, Scott, and Washington Counties; and

23.8 (2) establish a 40-inch minimum size restriction for muskellunge-northern pike
 23.9 hybrids in the following lakes in Carver, Dakota, Hennepin, Ramsey, Scott, and
 23.10 Washington Counties:

	<u>LAKE</u>	<u>COUNTY</u>
23.11	<u>Bryant</u>	<u>Hennepin</u>
23.12	<u>Bush</u>	<u>Hennepin</u>
23.13	<u>Calhoun</u>	<u>Hennepin</u>
23.14	<u>Cedar</u>	<u>Hennepin</u>
23.15	<u>Cedar</u>	<u>Scott</u>
23.16	<u>Clear</u>	<u>Washington</u>
23.17	<u>Crystal</u>	<u>Dakota</u>
23.18	<u>Crystal</u>	<u>Hennepin</u>
23.19	<u>Eagle</u>	<u>Carver</u>
23.20	<u>Elmo</u>	<u>Washington</u>
23.21	<u>Gervais</u>	<u>Ramsey</u>
23.22	<u>Island</u>	<u>Ramsey</u>
23.23	<u>Isles</u>	<u>Hennepin</u>
23.24	<u>Johanna</u>	<u>Ramsey</u>
23.25	<u>Nokomis</u>	<u>Hennepin</u>
23.26	<u>Orchard</u>	<u>Dakota</u>
23.27	<u>Phalen</u>	<u>Ramsey</u>
23.28	<u>Pierson</u>	<u>Carver</u>
23.29	<u>Silver</u>	<u>Ramsey</u>
23.30	<u>Wasserman</u>	<u>Carver</u>
23.31	<u>Weaver</u>	<u>Hennepin</u>

23.32

23.33 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
 23.34 section 14.388, subdivision 1, clause (3), to adopt the rules. Minnesota Statutes, section
 23.35 14.386, does not apply except as provided in Minnesota Statutes, section 14.388.

23.36 **Sec. 52. REPEALER.**

23.37 Minnesota Statutes 2008, sections 97A.525, subdivision 2; 97B.301, subdivisions 7
 23.38 and 8; and 97C.405, are repealed.

ARTICLE 2

STATE LAND ADMINISTRATION

24.1
24.2

24.3 Section 1. Minnesota Statutes 2008, section 84.0273, is amended to read:

24.4 **84.0273 ESTABLISHMENT OF BOUNDARY LINES RELATING TO**
24.5 **CERTAIN STATE LANDHOLDINGS.**

24.6 (a) In order to resolve boundary line issues affecting the ownership interests of the
24.7 state and adjacent landowners, the commissioner of natural resources may, in the name
24.8 of the state upon terms the commissioner deems appropriate, convey, by a boundary line
24.9 agreement, quitclaim deed, or management agreement in such form as the attorney general
24.10 approves, such rights, titles, and interests of the state in state lands for such rights, titles
24.11 and interests in adjacent lands as are necessary for the purpose of establishing boundaries.
24.12 A notice of the proposed conveyance and a brief statement of the reason therefor shall be
24.13 published once in the State Register by the commissioner between 15 and 30 days prior
24.14 to conveyance. The provisions of this ~~section~~ paragraph are not intended to replace or
24.15 supersede laws relating to land exchange or disposal of surplus state property.

24.16 (b) In order to resolve trespass issues affecting the ownership interests of the state
24.17 and adjacent landowners, the commissioner of natural resources, in the name of the state,
24.18 may sell surplus lands not needed for natural resource purposes at private sale to adjoining
24.19 property owners and leaseholders. The conveyance must be by quitclaim in a form
24.20 approved by the attorney general for a consideration not less than the value determined
24.21 according to section 94.10, subdivision 1.

24.22 (c) Paragraph (b) applies to all state-owned lands managed by the commissioner of
24.23 natural resources, except school trust land as defined in section 92.025. For acquired lands,
24.24 the commissioner may sell the surplus lands as provided in paragraph (b) notwithstanding
24.25 the offering to public entities, public sale, and related notice and publication requirements
24.26 of sections 94.09 to 94.165. For consolidated conservation lands, the commissioner may
24.27 sell the surplus lands as provided in paragraph (b) notwithstanding the classification and
24.28 public sale provisions of chapters 84A and 282.

24.29 **Sec. 2. [84.0277] CAMP RIPLEY BUFFER EASEMENTS.**

24.30 Subdivision 1. **Acquisition authorized.** The commissioner may acquire, from
24.31 willing sellers, perpetual conservation easements on behalf of the state and federal
24.32 government consistent with Camp Ripley's Army compatible use buffer project. This
24.33 project is geographically defined as a three-mile zone around Camp Ripley in central
24.34 Minnesota.

25.1 Subd. 2. **Payments; terms.** Notwithstanding sections 84.0272, subdivision 1,
25.2 and 84.0274, subdivision 5, paragraph (b), the commissioner may make payments to a
25.3 landowner under this subdivision to acquire a perpetual conservation easement according
25.4 to subdivision 1. The onetime payment may be based on the following:

25.5 (1) if the easement prohibits the construction of any new buildings or permanent
25.6 structures upon the land, the commissioner may pay 60 percent of the most recent assessed
25.7 market value of the land as determined by the county assessor of the county in which the
25.8 land is located; or

25.9 (2) if the easement prohibits the construction of any new buildings or permanent
25.10 structures upon the land and grants the public the right to access the land for natural
25.11 resource-based outdoor recreation, the commissioner may pay 70 percent of the most
25.12 recent assessed market value of the land as determined by the county assessor of the
25.13 county in which the land is located.

25.14 Sec. 3. Minnesota Statutes 2008, section 282.04, subdivision 1, is amended to read:

25.15 Subdivision 1. **Timber sales; land leases and uses.** (a) The county auditor may
25.16 sell timber upon any tract that may be approved by the natural resources commissioner.
25.17 The sale of timber shall be made for cash at not less than the appraised value determined
25.18 by the county board to the highest bidder after not less than one week's published notice
25.19 in an official paper within the county. Any timber offered at the public sale and not sold
25.20 may thereafter be sold at private sale by the county auditor at not less than the appraised
25.21 value thereof, until the time as the county board may withdraw the timber from sale. The
25.22 appraised value of the timber and the forestry practices to be followed in the cutting of
25.23 said timber shall be approved by the commissioner of natural resources.

25.24 (b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be
25.25 made in cash at the time of the timber sale, except in the case of oral or sealed bid auction
25.26 sales, the down payment shall be no less than 15 percent of the appraised value, and the
25.27 balance shall be paid prior to entry. In the case of auction sales that are partitioned and
25.28 sold as a single sale with predetermined cutting blocks, the down payment shall be no less
25.29 than 15 percent of the appraised price of the entire timber sale which may be held until the
25.30 satisfactory completion of the sale or applied in whole or in part to the final cutting block.
25.31 The value of each separate block must be paid in full before any cutting may begin in that
25.32 block. With the permission of the county contract administrator the purchaser may enter
25.33 unpaid blocks and cut necessary timber incidental to developing logging roads as may
25.34 be needed to log other blocks provided that no timber may be removed from an unpaid
25.35 block until separately scaled and paid for. If payment is provided as specified in this

26.1 paragraph as security under paragraph (a) and no cutting has taken place on the contract,
26.2 the county auditor may credit the security provided, less any down payment required for
26.3 an auction sale under this paragraph, to any other contract issued to the contract holder
26.4 by the county under this chapter to which the contract holder requests in writing that it
26.5 be credited, provided the request and transfer is made within the same calendar year as
26.6 the security was received.

26.7 (c) The county board may sell any timber, including biomass, as appraised or scaled.
26.8 Any parcels of land from which timber is to be sold by scale of cut products shall be so
26.9 designated in the published notice of sale under paragraph (a), in which case the notice
26.10 shall contain a description of the parcels, a statement of the estimated quantity of each
26.11 species of timber, and the appraised price of each species of timber for 1,000 feet, per cord
26.12 or per piece, as the case may be. In those cases any bids offered over and above the
26.13 appraised prices shall be by percentage, the percent bid to be added to the appraised price
26.14 of each of the different species of timber advertised on the land. The purchaser of timber
26.15 from the parcels shall pay in cash at the time of sale at the rate bid for all of the timber
26.16 shown in the notice of sale as estimated to be standing on the land, and in addition shall
26.17 pay at the same rate for any additional amounts which the final scale shows to have been
26.18 cut or was available for cutting on the land at the time of sale under the terms of the sale.
26.19 Where the final scale of cut products shows that less timber was cut or was available
26.20 for cutting under terms of the sale than was originally paid for, the excess payment
26.21 shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be
26.22 audited and allowed by the county board as in case of other claims against the county. No
26.23 timber, except hardwood pulpwood, may be removed from the parcels of land or other
26.24 designated landings until scaled by a person or persons designated by the county board
26.25 and approved by the commissioner of natural resources. Landings other than the parcel
26.26 of land from which timber is cut may be designated for scaling by the county board by
26.27 written agreement with the purchaser of the timber. The county board may, by written
26.28 agreement with the purchaser and with a consumer designated by the purchaser when the
26.29 timber is sold by the county auditor, and with the approval of the commissioner of natural
26.30 resources, accept the consumer's scale of cut products delivered at the consumer's landing.
26.31 No timber shall be removed until fully paid for in cash. Small amounts of timber not
26.32 exceeding \$3,000 in appraised valuation may be sold for not less than the full appraised
26.33 value at private sale to individual persons without first publishing notice of sale or calling
26.34 for bids, provided that in case of a sale involving a total appraised value of more than \$200
26.35 the sale shall be made subject to final settlement on the basis of a scale of cut products in

27.1 the manner above provided and not more than two of the sales, directly or indirectly to any
27.2 individual shall be in effect at one time.

27.3 (d) As directed by the county board, the county auditor may lease tax-forfeited land
27.4 to individuals, corporations or organized subdivisions of the state at public or private sale,
27.5 and at the prices and under the terms as the county board may prescribe, for use as cottage
27.6 and camp sites and for agricultural purposes and for the purpose of taking and removing of
27.7 hay, stumpage, sand, gravel, clay, rock, marl, and black dirt from the land, and for garden
27.8 sites and other temporary uses provided that no leases shall be for a period to exceed ten
27.9 years; provided, further that any leases involving a consideration of more than \$12,000 per
27.10 year, except to an organized subdivision of the state shall first be offered at public sale in
27.11 the manner provided herein for sale of timber. Upon the sale of any leased land, it shall
27.12 remain subject to the lease for not to exceed one year from the beginning of the term of the
27.13 lease. Any rent paid by the lessee for the portion of the term cut off by the cancellation
27.14 shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be
27.15 audited and allowed by the county board as in case of other claims against the county.

27.16 (e) As directed by the county board, the county auditor may lease tax-forfeited land
27.17 to individuals, corporations, or organized subdivisions of the state at public or private sale,
27.18 at the prices and under the terms as the county board may prescribe, for the purpose
27.19 of taking and removing for use for road construction and other purposes tax-forfeited
27.20 stockpiled iron-bearing material. The county auditor must determine that the material is
27.21 needed and suitable for use in the construction or maintenance of a road, tailings basin,
27.22 settling basin, dike, dam, bank fill, or other works on public or private property, and
27.23 that the use would be in the best interests of the public. No lease shall exceed ten years.
27.24 The use of a stockpile for these purposes must first be approved by the commissioner of
27.25 natural resources. The request shall be deemed approved unless the requesting county
27.26 is notified to the contrary by the commissioner of natural resources within six months
27.27 after receipt of a request for approval for use of a stockpile. Once use of a stockpile has
27.28 been approved, the county may continue to lease it for these purposes until approval is
27.29 withdrawn by the commissioner of natural resources.

27.30 (f) The county auditor, with the approval of the county board is authorized to grant
27.31 permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores,
27.32 tailings, or waste products from mines or ore milling plants, or to use for facilities needed
27.33 to recover iron-bearing oxides from tailings basins or stockpiles, or for a buffer area needed
27.34 for a mining operation, upon the conditions and for the consideration and for the period
27.35 of time, not exceeding ~~15~~ 25 years, as the county board may determine. The permits,
27.36 licenses, or leases are subject to approval by the commissioner of natural resources.

28.1 (g) Any person who removes any timber from tax-forfeited land before said
28.2 timber has been scaled and fully paid for as provided in this subdivision is guilty of a
28.3 misdemeanor.

28.4 (h) The county auditor may, with the approval of the county board, and without first
28.5 offering at public sale, grant leases, for a term not exceeding 25 years, for the removal
28.6 of peat and for the production or removal of farm-grown closed-loop biomass as defined
28.7 in section 216B.2424, subdivision 1, or short-rotation woody crops from tax-forfeited
28.8 lands upon the terms and conditions as the county board may prescribe. Any lease for
28.9 the removal of peat, farm-grown closed-loop biomass, or short-rotation woody crops
28.10 from tax-forfeited lands must first be reviewed and approved by the commissioner of
28.11 natural resources if the lease covers 320 or more acres. No lease for the removal of
28.12 peat, farm-grown closed-loop biomass, or short-rotation woody crops shall be made by
28.13 the county auditor pursuant to this section without first holding a public hearing on the
28.14 auditor's intention to lease. One printed notice in a legal newspaper in the county at least
28.15 ten days before the hearing, and posted notice in the courthouse at least 20 days before
28.16 the hearing shall be given of the hearing.

28.17 (i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis
28.18 County auditor may, at the discretion of the county board, sell timber to the party who
28.19 bids the highest price for all the several kinds of timber, as provided for sales by the
28.20 commissioner of natural resources under section 90.14. Bids offered over and above the
28.21 appraised price need not be applied proportionately to the appraised price of each of
28.22 the different species of timber.

28.23 (j) In lieu of any payment or deposit required in paragraph (b), as directed by the
28.24 county board and under terms set by the county board, the county auditor may accept an
28.25 irrevocable bank letter of credit in the amount equal to the amount otherwise determined
28.26 in paragraph (b). If an irrevocable bank letter of credit is provided under this paragraph,
28.27 at the written request of the purchaser, the county may periodically allow the bank letter
28.28 of credit to be reduced by an amount proportionate to the value of timber that has been
28.29 harvested and for which the county has received payment. The remaining amount of
28.30 the bank letter of credit after a reduction under this paragraph must not be less than 20
28.31 percent of the value of the timber purchased. If an irrevocable bank letter of credit or
28.32 cash deposit is provided for the down payment required in paragraph (b), and no cutting
28.33 of timber has taken place on the contract for which a letter of credit has been provided,
28.34 the county may allow the transfer of the letter of credit to any other contract issued to the
28.35 contract holder by the county under this chapter to which the contract holder requests in
28.36 writing that it be credited.

29.1 Sec. 4. Laws 2008, chapter 368, article 1, section 21, subdivision 4, is amended to read:

29.2 Subd. 4. **[85.012] [Subd. 38.] Lake Shetek State Park, Murray County.** The
29.3 following areas are deleted from Lake Shetek State Park:

29.4 (1) Blocks 3 and 4 of Forman Acres according to the plat on file and of record in the
29.5 Office of the Recorder for Murray County;

29.6 (2) the Hudson Acres subdivision according to the plat on file and of record in the
29.7 Office of the Recorder for Murray County; and

29.8 (3) that part of Government Lot 6 ~~and~~, that part of Government Lot 7, and that part
29.9 of Government Lot 8 of Section 6, Township 107 North, Range 40 West, and that part of
29.10 Government Lot 1 and that part of Government Lot 2 of Section 7, Township 107 North,
29.11 Range 40 West, Murray County, Minnesota, described as follows:

29.12 Commencing at the East Quarter Corner of said Section 6; thence on a bearing based
29.13 on the 1983 Murray County Coordinate System (1996 Adjustment), of South 00 degrees
29.14 ~~22 minutes 05 seconds East 1405.16~~ 17 minutes 23 seconds East 1247.75 feet along the
29.15 east line of said Section 6; thence ~~North 89 degrees 07 minutes 01 second West 1942.39~~
29.16 South 88 degrees 39 minutes 00 seconds West 1942.74 feet; thence South 03 degrees 33
29.17 minutes 00 seconds West 94.92 feet to the northeast corner of Block 5 of FORMAN
29.18 ACRES, according to the recorded plat thereof on file and of record in the Murray County
29.19 Recorder's Office; thence South 14 degrees 34 minutes 00 seconds West 525.30 feet along
29.20 the easterly line of said Block 5 and along the easterly line of the Private Roadway of
29.21 FORMAN ACRES to the southeasterly corner of said Private Roadway and the POINT
29.22 OF BEGINNING; thence North 82 degrees 15 minutes 00 seconds West 796.30 feet along
29.23 the southerly line of said Private Roadway to an angle point on said line and an existing
29.24 1/2 inch diameter rebar; thence South 64 degrees 28 minutes 26 seconds West 100.06
29.25 feet along the southerly line of said Private Roadway to an angle point on said line and
29.26 an existing 1/2 inch diameter rebar; thence South 33 degrees 01 minute 32 seconds West
29.27 279.60 feet along the southerly line of said Private Roadway to an angle point on said line;
29.28 thence South 76 degrees 04 minutes 52 seconds West 766.53 feet along the southerly line
29.29 of said Private Roadway to a 3/4 inch diameter rebar with a plastic cap stamped "MN DNR
29.30 LS 17003" (DNR MON); thence South 16 degrees 24 minutes 50 seconds West 470.40
29.31 feet to a DNR MON; thence South 24 degrees 09 minutes 57 seconds West 262.69 feet to
29.32 a DNR MON; thence South 08 degrees 07 minutes 09 seconds West 332.26 feet to a DNR
29.33 MON; thence North 51 degrees 40 minutes 02 seconds West 341.79 feet to the east line of
29.34 Lot A of Lot 1 of LOT A OF GOV. LOT 8, OF SEC. 6 AND LOT A OF GOV. LOT 1, OF
29.35 SEC 7 TP. 107 RANGE 40, according to the recorded plat thereof on file and of record
29.36 in the Murray County Recorder's Office and a DNR MON; thence South 14 degrees 28

30.1 minutes 55 seconds West 71.98 feet along the east line of said Lot A to the northerly most
30.2 corner of Lot 36 of HUDSON ACRES, according to the record plat thereof on file and of
30.3 record in the Murray County Recorder's Office and an existing steel fence post; thence
30.4 South 51 degrees 37 minutes 05 seconds East 418.97 feet along the northeasterly line of
30.5 said Lot 36 and along the northeasterly line of Lots 35, 34, 33, 32 of HUDSON ACRES to
30.6 an existing 1 inch inside diameter iron pipe marking the easterly most corner of Lot 32
30.7 and the most northerly corner of Lot 31A of HUDSON ACRES; thence South 48 degrees
30.8 33 minutes 10 seconds East 298.26 feet along the northeasterly line of said Lot 31A to an
30.9 existing 1 1/2 inch inside diameter iron pipe marking the easterly most corner thereof and
30.10 the most northerly corner of Lot 31 of HUDSON ACRES; thence South 33 degrees 53
30.11 minutes 30 seconds East 224.96 feet along the northeasterly line of said Lot 31 and along
30.12 the northeasterly line of Lots 30 and 29 of HUDSON ACRES to an existing 1 1/2 inch
30.13 inside diameter iron pipe marking the easterly most corner of said Lot 29 and the most
30.14 northerly corner of Lot 28 of ~~HUDSONS~~ HUDSON ACRES; thence South 45 degrees 23
30.15 minutes 54 seconds East 375.07 feet along the northeasterly line of said Lot 28 and along
30.16 the northeasterly line of Lots 27, 26, 25, 24 of HUDSON ACRES to an existing 1 1/2 inch
30.17 inside diameter iron pipe marking the easterly most corner of said Lot 24 and the most
30.18 northerly corner of Lot 23 of HUDSON ACRES; thence South 64 degrees 39 minutes
30.19 53 seconds East 226.80 feet along the northeasterly line of said Lot 23 and along the
30.20 northeasterly line of Lots 22 and 21 of HUDSON ACRES to an existing 1 1/2 inch inside
30.21 diameter iron pipe marking the easterly most corner of said Lot 21 and the most northerly
30.22 corner of Lot 20 of HUDSON ACRES; thence South 39 degrees 49 minutes 49 seconds
30.23 East 524.75 feet along the northeasterly line of said Lot 20 and along the northeasterly
30.24 line of Lots 19, 18, 17, 16, 15, 14 of HUDSON ACRES to an existing 1 1/2 inch inside
30.25 diameter iron pipe marking the easterly most corner of said Lot 14 and the most northerly
30.26 corner of Lot 13 of HUDSON ACRES; thence South 55 degrees 31 minutes 43 seconds
30.27 East 225.11 feet along the northeasterly line of said Lot 13 and along the northeasterly
30.28 line of Lots 12 and 11 of HUDSON ACRES to an existing 1 1/2 inch inside diameter iron
30.29 pipe marking the easterly most corner of said Lot 11 and the northwest corner of Lot 10
30.30 of HUDSON ACRES; thence South 88 degrees 03 minutes 49 seconds East 224.90 feet
30.31 along the north line of said Lot 10 and along the north line of Lots 9 and 8 of HUDSON
30.32 ACRES to an existing 1 1/2 inch inside diameter iron pipe marking the northeast corner
30.33 of said Lot 8 and the northwest corner of Lot 7 of HUDSON ACRES; thence North 84
30.34 degrees 07 minutes 37 seconds East 525.01 feet along the north line of said Lot 7 and
30.35 along the north line of Lots 6, 5, 4, 3, 2, 1 of HUDSON ACRES to an existing 1 1/2 inch
30.36 inside diameter iron pipe marking the northeast corner of said Lot 1 of HUDSON ACRES;

31.1 thence southeasterly, easterly and northerly along a non-tangential curve concave to the
 31.2 north having a radius of 50.00 feet, central angle 138 degrees ~~41 minutes 58 seconds~~ 42
 31.3 minutes 00 seconds, a distance of 121.04 feet, chord bears North 63 degrees 30 minutes 12
 31.4 seconds East; thence continuing northwesterly and westerly along the previously described
 31.5 curve concave to the south having a radius of 50.00 feet, central angle 138 degrees 42
 31.6 minutes 00 seconds, a distance of 121.04 feet, chord bears North 75 degrees 11 minutes 47
 31.7 seconds West and a DNR MON; thence South 84 degrees 09 minutes 13 seconds West not
 31.8 tangent to said curve 520.52 feet to a DNR MON; thence North 88 degrees 07 minutes 40
 31.9 seconds West 201.13 feet to a DNR MON; thence North 55 degrees 32 minutes 12 seconds
 31.10 West 196.66 feet to a DNR MON; thence North 39 degrees 49 minutes 59 seconds West
 31.11 530.34 feet to a DNR MON; thence North 64 degrees 41 minutes 41 seconds West 230.01
 31.12 feet to a DNR MON; thence North 45 degrees 23 minutes 00 seconds West 357.33 feet to
 31.13 a DNR MON; thence North 33 degrees 53 minutes ~~32~~ 30 seconds West 226.66 feet to a
 31.14 DNR MON; thence North 48 degrees 30 minutes 31 seconds West 341.45 feet to a DNR
 31.15 MON; thence North 08 degrees 07 minutes 09 seconds East 359.28 feet to a DNR MON;
 31.16 thence North 24 degrees 09 minutes ~~58~~ 57 seconds East 257.86 feet to a DNR MON;
 31.17 thence North 16 degrees 24 minutes 50 seconds East 483.36 feet to a DNR MON; thence
 31.18 North 76 degrees 04 minutes ~~53~~ 52 seconds East 715.53 feet to a DNR MON; thence
 31.19 North 33 degrees 01 minute 32 seconds East 282.54 feet to a DNR MON; thence North
 31.20 64 degrees 28 minutes ~~25~~ 26 seconds East 84.97 feet to a DNR MON; thence South 82
 31.21 degrees 15 minutes 00 seconds East 788.53 feet to a DNR MON; thence North 07 degrees
 31.22 45 minutes 07 seconds East 26.00 feet to the point of beginning; containing 7.55 acres.

31.23 Sec. 5. Laws 2008, chapter 368, article 1, section 21, subdivision 5, is amended to read:

31.24 Subd. 5. **[85.012] [Subd. 44a.] Moose Lake State Park, Carlton County.** The
 31.25 following areas are deleted from Moose Lake State Park, all in Township 46 North, Range
 31.26 19 West, Carlton County:

31.27 (1) Parcel A: the West 660.00 feet of the Southwest Quarter of the Northeast Quarter
 31.28 of Section 28;

31.29 (2) Parcel B: the West 660.00 feet of the Northwest Quarter of the Southeast Quarter
 31.30 of Section 28 lying northerly of a line 75.00 feet northerly of and parallel with the
 31.31 centerline of State Trunk Highway 73, and subject to a taking for highway purposes of a
 31.32 100.00-foot wide strip for access and also subject to highway and road easements;

31.33 (3) Parcel C: the West 660.00 feet of the Southwest Quarter of the Southeast Quarter
 31.34 of Section 28 lying northerly of a line 75.00 feet northerly of and parallel with the
 31.35 centerline of State Trunk Highway 73, and subject to taking for highway purposes of a

32.1 road access under S.P. 0919 (311-311) 901 from State Trunk Highway 73 to old County
32.2 Road 21, said access being 100.00 feet in width with triangular strips of land adjoining it at
32.3 the northerly line of State Trunk Highway 73, and subject to highway and road easements;

32.4 (4) Parcel G: that part of Government Lot \pm 2 of Section 28, which lies northerly
32.5 of the westerly extension of the northerly line of the Southwest Quarter of the Northeast
32.6 Quarter of said Section 28, and southerly of the westerly extension of the northerly line of
32.7 the South 660.00 feet of the Northwest Quarter of the Northeast Quarter of said Section 28;

32.8 (5) Parcel H: the South 660.00 feet of the Northwest Quarter of the Northeast
32.9 Quarter of Section 28;

32.10 (6) Parcel I: the Southwest Quarter of the Northeast Quarter of Section 28, except
32.11 the West 660.00 feet of said Southwest Quarter; and

32.12 (7) Parcel J: that part of the North One-Half of the Southeast Quarter of Section 28,
32.13 described as follows: Commencing at the northwest corner of said North One-Half of the
32.14 Southeast Quarter; thence South 89 degrees 57 minutes 36 seconds East along the north
32.15 line of said North One-Half of the Southeast Quarter a distance of 660.01 feet to the east
32.16 line of the West 660.00 feet of said North One-Half of the Southeast Quarter and the actual
32.17 point of beginning; thence continue South 89 degrees 57 minutes 36 seconds East along
32.18 the north line of said North One-Half of the Southeast Quarter a distance of 657.40 feet to
32.19 the southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 28;
32.20 thence South 00 degrees 19 minutes 17 seconds West, parallel to the west line of said North
32.21 One-Half of the Southeast Quarter a distance of 715.12 feet to the westerly right-of-way
32.22 of US Interstate Highway 35; thence along said westerly right-of-way of US Interstate
32.23 Highway 35 a distance of 457.86 feet on a nontangential curve, concave to the southeast,
32.24 having a radius of 1,0 54.93 feet, a central angle of 24 degrees 52 minutes 03 seconds, and
32.25 a chord bearing of South 39 degrees 00 minutes 37 seconds West; thence South 46 degrees
32.26 44 minutes 11 seconds West along said westerly right-of-way of US Interstate Highway 35
32.27 a distance of 295.30 feet to the northerly right-of-way of Minnesota Trunk Highway 73;
32.28 thence 163.55 feet along said northerly right-of-way of Minnesota Trunk Highway 73 on
32.29 a nontangential curve, concave to the south, having a radius of 1, 984.88 feet, a central
32.30 angle of 4 degrees 43 minutes 16 seconds, and a chord bearing of South 77 degrees 39
32.31 minutes 40 seconds West to the east line of the West 660.00 feet of said North One-Half of
32.32 the Southeast Quarter; thence North 00 degrees 19 minutes 17 seconds East a distance of
32.33 1, 305.90 feet, more or less, to the point of beginning and there terminating.

32.34 Sec. 6. **ADDITIONS TO STATE PARKS.**

33.1 Subdivision 1. [85.012] [Subd. 18.] Fort Snelling State Park, Ramsey, Hennepin
33.2 and Dakota Counties. The following area is added to Fort Snelling State Park, Hennepin
33.3 County: that part of Section 20, Township 29 North, Range 23 West, described as follows:
33.4 From monument number 2, located on the westerly extension of the south boundary
33.5 of the U.S. Department of the Interior, Bureau of Mines; thence South 89 degrees 52
33.6 minutes 00 seconds East along said south boundary of the Bureau of Mines, 478.97 feet to
33.7 reference point 1 on the easterly right-of-line of Trunk Highway No. 55 and the point of
33.8 beginning; thence South 48 degrees 48 minutes 53 seconds East, 458.74 feet along the
33.9 easterly right-of-way line of said Trunk Highway No. 55; thence North 23 degrees 48
33.10 minutes 00 seconds East, 329.00 feet to the south boundary of the Bureau of Mines; thence
33.11 North 89 degrees 52 minutes 00 seconds West, 478.07 feet along said south boundary of
33.12 the Bureau of Mines to the point of beginning.

33.13 Subd. 2. [85.012] [Subd. 42.] Mille Lacs Kathio State Park, Mille Lacs County.

33.14 The following areas are added to Mille Lacs Kathio State Park, Mille Lacs County:

33.15 (1) Government Lot 4 of the Northwest Quarter of the Northwest Quarter; all
33.16 in Section 25, Township 42, Range 27, less a tract to highway described as follows:
33.17 Commencing at a point approximately 270.0 feet East of the southwest corner of
33.18 Government Lot 4, Section 25, Township 42 North, Range 27 West, Engineers Station
33.19 71+00; thence North 26 degrees 56 minutes West to the west line of Section 25 at
33.20 Engineers Station 77+07.4 a distance of 607.4 feet and there terminating. The above
33.21 describes the center line of an 82.5-foot right-of-way for the reconstruction of County
33.22 State-Aid Highway No. 26 and contains 0.23 acres in addition to the present 66-foot
33.23 right-of-way, Mille Lacs County, Minnesota;

33.24 (2) Government Lot 5, Section 25, Township 42, Range 27;

33.25 (3) that part of Government Lot 1, Section 26, Township 42 North, Range 27
33.26 West, Mille Lacs County, Minnesota, EXCEPT that part of Government Lot 1, Section
33.27 26, Township 42 North, Range 27 West, Mille Lacs County, Minnesota, described as
33.28 follows: Beginning at the northeast corner of said Government Lot 1; thence North 89
33.29 degrees 09 minutes 54 seconds West, bearing based on Mille Lacs County Coordinate
33.30 System, along the north line of said Government Lot 1 a distance of 665.82 feet to a
33.31 3/4 inch iron rod with survey cap stamped "MN DNR LS 16098" (DNR monument);
33.32 thence South 00 degrees 00 minutes 00 seconds West a distance of 241.73 feet to a DNR
33.33 monument; thence continuing South 00 degrees 00 minutes 00 seconds West a distance of
33.34 42.18 feet to a P.K. nail in the centerline of County Road 26; thence southeasterly along
33.35 the centerline of County Road 26 a distance of 860 feet, more or less, to the east line of
33.36 said Government Lot 1; thence North 00 degrees 22 minutes 38 seconds East along the

34.1 east line of said Government Lot 1 a distance of 763 feet, more or less, to the point of
34.2 beginning, containing 6.6 acres, more or less. AND EXCEPT, that part of Government
34.3 Lot 1, Section 26, Township 42 North, Range 27 West, described as follows: Commencing
34.4 at a point where the west line of the Northwest Quarter of the Northwest Quarter, Section
34.5 25, Township 42, Range 27, intersects the meander line of lake commonly known and
34.6 designated as "Warren Lake"; thence North along the west line of said forty a distance
34.7 of 20 rods; thence West at right angles to the meander line of said Warren Lake; thence
34.8 in a southeasterly direction to the point of beginning; and

34.9 (4) Government Lot 2, Section 26, Township 42 North, Range 27 West, Mille Lacs
34.10 County, Minnesota.

34.11 **Sec. 7. DELETIONS FROM STATE PARKS.**

34.12 **Subdivision 1. [85.012] [Subd. 21.] Lake Bemidji State Park, Beltrami County.**

34.13 The following area is deleted from Lake Bemidji State Park, all in Beltrami County: that
34.14 part of Government Lot 5, Section 24, Township 147 North, Range 33 West, Beltrami
34.15 County, Minnesota described as follows: Commencing at the most easterly corner of Lot
34.16 2, Block 1, Shady Cove, according to the recorded plat thereof; thence northeasterly
34.17 along the northeasterly extension of the line between Lots 1 and 2, Block 1 in said plat,
34.18 a distance of 66.00 feet, to the point of beginning of the land to be described; thence
34.19 continuing along last described course a distance of 150.00 feet; thence deflecting to the
34.20 left 90 degrees 00 minutes 00 seconds, a distance of 607.70 feet; thence westerly along a
34.21 line perpendicular to the westerly boundary of said Government Lot 5 to the west line of
34.22 said Government Lot 5; thence South along the westerly boundary of said Government
34.23 Lot 5 to intersect a line 66.00 feet northeasterly of, as measured at a right angle to and
34.24 parallel with the northeasterly line of Block 1, said Shady Cove; thence southeasterly
34.25 along said parallel line to the point of beginning.

34.26 **Subd. 2. [85.012] [Subd. 24a.] Great River Bluffs State Park, Winona County.**

34.27 The following areas are deleted from Great River Bluffs State Park, Winona County:

34.28 (1) beginning at a point 200 feet West from the southeast corner of Lot 2, Section 26,
34.29 Township 106 North, Range 5 West; thence West on lot line between Lots 2 and 3, 380
34.30 feet; thence North 58 degrees East, 320 feet; thence South 32 degrees East, 205 feet to
34.31 place of beginning, containing 85/100 of an acre, more or less, Winona County, Minnesota;

34.32 (2) commencing at a point 200 feet West from the northeast corner of Lot 3, Section
34.33 26, Township 106 North, Range 5 West; thence South 33 degrees East 300 feet; thence
34.34 South 58 degrees West 290 feet; thence North 32 degrees West, 490 feet to the lot line

35.1 between Lots 2 and 3; thence East 350 feet to the place of beginning, containing 3 acres,
35.2 more or less, Winona County, Minnesota;

35.3 (3) that part of the recorded plat of East Richmond, Winona County, Minnesota,
35.4 lying within Section 27, Township 106 North, Range 5 West, that lies northwesterly of the
35.5 southeasterly line of Jefferson Street, as dedicated in said plat and that lies southwesterly
35.6 of the southwesterly right-of-way line of U.S. Highway No. 61;

35.7 (4) Lots 7 and 8, Block B, of Fern Glen Acres, the same being located upon and
35.8 forming a part of Government Lot 1, Section 35; Lot 9 in Block B of Fern Glen Acres,
35.9 township of Richmond, according to the recorded plat thereof; beginning at the southeast
35.10 corner of Lot 9, Block B, Fern Glen Acres, South 33 degrees East 140 feet; thence South
35.11 70 degrees West 208 feet; thence North 33 degrees West 140 feet to the southwest line of
35.12 Lot 9, Block B, Fern Glen Acres; thence North 57 degrees East on the southwest line of
35.13 Lot 9, Block B, Fern Glen Acres, to place of beginning, all in Government Lot 1, Section
35.14 35, Township 106 North, Range 5 West, containing 3/4 acre more or less;

35.15 (5) that part of Government Lot 1, Section 35, Township 106, Range 5, Winona
35.16 County, Minnesota, which is more particularly bounded and described as follows, to wit:
35.17 Commencing at the southwest corner of Lot 9 of Block "B" of the Plat of Fern Glen Acres;
35.18 thence in a northeasterly direction and along the southerly line of said Lot 9 for a distance
35.19 of 36.0 feet; thence deflect to the right 90 degrees 00 minutes, for a distance of 107.81 feet
35.20 to an iron pipe which marks the point of beginning; thence continue in a southeasterly
35.21 direction along the last described course for a distance of 73.78 feet; thence deflect to
35.22 the left 9 degrees 04 minutes, for a distance of 32.62 feet; thence deflect to the right 90
35.23 degrees 00 minutes, for a distance of 73.23 feet; thence deflect to the right 89 degrees 20
35.24 minutes, for a distance of 104.04 feet; thence deflect to the right 9 degrees 44 minutes, for
35.25 a distance of 35.00 feet; thence deflect to the right 90 degrees 00 minutes, for a distance of
35.26 64.75 feet; thence deflect to the right on a curve (Delta angle 90 degrees 00 minutes, radius
35.27 20.00 minutes) for an arc distance of 31.42 feet, more or less, to the point of beginning;

35.28 (6) that part of Government Lot 1, Section 35, Township 106, Range 5, Winona
35.29 County, Minnesota, which is more particularly bounded and described as follows:
35.30 Commencing at the southwest corner of Lot 9 of Block "B" of Fern Glen Acres; thence in
35.31 a northeasterly direction along the southerly line of said Lot 9, a distance of 56.00 feet;
35.32 thence at a deflection angle to the right of 90 degrees 00 minutes a distance of 180.00 feet
35.33 to an iron pipe monument which marks the point of beginning; thence at a deflection angle
35.34 to the left of 80 degrees 56 minutes 00 seconds a distance of 113.20 feet to the southerly
35.35 right-of-way of U.S. Highway No. 61; thence at a deflection angle to the right of 84
35.36 degrees 18 minutes 00 seconds and southeasterly along the southerly right-of-way line of

36.1 said U.S. Highway No. 61 a distance of 147.73 feet; thence at a deflection angle to the
36.2 right of 87 degrees 12 minutes 30 seconds a distance of 193.87 feet; thence at a deflection
36.3 angle to the right of 88 degrees 45 minutes 30 seconds a distance of 132.18 feet; thence at
36.4 a deflection angle to the right of 90 degrees 40 minutes 00 seconds a distance of 93.23
36.5 feet; thence at a deflection angle to the left of 90 degrees 00 minutes 00 seconds a distance
36.6 of 30.35 feet, more or less, to the point of beginning;

36.7 (7) that part of Government Lot 1, Section 35, Township 106 North, Range 5 West,
36.8 Winona County, Minnesota, which is more particularly bounded and described as follows:
36.9 Commencing at the southwest corner of Lot 9 of Block "B" of the Plat of Fern Glen
36.10 Acres; thence in a northeasterly direction along the southerly line of said Lot 9 a distance
36.11 of 56.00 feet; thence at a deflection angle to the right of 90 degrees 00 minutes a distance
36.12 of 180.00 feet; thence at a deflection angle to the left of 9 degrees 04 minutes 00 seconds a
36.13 distance of 164.29 feet to an iron pipe monument which marks the point of beginning;
36.14 thence at a deflection angle to the left of 89 degrees 25 minutes 30 seconds a distance
36.15 of 102.19 feet to the southerly right-of-way line of U.S. Highway No. 61; thence at a
36.16 deflection angle to the right of 92 degrees 47 minutes 30 seconds and southeasterly along
36.17 the southerly right-of-way line of said U.S. highway a distance of 85.10 feet; thence at a
36.18 deflection angle to the right of 87 degrees 12 minutes 30 seconds a distance of 187.89 feet;
36.19 thence at a deflection angle to the right of 88 degrees 45 minutes 30 seconds a distance of
36.20 85.02 feet; thence at a deflection angle to the right of 91 degrees 14 minutes 30 seconds a
36.21 distance of 91.68 feet, more or less, to the point of beginning;

36.22 (8) that part of Government Lots 1 and 2, Section 35, Township 106, Range 5,
36.23 Winona County, Minnesota, described as follows: Commencing at the southwest corner of
36.24 Lot 8 of Fern Glen Acres; thence South 33 degrees East 82.5 feet; thence North 57 degrees
36.25 East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds East 217.66 feet to an iron
36.26 pipe in place; thence South 42 degrees 04 minutes East 296.1 feet to an iron pipe and the
36.27 point of beginning; thence South 48 degrees 30 minutes 30 seconds West 107.35 feet to
36.28 an iron pipe; thence continuing South 48 degrees 30 minutes 30 seconds West 12.11
36.29 feet; thence South 40 degrees 29 minutes 30 seconds East 100.7 feet; thence North 48
36.30 degrees 30 minutes 30 seconds East 17.83 feet to an iron pipe; thence continuing North
36.31 48 degrees 30 minutes 30 seconds East 111.83 feet to an iron pipe; thence continuing
36.32 North 48 degrees 30 minutes 30 seconds East 70.61 feet to an iron pipe at a point on the
36.33 southerly boundary line of Minnesota Trunk Highway No. 61 right-of-way; thence along
36.34 said southerly boundary line a chord distance of 100.7 feet on a bearing North 40 degrees
36.35 29 minutes 30 seconds West to an iron pipe; thence South 48 degrees 30 minutes 30
36.36 seconds West 80.54 feet to the point of beginning;

- 37.1 (9) that part of Government Lots 1 and 2, Section 35, Township 106 North, Range 5
37.2 West, Winona County, Minnesota, described as follows: Commencing at the southwest
37.3 corner of Lot 8 of Fern Glen Acres; thence South 33 degrees East 82.5 feet; thence North
37.4 57 degrees East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds East 217.66
37.5 feet to an iron pipe in place; thence South 42 degrees 04 minutes East 296.1 feet to an iron
37.6 pipe; thence South 46 degrees 06 minutes 30 seconds East 101.05 feet to an iron pipe being
37.7 the point of beginning; thence South 48 degrees 30 minutes 30 seconds West 111.83 feet to
37.8 an iron pipe; thence continuing South 48 degrees 30 minutes 30 seconds West 17.56 feet;
37.9 thence South 41 degrees 53 minutes East 192.4 feet; thence North 48 degrees 30 minutes
37.10 30 seconds East 94.05 feet to an iron pipe; thence continuing North 48 degrees 30 minutes
37.11 30 seconds East 105.95 feet to an iron pipe at a point on the southerly boundary line of
37.12 U.S. Highway No. 61 right-of-way; thence along said southerly boundary line a chord
37.13 distance of 192.4 feet on a bearing of North 41 degrees 53 minutes West to an iron pipe;
37.14 thence South 48 degrees 30 minutes 30 seconds West 70.61 feet to the point of beginning;
- 37.15 (10) that part of Government Lot 2, Section 35, Township 106 North, Range 5 West,
37.16 Winona County, Minnesota described as follows: Commencing at the southwest corner of
37.17 Lot 8 of Fern Glen Acres; thence South 33 degrees East 82.5 feet; thence North 57 degrees
37.18 East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds East 217.66 feet to an
37.19 iron pipe in place; thence South 42 degrees 04 minutes East 296.1 feet; thence South 46
37.20 degrees 06 minutes 30 seconds East 371.05 feet to an iron pipe, the point of beginning;
37.21 thence North 48 degrees 30 minutes 30 seconds East 52.45 feet to an iron pipe at a point
37.22 on the southerly boundary line of Minnesota Trunk Highway No. 61 right-of-way; thence
37.23 along said southerly boundary line a chord distance of 76.80 feet on a bearing of North
37.24 43 degrees 09 minutes 30 seconds West to an iron pipe; thence South 48 degrees 30
37.25 minutes 30 seconds West 105.95 feet to an iron pipe; thence continuing South 48 degrees
37.26 30 minutes 30 seconds West 94.05 feet; thence South 43 degrees 09 minutes 30 seconds
37.27 East 76.80 feet; thence North 48 degrees 30 minutes 30 seconds East 55.93 feet to an iron
37.28 pipe; thence continuing North 48 degrees 30 minutes 30 seconds East 91.62 feet to the
37.29 point of beginning;
- 37.30 (11) that part of Government Lot 2, Section 35, Township 106 North, Range 5 West,
37.31 Winona County, Minnesota described as follows: Commencing at the southwest corner of
37.32 Lot 8 of the Plat of Fern Glen Acres; thence South 33 degrees East 82.5 feet; thence North
37.33 57 degrees East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds East 217.66
37.34 feet to an iron pipe; thence South 42 degrees 04 minutes East 296.1 feet to an iron pipe;
37.35 thence South 46 degrees 06 minutes 30 seconds East 371.05 feet to an iron pipe which is
37.36 the point of beginning; thence South 48 degrees 30 minutes 30 seconds West and along the

38.1 south line of the property heretofore conveyed by Deed in Book 237 of Deeds on Page
38.2 693, for a distance of 147.55 feet; thence South 44 degrees 33 minutes 19 seconds East
38.3 127.91 feet; thence North 43 degrees 53 minutes 30 seconds East and along the northerly
38.4 line of the property heretofore conveyed by Deed to Vincent Zanon in Book 252 of Deeds
38.5 on page 663, for a distance of 200 feet, more or less, to the southerly right-of-way line of
38.6 U.S. Highway No. 61; thence North 44 degrees 38 minutes 48 seconds West and along
38.7 said southerly right-of-way line of U.S. Highway No. 61 for a distance of 111.94 feet to an
38.8 iron pipe in place at the southeast corner of the property heretofore conveyed by Deed in
38.9 Book 237 of Deeds on page 693; thence South 48 degrees 30 minutes 30 seconds West
38.10 52.45 feet, more or less, to the point of beginning;

38.11 (12) that part of Government Lot 2, Section 35, Township 106 North, Range 5
38.12 West, Winona County, Minnesota, described as follows: Commencing at the southwest
38.13 corner of Lot 8 of the Plat of Fern Glen Acres; thence South 33 degrees East 82.5 feet;
38.14 thence North 57 degrees East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds
38.15 East 217.66 feet to an iron pipe; thence South 42 degrees 04 minutes East 296.1 feet to
38.16 an iron pipe; thence South 46 degrees 06 minutes 30 seconds East 371.05 feet to an iron
38.17 pipe; thence South 48 degrees 30 minutes 30 seconds West and along the south line of the
38.18 property heretofore conveyed by Deed in Book 237 of Deeds on page 693, for a distance
38.19 of 147.55 feet; thence South 44 degrees 33 minutes 19 seconds East 127.91 feet to the
38.20 point of beginning; thence continuing South 44 degrees 33 minutes 19 seconds East 112
38.21 feet; thence North 43 degrees 53 minutes 30 seconds East and along the north line of the
38.22 property heretofore conveyed by Deed in Book 240 of Deeds on page 367, for a distance
38.23 of 200 feet to the southerly right-of-way line of U.S. Highway No. 61; thence North 44
38.24 degrees 38 minutes 48 seconds West and along the said southerly right-of-way line of
38.25 U.S. Highway No. 61 for a distance of 112 feet; thence South 43 degrees 53 minutes 30
38.26 seconds West for a distance of 200 feet, more or less, to the point of beginning; and

38.27 (13) that part of Government Lot 2, Section 35, Township 106 North, Range 5 West,
38.28 Winona County, Minnesota, described as follows: Commencing at the southwest corner
38.29 of Lot 8, Block "B" of Fern Glen Acres; thence South 33 degrees East 82.5 feet; thence
38.30 North 57 degrees East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds East
38.31 217.66 feet to an iron pipe; thence South 42 degrees 04 minutes East 296.1 feet to an iron
38.32 pipe; thence South 46 degrees 06 minutes 30 seconds East 599.10 feet to an iron pipe, the
38.33 point of beginning; thence North 43 degrees 53 minutes 30 seconds East 46.54 feet to a
38.34 point on the southerly boundary line of Trunk Highway No. 61 right-of-way; thence along
38.35 said southerly boundary line a chord distance of 73.05 feet, bearing South 46 degrees 00
38.36 minutes East; thence continuing along said southerly boundary line South 43 degrees 33

39.1 minutes West 10.0 feet; thence continuing along said southerly boundary line a chord
39.2 distance of 28.50 feet bearing South 46 degrees 30 minutes East; thence South 45 degrees
39.3 00 minutes West 41.95 feet to an iron pipe in place; thence South 33 degrees 32 minutes
39.4 West 255.0 feet; thence North 43 degrees 30 minutes 22 seconds West 146.84 feet; thence
39.5 North 43 degrees 53 minutes 30 seconds East 184.1 feet to an iron pipe; thence North 43
39.6 degrees 53 minutes 30 seconds East 65.9 feet to the point of beginning.

39.7 **Sec. 8. RUM RIVER WILD AND SCENIC RIVER AREA.**

39.8 (a) The commissioner of natural resources shall remove the following land within
39.9 the Rum River Wild and Scenic River Area in Mille Lacs County from the Minnesota
39.10 wild and scenic rivers program under Minnesota Statutes, sections 103F.301 to 103F.345:
39.11 the West Half of the East Half of the Northwest Quarter of Section 14, Township 38,
39.12 Range 27, and the Northeast Quarter of the Northeast Quarter of the Northwest Quarter of
39.13 said section, township, and range.

39.14 (b) The commissioner shall amend Minnesota Rules, chapter 6105, and the
39.15 management plan for the area to reflect this change. The commissioner may use the good
39.16 cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to
39.17 amend rules under this section. Minnesota Statutes, section 14.386, does not apply except
39.18 as provided in Minnesota Statutes, section 14.388.

39.19 **Sec. 9. WIND ENERGY LEASE.**

39.20 By June 30, 2009, the commissioner of natural resources must enter a 30-year
39.21 lease of state land, according to Minnesota Statutes, section 92.502, paragraph (b), with
39.22 the Mountain Iron Economic Development Authority for installation of up to four wind
39.23 turbines and access roads. The land covered by the lease is located in St. Louis County
39.24 and is described as: the South Half of Section 16, Township 59 North, Range 15 West.

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

39.26 **Sec. 10. VETERANS CEMETERY.**

39.27 The commissioner of natural resources shall work with the commissioner of
39.28 veterans affairs to locate sites throughout the state that would be appropriate for a new
39.29 veterans cemetery.

40.1 **ARTICLE 3**
40.2 **LAND SALES**

40.3 Section 1. Laws 2007, chapter 131, article 2, section 38, is amended to read:

40.4 **Sec. 38. PUBLIC OR PRIVATE SALE OF SURPLUS STATE LAND**
40.5 **BORDERING PUBLIC WATER; WASHINGTON COUNTY.**

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

40.9 (b) The conveyance must be in a form approved by the attorney general. The
40.10 attorney general may make necessary changes to the legal description to correct errors
40.11 and ensure accuracy. If sold by private sale, the commissioner may only sell the land to a
40.12 governmental subdivision of the state. If sold by private sale, the conveyance may be for
40.13 less than the value of the land as determined by the commissioner, but the conveyance
40.14 must provide that the land be used for the public and reverts to the state if the governmental
40.15 subdivision fails to provide for public use or abandons the public use of the land.

40.16 (c) The land that may be sold is located in Washington County and is described as
40.17 follows, Parcels A and B containing altogether 31.55 acres, more or less:

40.18 (1) Parcel A: all that part of the North Half of the Southeast Quarter, Section
40.19 30, Township 30 North, Range 20 West, bounded by the following described lines:
40.20 commencing at the east quarter corner of said Section 30; thence on an assumed bearing
40.21 of North 88 degrees 13 minutes 48 seconds West, 399.98 feet on and along the east-west
40.22 quarter line of said Section 30 to the point of beginning; thence North 88 degrees 13
40.23 minutes 48 seconds West, 504.57 feet on and along the said east-west quarter line; thence
40.24 South 17 degrees 54 minutes 26 seconds West, 1377.65 feet to a point on the south 1/16
40.25 line of said Section 30; thence South 88 degrees 10 minutes 45 seconds East, 504.44 feet
40.26 on and along the south 1/16 line of said Section 30; thence North 17 degrees 54 minutes
40.27 26 seconds East, 1378.11 feet to the point of beginning; and

40.28 (2) Parcel B: all that part of the North Half of the Southeast Quarter, Section
40.29 30, Township 30 North, Range 20 West, bounded by the following described lines:
40.30 commencing at the east quarter corner of said Section 30; thence on an assumed bearing
40.31 of North 88 degrees 13 minutes 48 seconds West, 904.55 feet along the east-west quarter
40.32 line of said Section 30 to the point of beginning; thence South 17 degrees 54 minutes 26
40.33 seconds West, 1377.65 feet to a point on the south 1/16 line of said Section 30; thence
40.34 North 88 degrees 10 minutes 45 seconds West, 369.30 feet along said south 1/16 line;
40.35 thence North 42 degrees 24 minutes 47 seconds West, 248.00 feet; thence North 02

41.1 degrees 59 minutes 30 seconds East, 488.11 feet; thence North 47 degrees 41 minutes 19
41.2 seconds East, 944.68 feet to a point on the east-west quarter line of said Section 30;
41.3 thence South 88 degrees 13 minutes 48 seconds East, 236.03 feet along said east-west
41.4 quarter line to the point of beginning.

41.5 (d) The land borders Long Lake and is not contiguous to other state lands. The
41.6 land was donated to the state with the understanding that the land would be used as a
41.7 wildlife sanctuary. The Department of Natural Resources has determined that the land is
41.8 not needed for natural resource purposes.

41.9 Sec. 2. Laws 2008, chapter 368, article 1, section 34, is amended to read:

41.10 Sec. 34. **PRIVATE SALE OF SURPLUS STATE LAND; HENNEPIN**
41.11 **COUNTY.**

41.12 (a) Notwithstanding Minnesota Statutes, sections 94.09 ~~and 94.10~~ to 94.16, the
41.13 commissioner of natural resources ~~may sell by private sale~~ shall sell to the city of Wayzata
41.14 the surplus land that is described in paragraph (c) upon verification that the city has
41.15 acquired the adjacent parcel, currently occupied by a gas station.

41.16 (b) The conveyance must be in a form approved by the attorney general. The
41.17 attorney general may make necessary changes to the legal description to correct errors and
41.18 ensure accuracy. The commissioner may sell the land described in paragraph (c) to the
41.19 city of Wayzata, for ~~less than the value of the land as determined by the commissioner~~
41.20 no more than \$100,000 plus transaction costs, but the conveyance must provide that
41.21 the land described in paragraph (c) be used for ~~the~~ a public road and reverts to the state
41.22 if the city of Wayzata fails to provide for public use of the land as a road or abandons
41.23 the public use of the land.

41.24 (c) The land that may be sold is located in Hennepin County and is described as:
41.25 Tract F, Registered Land Survey No. 1168.

41.26 (d) The Department of Natural Resources has determined that the state's land
41.27 management interests would best be served if the land was conveyed to the city of
41.28 Wayzata.

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

41.30 Sec. 3. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
41.31 **WATER; AITKIN COUNTY.**

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

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

42.4 (c) The land that may be sold is located in Aitkin County and is described as:

42.5 (1) parts of Government Lot 3, Section 33, and the Southeast Quarter of the
42.6 Southwest Quarter, Section 28, all in Township 50 North, Range 23 West, Aitkin County,
42.7 Minnesota, described as follows:

42.8 Commencing at the north quarter corner of said Section 33; thence South 88 degrees
42.9 07 minutes 19 seconds West, assumed bearing, along the northerly line of said
42.10 Government Lot 3, a distance of 1020.00 feet to the point of beginning of the tract to
42.11 herein be described; thence North 1 degree 52 minutes 41 seconds West 660.00 feet;
42.12 thence South 88 degrees 07 minutes 19 seconds West 300 feet; thence South 1 degree
42.13 52 minutes 41 seconds East 660.00 feet to the northerly line of said Government Lot
42.14 3; thence South 88 degrees 07 minutes 19 seconds West 15.08 feet to the northwest
42.15 corner of said Government Lot 3; thence South 1 degree 08 minutes 57 seconds East
42.16 326.00 feet, more or less, to the shoreline of Big Sandy Lake Reservoir; thence
42.17 easterly along the said shoreline to a point which bears South 1 degree 52 minutes
42.18 41 seconds East from the point of beginning; thence North 1 degree 52 minutes 41
42.19 seconds West 330.00 feet, more or less, to the point of beginning of the tract to
42.20 herein be described and there terminating, containing 3.89 acres, more or less; and

42.21 (2) those parts of Government Lot 3, Section 33 and the Southeast Quarter of the
42.22 Southwest Quarter, Section 28, all in Township 50 North, Range 23 West, described
42.23 as follows:

42.24 Commencing at the north quarter corner of said Section 33; thence South 88 degrees
42.25 07 minutes 19 seconds West, assumed bearing, along the northerly line of said
42.26 Government Lot 3, a distance of 920.00 feet to the point of beginning of the tract
42.27 to herein be described; thence North 1 degree 52 minutes 41 seconds West 660.00
42.28 feet; thence South 88 degrees 07 minutes 19 seconds West 100.00 feet; thence South
42.29 1 degree 52 minutes 41 seconds East 990.00 feet, more or less, to the shoreline of
42.30 Big Sandy Lake Reservoir; thence easterly along the said shoreline to a point which
42.31 bears South 1 degree 52 minutes 41 seconds East from the point of beginning; thence
42.32 North 1 degree 52 minutes 41 seconds West 341.60 feet, more or less, to the point of
42.33 beginning of the tract to herein be described and there terminating.

42.34 (d) The land borders Big Sandy Lake. The Department of Natural Resources has
42.35 determined that the land is not needed for natural resource purposes.

43.1 Sec. 4. **PRIVATE SALE OF SURPLUS STATE LAND; ANOKA COUNTY.**

43.2 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
43.3 of natural resources may sell by private sale to the city of Ham Lake the surplus land
43.4 that is described in paragraph (c).

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

43.8 (c) The land that may be sold is located in Anoka County and is described as:
43.9 That part of Government Lot 1, Section 20, Township 32 North, Range 23 West,
43.10 described as follows: beginning at the quarter corner on the east line of Section
43.11 20, thence northerly along the east line of said Section 20, a distance of 1,250
43.12 feet; thence westerly and parallel to the east and west quarter line of Section 20, a
43.13 distance of 400 feet; thence southerly and parallel to the east line of Section 20, a
43.14 distance of 750 feet; thence westerly and parallel to the east and west quarter line
43.15 of Section 20, a distance of 750 feet; thence southerly and parallel to the east line
43.16 of Section 20, a distance of 500 feet, to the east and west quarter line of Section
43.17 20; thence easterly along the quarter line a distance of 1,150 feet to the point of
43.18 beginning, containing 20 acres, more or less.

43.19 (d) The city of Ham Lake currently leases the state land for a hiking trail in
43.20 connection with Anoka County's management of adjacent public lands used for a
43.21 county park. The Department of Natural Resources has determined that the state's land
43.22 management interests would best be served if the land was conveyed to the city of Ham
43.23 Lake.

43.24 Sec. 5. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
43.25 **WATER; ANOKA COUNTY.**

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

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

43.32 (c) The land that may be sold is located in Anoka County and is described as: the
43.33 Northwest Quarter of the Northeast Quarter, Section 36, Township 34 North, Range 24
43.34 West, containing 40 acres, more or less.

44.1 (d) The land borders Sand Shore Lake and is not contiguous to other state lands.
44.2 The Department of Natural Resources has determined that the land is not needed for
44.3 natural resource purposes.

44.4 **Sec. 6. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
44.5 **WATER; BELTRAMI COUNTY.**

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

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

44.12 (c) The land that may be sold is located in Beltrami County and is described as:
44.13 Government Lot 7, Section 25, Township 149 North, Range 33 West, containing 22 acres,
44.14 more or less.

44.15 (d) The land borders Bass Lake. The Department of Natural Resources has
44.16 determined that the land is not needed for natural resource purposes.

44.17 **Sec. 7. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
44.18 **WATER; BELTRAMI COUNTY.**

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

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

44.25 (c) The land that may be sold is located in Beltrami County and is described as: the
44.26 West Half of the Northwest Quarter, Section 29, Township 147 North, Range 34 West,
44.27 containing 80 acres, more or less.

44.28 (d) The land borders Grant Creek. The Department of Natural Resources has
44.29 determined that the land is not needed for natural resource purposes.

44.30 **Sec. 8. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
44.31 **WATER; CASS COUNTY.**

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

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

45.7 (c) The land that may be sold is located in Cass County and is described as: Lot 21
45.8 of Longwood Point, according to the map or plat thereof on file and of record in the Office
45.9 of the County Recorder in and for Cass County, Minnesota, in Section 5, Township 139
45.10 North, Range 26 West, containing 3.03 acres, more or less.

45.11 (d) The land borders Washburn Lake. The Department of Natural Resources has
45.12 determined that the land is not needed for natural resource purposes.

45.13 **Sec. 9. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
45.14 **WATER; CASS COUNTY.**

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

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

45.21 (c) The land that may be sold is located in Cass County and is described as:
45.22 Government Lots 5 and 6, Section 3, Township 141 North, Range 27 West, containing
45.23 81.15 acres, more or less.

45.24 (d) The land borders Mable Lake and is not contiguous to other state lands. The
45.25 Department of Natural Resources has determined that the land is not needed for natural
45.26 resource purposes.

45.27 **Sec. 10. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
45.28 **WATER; CASS COUNTY.**

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

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

46.1 (c) The land that may be sold is located in Cass County and is described as: that
46.2 part of Government Lot 4, Section 8, Township 140 North, Range 31 West, Cass County,
46.3 Minnesota, lying southerly and westerly of the following described lines: Commencing at
46.4 the southeast corner of said Government Lot 4; thence North 01 degree 39 minutes 59
46.5 seconds West on an assumed bearing along the east line of said Government Lot 4 a
46.6 distance of 420.54 feet to the POINT OF BEGINNING; thence North 87 degrees 57
46.7 minutes 14 seconds West a distance of 481.15 feet; thence southwesterly along a tangential
46.8 curve concave to the southeast having a radius of 145.00 feet, a central angle of 69
46.9 degrees 00 minutes 00 seconds, for a distance of 174.61 feet; thence South 23 degrees 02
46.10 minutes 46 seconds West, tangent to said curve, a distance of 255 feet, more or less, to the
46.11 centerline of the old County Road; thence northwesterly, westerly, and southwesterly a
46.12 distance of 520 feet along said centerline to the point of intersection with the centerline of
46.13 County State-Aid Highway No. 6; thence northwesterly a distance of 414.53 feet along
46.14 the centerline of said County State-Aid Highway No. 6 to the point of intersection with
46.15 the west line of said Government Lot 4 and there terminating. Containing 11.16 acres,
46.16 more or less.

46.17 (d) The land borders Ten Mile Lake. The Department of Natural Resources has
46.18 determined that the land is not needed for natural resource purposes.

46.19 **Sec. 11. PRIVATE SALE OF SURPLUS LAND; CLEARWATER COUNTY.**

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

46.23 (b) The conveyance must be in a form approved by the attorney general. The
46.24 attorney general may make necessary changes to the legal description to correct errors and
46.25 ensure accuracy. The commissioner may sell the land to the White Earth Band of Ojibwe
46.26 for less than the value of the land as determined by the commissioner, but the conveyance
46.27 must provide that the land be used for the public and reverts to the state if the band fails
46.28 to provide for public use or abandons the public use of the land. The conveyance may
46.29 reserve an easement for ingress and egress.

46.30 (c) The land that may be sold is located in Clearwater County and is described as:
46.31 the West 400 feet of the South 750 feet of Government Lot 3, Section 31, Township 145
46.32 North, Range 38 West, containing 6.89 acres, more or less.

46.33 (d) The Department of Natural Resources has determined that the land and building
46.34 are no longer needed for natural resource purposes.

47.1 Sec. 12. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
47.2 **WATER; CROW WING COUNTY.**

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

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

47.9 (c) The land that may be sold is located in Crow Wing County and is described as:

47.10 (1) Government Lot 3, Section 9, Township 136 North, Range 28 West, containing
47.11 39.25 acres, more or less; and

47.12 (2) Government Lot 2, Section 9, Township 136 North, Range 28 West, containing
47.13 25.3 acres, more or less.

47.14 (d) The land borders Shaffer Lake and is not contiguous to other state lands. The
47.15 Department of Natural Resources has determined that the land is not needed for natural
47.16 resource purposes.

47.17 Sec. 13. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
47.18 **WATER; CROW WING COUNTY.**

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

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

47.25 (c) The land that may be sold is located in Crow Wing County and is described
47.26 as: the North 1,000 feet of Government Lot 3, Section 25, Township 136 North, Range
47.27 27 West, excepting that portion which lies North and East of F.A.S #11, containing 32
47.28 acres, more or less.

47.29 (d) The land borders the Pine River. The Department of Natural Resources has
47.30 determined that the land is not needed for natural resource purposes.

47.31 Sec. 14. **CITY OF EAGAN; AUTHORITY TO EXCHANGE LAND; DAKOTA**
47.32 **COUNTY.**

47.33 The portion of land conveyed to the city of Eagan under Laws 1995, chapter 159,
47.34 now described as Parcel No. 10-30601-090-00, Outlot I, Gopher Eagan Industrial Park 2nd

48.1 Addition, may be used for a colocation facility that provides secured space for public and
48.2 private Internet and telecommunications network equipment and servers, notwithstanding
48.3 the provision that the land reverts to the state if it is not used for public park or open space
48.4 purposes. The commissioner of revenue is authorized to issue a state deed that provides
48.5 for the land described above to be used for this purpose. The colocation facility must not
48.6 be used by the municipality to provide voice, video, or Internet access services to the
48.7 residents or businesses located in the city of Eagan. Nothing in this section is intended to
48.8 restrict or limit the city of Eagan from communicating with its residents and businesses
48.9 regarding governmental information and providing for the delivery of electronic services.

48.10 **Sec. 15. PRIVATE SALE OF SURPLUS LAND; FILLMORE COUNTY.**

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

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

48.17 (c) The land that may be sold is located in Fillmore County and is described as:
48.18 That part of the Northwest Quarter of the Northwest Quarter of Section 2, Township
48.19 103 North, Range 10 West, described as follows: commencing at the northeast
48.20 corner of the North Half of the Northwest Quarter of said Section 2; thence on
48.21 an assumed bearing of South 89 degrees 22 minutes 48 seconds West, along the
48.22 north line of said North Half of the Northwest Quarter, 500.09 feet; thence South
48.23 33 degrees 21 minutes 11 seconds West, 1,520.38 feet; thence North 00 degrees
48.24 37 minutes 12 seconds West, 540.85 feet; thence south 89 degrees 22 minutes 48
48.25 seconds West, 630.00 feet to the point of beginning of the land to be described;
48.26 thence North 00 degrees 37 minutes 12 seconds West, 551.74 feet to the center line
48.27 of Goodview Drive; thence North 89 degrees 03 minutes 27 seconds West, along
48.28 said center line 77.26 feet; thence South 89 degrees 52 minutes 18 seconds West,
48.29 along said center line, 162.78 feet; thence South 25 degrees 32 minutes 45 seconds
48.30 West, 82.13 feet; thence South 20 degrees 17 minutes 19 seconds West, 169.57
48.31 feet; thence South 18 degrees 48 minutes 07 seconds West, 143.54 feet; thence
48.32 South 26 degrees 31 minutes 49 seconds West, 211.00 feet; thence North 89 degrees
48.33 22 minutes 48 seconds East, 480.75 feet to the point of beginning. Subject to the
48.34 right-of-way of said Goodview Drive. Containing 4.53 acres, more or less.

49.1 (d) The sale would be to the Eagle Bluff Environmental Learning Center for
49.2 installation of a geothermal heating system for the center's adjacent educational facilities.
49.3 The Department of Natural Resources has determined that the land is not needed for
49.4 natural resource purposes.

49.5 **Sec. 16. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
49.6 **WATER; HENNEPIN COUNTY.**

49.7 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
49.8 commissioner of natural resources may sell by private sale to the city of St. Louis Park the
49.9 surplus land that is described in paragraph (c).

49.10 (b) The conveyance must be in a form approved by the attorney general. The
49.11 attorney general may make necessary changes to the legal description to correct errors and
49.12 ensure accuracy. The commissioner may sell to the city of St. Louis Park for less than the
49.13 value of the land as determined by the commissioner, but the conveyance must provide
49.14 that the land described in paragraph (c) be used for the public and reverts to the state if the
49.15 city of St. Louis Park fails to provide for public use or abandons the public use of the land.

49.16 (c) The land that may be sold is located in Hennepin County and is described as:
49.17 A strip of land 130 feet wide in the Southeast Quarter of the Northwest Quarter of
49.18 Section 20, Township 117 North, Range 21 West, the center line of which strip
49.19 has its beginning at a point on the west boundary of said Southeast Quarter of the
49.20 Northwest Quarter, and 753.8 feet distant from the south boundary line of said
49.21 Southeast Quarter of the Northwest Quarter, and continued thence east on a line
49.22 parallel with the south boundary line of said Southeast Quarter of the Northwest
49.23 Quarter for a distance of 1,012 feet, containing 3.02 acres, more or less.

49.24 (d) The land is adjacent to Minnehaha Creek and adjacent to other lands managed
49.25 by the city of St. Louis Park. The Department of Natural Resources has determined that
49.26 the state's land management interest would best be served if the land were conveyed to
49.27 the city of St. Louis Park.

49.28 **Sec. 17. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
49.29 **WATER; HUBBARD COUNTY.**

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

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

50.4 (c) The land that may be sold is located in Hubbard County and is described as: those
50.5 parts of Government Lot 4 and the Southwest Quarter of the Southwest Quarter, Section
50.6 16, Township 143 North, Range 34 West, Hubbard County, Minnesota, lying southerly
50.7 and easterly of Minnesota Department of Transportation Right-of-Way Plat Numbered
50.8 29-18 and Minnesota Department of Transportation Right-of-Way Plat Numbered 29-2
50.9 as the same is on file and of record in the Office of the County Recorder for Hubbard
50.10 County, Minnesota, and lying westerly of the East 600 feet of said Government Lot 4,
50.11 containing 14.6 acres, more or less.

50.12 (d) The land borders Lake Paine. The Department of Natural Resources has
50.13 determined that the land is not needed for natural resource purposes.

50.14 **Sec. 18. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
50.15 **WATER; ITASCA COUNTY.**

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

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

50.22 (c) The land that may be sold is located in Itasca County and is described as: Lot
50.23 23, Eagle Point Plat, Section 11, Township 59 North, Range 25 West, containing 0.31
50.24 acres, more or less.

50.25 (d) The land borders Eagle Lake and is not contiguous to other state lands. The
50.26 Department of Natural Resources has determined that the land is not needed for natural
50.27 resource purposes.

50.28 **Sec. 19. APPORTIONMENT OF PROCEEDS; TAX-FORFEITED LANDS;**
50.29 **ITASCA COUNTY.**

50.30 Notwithstanding the provisions of Minnesota Statutes, chapter 282, and any other
50.31 law relating to the apportionment of proceeds from the sale of tax-forfeited land, Itasca
50.32 County may deposit proceeds from the sale of tax-forfeited lands into a tax-forfeited
50.33 land replacement trust fund created in Laws 2006, chapter 236, article 1, section 43, as
50.34 amended by Laws 2008, chapter 368, article 1, section 18. The principal and interest from

51.1 these proceeds may be spent only on the purchase of lands to replace the tax-forfeited
51.2 lands sold to Minnesota Steel Industries or for lands better suited for retention by Itasca
51.3 County. Lands purchased with the land replacement fund must:

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

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

51.8 **Sec. 20. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
51.9 **WATER; KITTSON COUNTY.**

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

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

51.15 (c) The land to be sold is located in Kittson County and is described as: that certain
51.16 parcel situate in the Southwest Quarter of Section 10; Township 163 North, Range 48
51.17 West, described as follows: beginning at the southeast corner of said Southwest Quarter
51.18 of said Section 10; thence West along the south boundary line of said Southwest Quarter
51.19 a distance of 1,900 feet; thence North and parallel to the east boundary line of said
51.20 Southwest Quarter a distance of 1,050 feet; thence East and parallel to the south boundary
51.21 line of said Southwest Quarter a distance of 750 feet; thence southeasterly in a straight
51.22 line to the point of beginning.

51.23 **Sec. 21. PRIVATE SALE OF SURPLUS STATE LAND; MURRAY COUNTY.**

51.24 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
51.25 of natural resources may sell by private sale to the township of Murray the surplus land
51.26 that is described in paragraph (c).

51.27 (b) The conveyance must be in a form approved by the attorney general and may be
51.28 for consideration less than the appraised value of the land. The attorney general may make
51.29 necessary changes to the legal description to correct errors and ensure accuracy.

51.30 (c) The land to be sold is located in Murray County and is described as: that part of
51.31 Government Lot 6, that part of Government Lot 7, and that part of Government Lot 8 of
51.32 Section 6, Township 107 North, Range 40 West, and that part of Government Lot 1 and
51.33 that part of Government Lot 2 of Section 7, Township 107 North, Range 40 West, Murray
51.34 County, Minnesota, described as follows: Commencing at the east quarter corner of said

52.1 Section 6; thence on a bearing based on the 1983 Murray County Coordinate System (1996
52.2 Adjustment), of South 00 degrees 17 minutes 23 seconds East 1247.75 feet along the east
52.3 line of said Section 6; thence South 88 degrees 39 minutes 00 seconds West 1942.74 feet;
52.4 thence South 03 degrees 33 minutes 00 seconds West 94.92 feet to the northeast corner of
52.5 Block 5 of FORMAN ACRES, according to the recorded plat thereof on file and of record
52.6 in the Murray County Recorder's Office; thence South 14 degrees 34 minutes 00 seconds
52.7 West 525.30 feet along the easterly line of said Block 5 and along the easterly line of the
52.8 private roadway of FORMAN ACRES to the southeasterly corner of said private roadway
52.9 and the POINT OF BEGINNING; thence North 82 degrees 15 minutes 00 seconds West
52.10 796.30 feet along the southerly line of said private roadway to an angle point on said line
52.11 and an existing 1/2 inch diameter rebar; thence South 64 degrees 28 minutes 26 seconds
52.12 West 100.06 feet along the southerly line of said private roadway to an angle point on said
52.13 line and an existing 1/2 inch diameter rebar; thence South 33 degrees 01 minute 32 seconds
52.14 West 279.60 feet along the southerly line of said private roadway to an angle point on said
52.15 line; thence South 76 degrees 04 minutes 52 seconds West 766.53 feet along the southerly
52.16 line of said private roadway to a 3/4 inch diameter rebar with a plastic cap stamped "MN
52.17 DNR LS 17003" (DNR MON); thence South 16 degrees 24 minutes 50 seconds West
52.18 470.40 feet to a DNR MON; thence South 24 degrees 09 minutes 57 seconds West 262.69
52.19 feet to a DNR MON; thence South 08 degrees 07 minutes 09 seconds West 332.26 feet to
52.20 a DNR MON; thence North 51 degrees 40 minutes 02 seconds West 341.79 feet to the east
52.21 line of Lot A of Lot 1 of LOT A OF GOVERNMENT LOT 8, OF SECTION 6 AND LOT
52.22 A OF GOVERNMENT LOT 1, OF SECTION 7, TOWNSHIP 107, RANGE 40, according
52.23 to the recorded plat thereof on file and of record in the Murray County Recorder's Office
52.24 and a DNR MON; thence South 14 degrees 28 minutes 55 seconds West 71.98 feet along
52.25 the east line of said Lot A to the northerly most corner of Lot 36 of HUDSON ACRES,
52.26 according to the record plat thereof on file and of record in the Murray County Recorder's
52.27 Office and an existing steel fence post; thence South 51 degrees 37 minutes 05 seconds
52.28 East 418.97 feet along the northeasterly line of said Lot 36 and along the northeasterly line
52.29 of Lots 35, 34, 33, 32 of HUDSON ACRES to an existing 1-inch inside diameter iron
52.30 pipe marking the easterly most corner of Lot 32 and the most northerly corner of Lot 31A
52.31 of HUDSON ACRES; thence South 48 degrees 33 minutes 10 seconds East 298.26 feet
52.32 along the northeasterly line of said Lot 31A to an existing 1 1/2-inch inside diameter iron
52.33 pipe marking the easterly most corner thereof and the most northerly corner of Lot 31 of
52.34 HUDSON ACRES; thence South 33 degrees 53 minute 30 seconds East 224.96 feet along
52.35 the northeasterly line of said Lot 31 and along the northeasterly line of Lots 30 and 29 of
52.36 HUDSON ACRES to an existing 1 1/2-inch inside diameter iron pipe marking the easterly

53.1 most corner of said Lot 29 and the most northerly corner of Lot 28 of HUDSON ACRES;
53.2 thence South 45 degrees 23 minutes 54 seconds East 375.07 feet along the northeasterly
53.3 line of said Lot 28 and along the northeasterly line of Lots 27, 26, 25, 24 of HUDSON
53.4 ACRES to an existing 1 1/2-inch inside diameter iron pipe marking the easterly most
53.5 corner of said Lot 24 and the most northerly corner of Lot 23 of HUDSON ACRES;
53.6 thence South 64 degrees 39 minutes 53 seconds East 226.80 feet along the northeasterly
53.7 line of said Lot 23 and along the northeasterly line of Lots 22 and 21 of HUDSON ACRES
53.8 to an existing 1 1/2-inch inside diameter iron pipe marking the easterly most corner of said
53.9 Lot 21 and the most northerly corner of Lot 20 of HUDSON ACRES; thence South 39
53.10 degrees 49 minutes 49 seconds East 524.75 feet along the northeasterly line of said Lot 20
53.11 and along the northeasterly line of Lots 19, 18, 17, 16, 15, 14 of HUDSON ACRES to
53.12 an existing 1 1/2-inch inside diameter iron pipe marking the easterly most corner of said
53.13 Lot 14 and the most northerly corner of Lot 13 of HUDSON ACRES; thence South 55
53.14 degrees 31 minutes 43 seconds East 225.11 feet along the northeasterly line of said Lot 13
53.15 and along the northeasterly line of Lots 12 and 11 of HUDSON ACRES to an existing 1
53.16 1/2-inch inside diameter iron pipe marking the easterly most corner of said Lot 11 and the
53.17 northwest corner of Lot 10 of HUDSON ACRES; thence South 88 degrees 03 minutes
53.18 49 seconds East 224.90 feet along the north line of said Lot 10 and along the north line
53.19 of Lots 9 and 8 of HUDSON ACRES to an existing 1 1/2-inch inside diameter iron pipe
53.20 marking the northeast corner of said Lot 8 and the northwest corner of Lot 7 of HUDSON
53.21 ACRES; thence North 84 degrees 07 minutes 37 seconds East 525.01 feet along the north
53.22 line of said Lot 7 and along the north line of Lots 6, 5, 4, 3, 2, 1 of HUDSON ACRES to
53.23 an existing 1 1/2-inch inside diameter iron pipe marking the northeast corner of said Lot 1
53.24 of HUDSON ACRES; thence southeasterly, easterly, and northerly along a nontangential
53.25 curve concave to the North having a radius of 50.00 feet, central angle 138 degrees 42
53.26 minutes 00 seconds, a distance of 121.04 feet, chord bears North 63 degrees 30 minutes 12
53.27 seconds East; thence continuing northwesterly and westerly along the previously described
53.28 curve concave to the South having a radius of 50.00 feet, central angle 138 degrees 42
53.29 minutes 00 seconds, a distance of 121.04 feet, chord bears North 75 degrees 11 minutes 47
53.30 seconds West and a DNR MON; thence South 84 degrees 09 minutes 13 seconds West not
53.31 tangent to said curve 520.52 feet to a DNR MON; thence North 88 degrees 07 minutes 40
53.32 seconds West 201.13 feet to a DNR MON; thence North 55 degrees 32 minutes 12 seconds
53.33 West 196.66 feet to a DNR MON; thence North 39 degrees 49 minutes 59 seconds West
53.34 530.34 feet to a DNR MON; thence North 64 degrees 41 minutes 41 seconds West 230.01
53.35 feet to a DNR MON; thence North 45 degrees 23 minutes 00 seconds West 357.33 feet
53.36 to a DNR MON; thence North 33 degrees 53 minutes 30 seconds West 226.66 feet to a

54.1 DNR MON; thence North 48 degrees 30 minutes 31 seconds West 341.45 feet to a DNR
54.2 MON; thence North 08 degrees 07 minutes 09 seconds East 359.28 feet to a DNR MON;
54.3 thence North 24 degrees 09 minutes 57 seconds East 257.86 feet to a DNR MON; thence
54.4 North 16 degrees 24 minutes 50 seconds East 483.36 feet to a DNR MON; thence North
54.5 76 degrees 04 minutes 52 seconds East 715.53 feet to a DNR MON; thence North 33
54.6 degrees 01 minute 32 seconds East 282.54 feet to a DNR MON; thence North 64 degrees
54.7 28 minutes 26 seconds East 84.97 feet to a DNR MON; thence South 82 degrees 15
54.8 minutes 00 seconds East 788.53 feet to a DNR MON; thence North 07 degrees 45 minutes
54.9 07 seconds East 26.00 feet to the point of beginning; containing 7.55 acres.

54.10 (d) The Department of Natural Resources has determined that the state's land
54.11 management interests would best be served if the lands were conveyed to the township
54.12 of Murray.

54.13 **Sec. 22. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**
54.14 **WATER; RED LAKE COUNTY.**

54.15 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
54.16 and the public sale provisions of Minnesota Statutes, chapter 282, Red Lake County may
54.17 convey to the city of Red Lake Falls for no consideration the tax-forfeited land bordering
54.18 public water that is described in paragraph (c).

54.19 (b) The conveyance must be in a form approved by the attorney general and provide
54.20 that the land reverts to the state if the city of Red Lake Falls fails to provide for the public
54.21 use described in paragraph (d) or abandons the public use of the land. The attorney general
54.22 may make necessary changes to the legal description to correct errors and ensure accuracy.

54.23 (c) The land that may be conveyed is located in Red Lake County and is described as
54.24 follows: all that part of Block 5 which lies North of Block 6 and West of a line which
54.25 is a projection northerly of the west line of Lot 11 of said Block 6, all in Mill Reserve
54.26 Addition, containing approximately 500 feet frontage on the Clearwater River.

54.27 (d) The city will use the land to establish a public park.

54.28 **Sec. 23. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
54.29 **WATER; ST. LOUIS COUNTY.**

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

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

55.4 (c) The land that may be sold is located in St. Louis County and is described as:
55.5 Government Lot 4, Section 36, Township 58 North, Range 16 West, St. Louis County,
55.6 Minnesota, EXCEPTING therefrom that part platted as SILVER LAKE SHORES
55.7 according to the plat on file and of record in the Office of the Recorder for St. Louis
55.8 County, Minnesota, containing 7.88 acres, more or less.

55.9 (d) The land borders Silver Lake and is not contiguous to other state lands. The
55.10 Department of Natural Resources has determined that the land is not needed for natural
55.11 resource purposes.

55.12 **Sec. 24. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
55.13 **WATER; ST. LOUIS COUNTY.**

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

55.17 (b) The conveyance must be in a form approved by the attorney general. The
55.18 attorney general may make necessary changes to the legal description to correct errors
55.19 and ensure accuracy. The commissioner may not sell any part of the land described in
55.20 paragraph (c) that is being used for airport purposes by the city of Eveleth or is proposed
55.21 to be used for airport purposes by the city of Eveleth.

55.22 (c) The land that may be sold is located in St. Louis County and is described as:
55.23 the Northeast Quarter of the Northwest Quarter, Section 16, Township 57 North, Range
55.24 17 West, St. Louis County, Minnesota, except that part of the North 10 feet thereof lying
55.25 East of St. Mary's Lake and also except that part lying East of County State-Aid Highway
55.26 132, containing 26.5 acres, more or less.

55.27 (d) The land borders St. Mary's Lake and is not contiguous to other state lands. The
55.28 Department of Natural Resources has determined that the land is not needed for natural
55.29 resource purposes.

55.30 **Sec. 25. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

55.31 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282,
55.32 or other law to the contrary, St. Louis County shall sell by private sale the tax-forfeited
55.33 land described in paragraph (c) to the nearest private landowner who has owned proximate
55.34 land for at least 70 years.

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

56.3 (c) The land to be sold is located in St. Louis County and is described as: Lots 150
56.4 and 151, NE NA MIK KA TA, town of Breitung, Section 6, Township 62 North, Range
56.5 15 West.

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

56.8 **Sec. 26. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
56.9 **WATER; ST. LOUIS COUNTY.**

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

56.13 (b) The conveyances must be in a form approved by the attorney general. The
56.14 attorney general may make changes to the land description to correct errors and ensure
56.15 accuracy. The conveyances must include any easements or deed restrictions specified in
56.16 paragraph (c).

56.17 (c) The lands to be sold are located in St. Louis County and are described as:

56.18 (1) the East Half of the East Half of the Southwest Quarter of the Southwest Quarter,
56.19 Section 5, Township 50 North, Range 14 West. Conveyance of this land must provide,
56.20 for no consideration, an easement to the state that is 75 feet in width on each side of the
56.21 centerline of East Branch Chester Creek, to provide riparian protection and angler access;

56.22 (2) the East Half of the East Half of the Southeast Quarter of the Southwest Quarter,
56.23 Section 5, Township 50 North, Range 14 West. Conveyance of this land must provide,
56.24 for no consideration, an easement to the state that is 75 feet in width on each side of the
56.25 centerline of East Branch Chester Creek, to provide riparian protection and angler access;

56.26 (3) the West Half of the East Half of the Southeast Quarter of the Southwest Quarter,
56.27 Section 5, Township 50 North, Range 14 West. Conveyance of this land must provide,
56.28 for no consideration, an easement to the state that is 75 feet in width on each side of the
56.29 centerline of East Branch Chester Creek, to provide riparian protection and angler access;

56.30 (4) the West Half of the East Half of the Northwest Quarter of the Southwest Quarter
56.31 and the West Half of the East Half of the Southwest Quarter of the Southwest Quarter,
56.32 Section 4, Township 51 North, Range 17 West;

56.33 (5) all that part or strip lying North of the Savanna River, about 3 to 4 acres of the
56.34 Southeast Quarter of the Northeast Quarter, Section 7, Township 51 North, Range 20 West;

56.35 (6) Government Lot 1, Section 18, Township 53 North, Range 18 West;

- 57.1 (7) the Southwest Quarter of the Southeast Quarter, Section 34, Township 53 North,
57.2 Range 19 West;
- 57.3 (8) Lot 2, Jingwak Beach 1st Addition, town of Cotton, Section 20, Township 54
57.4 North, Range 16 West;
- 57.5 (9) Lot 4, Jingwak Beach 1st Addition, town of Cotton, Section 20, Township 54
57.6 North, Range 16 West;
- 57.7 (10) Lots 1, 2, 3, and 4, 1st Addition to Strand Lake, Section 20, Township 54
57.8 North, Range 16 West;
- 57.9 (11) the Southeast Quarter of the Southwest Quarter, Section 1, Township 55 North,
57.10 Range 20 East. Conveyance of this land must provide, for no consideration, an easement
57.11 to the state that is 75 feet in width on each side of the centerline of East Swan River, to
57.12 provide riparian protection and angler access;
- 57.13 (12) that part of the Northeast Quarter of the Northwest Quarter beginning at the
57.14 intersection of the east line of Highway 4 with the north line of the Northeast Quarter of
57.15 the Northwest Quarter; thence South 500 feet; thence East 350 feet; thence North 500 feet;
57.16 thence West 350 feet to the point of beginning, Section 19, Township 57 North, Range
57.17 15 West. Conveyance of this land must provide, for no consideration, an easement to the
57.18 state that is 75 feet in width on each side of the centerline of the unnamed stream, to
57.19 provide riparian protection and angler access. Where there is less than 75 feet from the
57.20 centerline of the stream channel to the north property line, the easement shall be granted to
57.21 the north property line;
- 57.22 (13) the West Half of Lot 1, Section 22, Township 58 North, Range 16 West.
57.23 Conveyance of this land must provide, for no consideration, a 33-foot road easement to the
57.24 state for access to Black Lake. The conveyance must include a deed restriction prohibiting
57.25 buildings, structures, tree cutting, removal of vegetation, and shoreland alterations across
57.26 a 75-foot strip from the ordinary high water mark, except a 15-foot strip is allowed for
57.27 lake access and a dock; and
- 57.28 (14) the South Half of the Northwest Quarter of the Northwest Quarter, except the
57.29 North Half of the Southwest Quarter, Section 32, Township 62 North, Range 18 West.
57.30 Conveyance of this land must provide, for no consideration, an easement to the state
57.31 that is 105 feet in width on each side of the centerline of Rice River, to provide riparian
57.32 protection and angler access.
- 57.33 (d) The county has determined that the county's land management interests would
57.34 best be served if the lands were returned to private ownership.

58.1 Sec. 27. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
58.2 **WATER; ST. LOUIS COUNTY.**

58.3 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
58.4 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County
58.5 shall sell by private sale the tax-forfeited land bordering public water that is described in
58.6 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

58.9 (c) The land to be sold is located in St. Louis County and is described as: the
58.10 easterly 200 feet of the Northwest Quarter of the Southeast Quarter, Section 21, Township
58.11 58 North, Range 15 West, except that part North of the St. Louis River.

58.12 (d) The county shall sell the land to the adjoining landowner to remedy an
58.13 inadvertent trespass.

58.14 Sec. 28. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
58.15 **WATER; ST. LOUIS COUNTY.**

58.16 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
58.17 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County
58.18 may sell by private sale the tax-forfeited land bordering public water that is described in
58.19 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

58.20 (b) The conveyances must be in a form approved by the attorney general. The
58.21 attorney general may make changes to the land description to correct errors and ensure
58.22 accuracy. The conveyances must include any easements or deed restrictions specified in
58.23 paragraph (c).

58.24 (c) The lands to be sold are located in St. Louis County and are described as:

58.25 (1) an undivided 1369/68040 interest, Lot 8, Section 16, Township 50 North, Range
58.26 17 West;

58.27 (2) an undivided 1470/10080 interest, Lot 5, Section 17, Township 50 North, Range
58.28 17 West;

58.29 (3) an undivided 23/288 interest, Northeast Quarter of the Northeast Quarter, Section
58.30 21, Township 50 North, Range 17 West;

58.31 (4) an undivided 23/288 interest, Northwest Quarter of the Northeast Quarter,
58.32 Section 21, Township 50 North, Range 17 West; and

58.33 (5) that part of Lot 7 beginning at a point 530 feet East of the southwest corner;
58.34 thence North 30 degrees East 208 feet; thence North 55 degrees East 198 feet; thence 10
58.35 feet more or less on the same line to the waters edge; thence South along the waters

59.1 edge to the south boundary line of Lot 7; thence 10 feet West; thence West on the same
59.2 line 198 feet to the point of beginning, Section 5, Township 62 North, Range 16 West.
59.3 The conveyance must include a deed restriction prohibiting buildings, structures, tree
59.4 cutting, removal of vegetation, and shoreland alterations across a 75-foot strip from the
59.5 ordinary high water mark.

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

59.8 **Sec. 29. PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND**
59.9 **BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

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

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

59.16 (c) The land to be sold is located in St. Louis County and is described as: Lot 5,
59.17 Block 1, Williams Lakeview, town of Great Scott, Section 34, Township 60 North, Range
59.18 19 West.

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

59.21 **Sec. 30. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
59.22 **WATER; SHERBURNE COUNTY.**

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

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

59.29 (c) The land that may be sold is located in Sherburne County and is described as: the
59.30 Northeast Quarter of the Southwest Quarter, Section 16, Township 33 North, Range 27
59.31 West, containing 40 acres, more or less.

59.32 (d) The land borders Elk River and is not contiguous to other state lands. The
59.33 Department of Natural Resources has determined that the land is not needed for natural
59.34 resource purposes.

60.1 Sec. 31. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
60.2 **TODD COUNTY.**

60.3 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
60.4 commissioner of natural resources may sell by private sale the surplus land that is
60.5 described in paragraph (c). Notwithstanding Minnesota Statutes, section 97A.135,
60.6 subdivision 2a, the surplus land described in paragraph (c) is vacated from the Grey
60.7 Eagle Wildlife Management Area upon sale.

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

60.11 (c) The land that may be sold is located in Todd County and is described as: the
60.12 East 50.00 feet of the South 165.00 feet of Government Lot 3, Section 16, Township 127
60.13 North, Range 33 West, Todd County, Minnesota, containing 0.19 acres, more or less.

60.14 (d) The sale would resolve an unintentional trespass by the adjacent owner. While
60.15 Lot 3 of Section 16, Township 127 North, Range 33 West, borders Bunker Lake, the
60.16 portion of Lot 3 to be sold does not border public waters. The Department of Natural
60.17 Resources has determined that the land is not needed for natural resource purposes.

60.18 Sec. 32. **PRIVATE SALE OF SURPLUS STATE LAND; WASHINGTON**
60.19 **COUNTY.**

60.20 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
60.21 of natural resources may sell by private sale to Afton Alps the surplus land that is
60.22 described in paragraph (c).

60.23 (b) The conveyance must be in a form approved by the attorney general and may be
60.24 for consideration less than the appraised value of the land. The attorney general may make
60.25 necessary changes to the legal description to correct errors and ensure accuracy.

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

60.27 (1) that part of the Southwest Quarter of the Southeast Quarter of Section 3,
60.28 Township 27, Range 20, Washington County, Minnesota that lies South of the North 800
60.29 feet thereof and North of the following described line: Commencing at a point 800 feet
60.30 South of the northwest corner of said Southwest Quarter of the Southeast Quarter; thence
60.31 154 feet East; thence 228 feet East; thence South 430 feet; thence East 930.58 feet; thence
60.32 North 430 feet, to the point of beginning of the line to be described; thence West to the
60.33 point of commencement and said line there terminating; and

60.34 (2) that part of the North 208 feet of the South 866 feet of the East 208 feet of
60.35 the Southeast Quarter of the Southeast Quarter of Section 3, Township 27, Range 20,

61.1 Washington County, Minnesota that lies northwesterly of the following described line:
61.2 Commencing at the northwest corner of the Southeast Quarter of the Southeast Quarter of
61.3 said Section 3; thence South along the west line of said Southeast Quarter of the Southeast
61.4 Quarter, a distance of 900 feet; thence easterly, at a right angle, a distance of 660 feet, to
61.5 the point of beginning of the line to be described; thence northeasterly to a point on the
61.6 east line of said Southeast Quarter of the Southeast Quarter distant 275 feet South of the
61.7 northeast corner thereof, and said line there terminating.

61.8 (d) The Department of Natural Resources has determined that the state's land
61.9 management interests would best be served if the land were conveyed to the adjacent
61.10 landowner.

61.11 Sec. 33. **EFFECTIVE DATE.**

61.12 Sections 1 to 32 are effective the day following final enactment.

61.13 **ARTICLE 4**

61.14 **FOREST AND TIMBER MANAGEMENT**

61.15 Section 1. **APPRAISED VOLUME TIMBER SALES; FISCAL YEARS 2010**
61.16 **AND 2011.**

61.17 (a) During fiscal years 2010 and 2011, the commissioner of natural resources shall
61.18 increase the amount of timber products sold from state lands under permits based solely
61.19 on the appraiser's estimate of the timber volume described in the permit, as provided in
61.20 Minnesota Statutes, section 90.14, paragraph (c).

61.21 (b) The commissioner shall evaluate sales of timber under paragraph (a) and other
61.22 methods used to sell timber from state lands to identify the method, or combination of
61.23 methods, that is most efficient and effective in protecting the fiduciary interest of the
61.24 state, including the permanent school fund.

61.25 (c) By January 15, 2011, the commissioner shall report to the house of representatives
61.26 and senate natural resources policy and finance committees and divisions on the findings
61.27 of the evaluation process completed under paragraph (b).

61.28 Sec. 2. **FOREST MANAGEMENT LEASE PILOT PROJECT.**

61.29 (a) Notwithstanding the permit procedures of Minnesota Statutes, chapter 90, the
61.30 commissioner of natural resources may on a pilot basis lease state-owned forest lands for
61.31 forest management purposes. The lease shall:

62.1 (1) require that the lessee comply with timber harvesting and forest management
62.2 guidelines developed under Minnesota Statutes, section 89A.05, adopted by the Minnesota
62.3 Forest Resources Council, and in effect at the time that the lease is issued; and

62.4 (2) provide for public access for hunting, fishing, and motorized and nonmotorized
62.5 recreation to the leased land that is the same as would be available under state management.

62.6 (b) For the purposes of this section, the term "state-owned forest lands" may include
62.7 school trust lands as defined in Minnesota Statutes, section 92.025, or university land
62.8 granted to the state by Acts of Congress.

62.9 (c) By December 15, 2009, the commissioner of natural resources shall provide a
62.10 report to the house or representatives and senate natural resources policy and finance
62.11 committees and divisions on the pilot project. The report must detail a plan for
62.12 implementation of the pilot project with a starting date that is no later than July 1, 2010.

62.13 (d) Upon implementation of the pilot project, the commissioner shall provide an
62.14 annual report to the house of representatives and senate natural resources policy and
62.15 finance committees and divisions on the progress of the project, including the acres leased,
62.16 a breakdown of the types of forest land, and amounts harvested by species. The report
62.17 shall include a net revenue analysis comparing the lease revenue with the estimated net
62.18 revenue that would be obtained through state management and silvicultural practices cost
62.19 savings the state realizes through leasing.