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State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **555**

February 5, 2009

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

A bill for an act

relating to natural resources; specifying that money received from certain utility permits be deposited in the permanent school fund; allowing exchanges of riparian lands administered by the commissioner of natural resources for other lands administered by the commissioner without certain restrictions; amending Minnesota Statutes 2008, sections 84.415, subdivision 5; 94.342, subdivision 3.

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

Section 1. Minnesota Statutes 2008, section 84.415, subdivision 5, is amended to read:

Subd. 5. **Fee.** (a) In the event the construction of ~~such~~ lines causes damage to timber or other property of the state on or along the same, the license or permit shall also provide for payment to the commissioner of finance of the amount thereof as may be determined by the commissioner.

(b) All money received ~~under such~~ from licenses or permits issued under this section shall be credited to the fund to which other income or proceeds of sale from ~~such~~ the land would be credited, ~~if provision therefor be made~~ as provided by law, otherwise to the general fund.

(c) Money received from licenses or permits issued under this section for use of the beds of navigable waters shall be credited to the permanent school fund.

Sec. 2. Minnesota Statutes 2008, section 94.342, subdivision 3, is amended to read:

Subd. 3. **Additional restrictions on riparian land.** (a) Land bordering on or adjacent to any meandered or other public waters and withdrawn from sale by law is riparian land. Riparian land may not be given in exchange unless:

(1) expressly authorized by the legislature ~~or unless;~~

2.1 (2) through the same exchange the state acquires land on the same or other public
2.2 waters in the same general vicinity affording at least equal opportunity for access to the
2.3 waters and other riparian use by the public;

2.4 (3) Class A land is being exchanged for Class A land; or

2.5 ~~provided, that any~~ (4) the exchange is with the United States or any agency thereof
2.6 ~~may be made free from this limitation upon condition that~~ and the state land given in
2.7 exchange bordering on public waters shall be subject to reservations by the state for public
2.8 travel along the shores as provided by section 92.45, unless waived as provided in ~~this~~
2.9 ~~subdivision paragraph (b)~~, and that there shall be reserved by the state such additional
2.10 rights of public use upon suitable portions of ~~such~~ state land as the commissioner of
2.11 natural resources, with the approval of the Land Exchange Board, may deem necessary or
2.12 desirable for camping, hunting, fishing, access to the water, and other public uses.

2.13 ~~In regard to~~ (b) For Class B or riparian land that is contained within that portion
2.14 of the Superior National Forest that is designated as the Boundary Waters Canoe Area
2.15 Wilderness, the condition that state land given in exchange bordering on public waters
2.16 must be subject to the public travel reservations provided in section 92.45, may be waived
2.17 by the Land Exchange Board upon the recommendation of the commissioner of natural
2.18 resources and, if the land is Class B land, the additional recommendation of the county
2.19 board in which the land is located.