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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. **1673**

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

1.1 A bill for an act  
1.2 relating to natural resources; establishing a conservation easement management  
1.3 account; requiring contributions; proposing coding for new law in Minnesota  
1.4 Statutes, chapter 84C.

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

1.6 Section 1. **[84C.021] CONSERVATION EASEMENT PURPOSE STATEMENT.**

1.7 A conservation easement executed on or after July 1, 2009, that is purchased in  
1.8 whole or in part with state funds, must include a statement of the conservation purposes of  
1.9 the easement including the conservation attributes associated with the real property and  
1.10 the benefit to the general public intended to be served by the restriction on uses of the real  
1.11 property subject to the conservation easement.

1.12 Sec. 2. **[84C.06] CONSERVATION EASEMENT MANAGEMENT ACCOUNT.**

1.13 Subdivision 1. **Account established.** A conservation easement management account  
1.14 is established in the special revenue fund. The commissioner of finance shall credit to  
1.15 the conservation easement management account the receipts from conservation easement  
1.16 holders required under subdivision 2 and any gifts and donations made to the account.

1.17 Subd. 2. **Contribution required.** (a) A holder of a conservation easement executed  
1.18 on or after July 1, 2009, that is purchased in whole or in part with state funds, shall  
1.19 contribute five percent of the appraised value of the land to the conservation easement  
1.20 management account established in subdivision 1 within 30 days of purchasing the  
1.21 easement.

1.22 (b) A holder of a conservation easement that transfers a conservation easement to  
1.23 the state on or after July 1, 2009, shall contribute five percent of the appraised value of

2.1 the land to the conservation easement management account established in subdivision 1  
2.2 within 30 days of transferring the easement unless the contribution requirement has been  
2.3 met by the state.

2.4 (c) Nothing in this section prohibits a holder of an easement from accepting gifts  
2.5 or other funds to be used in meeting the contribution requirements of this section or  
2.6 prohibits a contribution from being made on behalf of a holder of an easement to meet  
2.7 the requirements of this section.

2.8 (d) For the purposes of this section, "appraised value" is the most recent assessor's  
2.9 estimated market value under section 273.11, subdivision 1, the most recent purchase  
2.10 price, or the most recent appraised value of the land, whichever is greater.

2.11 Subd. 3. **Exemption.** The commissioner of natural resources may waive the  
2.12 contribution requirement under subdivision 2 for a holder of a conservation easement,  
2.13 upon request, provided the following conditions are met:

2.14 (1) the holder is a private entity with a history of providing long-term conservation  
2.15 easement management, monitoring, and enforcement;

2.16 (2) the holder demonstrates the ability to fund long-term conservation easement  
2.17 management, monitoring, and enforcement of conservation easements; and

2.18 (3) the holder has or soon will set aside funds for the management, monitoring, and  
2.19 enforcement of the conservation easement subject to the requirement under subdivision 2,  
2.20 such as administration of an account similar to the conservation easement management  
2.21 account established under this section.

2.22 Subd. 4. **Expenditures.** Money appropriated from the conservation easement  
2.23 management account must only be spent on the management, monitoring, and enforcement  
2.24 of conservation easements to ensure that the purposes for conservation easements  
2.25 according to section 84C.021 are met. Funds must be appropriated by law and shall not be  
2.26 appropriated until July 1, 2017.

2.27 **Sec. 3. EFFECTIVE DATE.**

2.28 Sections 1 and 2 are effective July 1, 2009.