

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-NINTH SESSION**

**S.F. No. 2440**

(SENATE AUTHORS: GAZELKA)

DATE	D-PG	OFFICIAL STATUS
03/10/2016	4941	Introduction and first reading Referred to Environment and Energy

1.1 A bill for an act  
 1.2 relating to state lands; establishing no-net-gain policy for state acquisition of  
 1.3 certain real property; proposing coding for new law in Minnesota Statutes,  
 1.4 chapter 16B.

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

1.6 Section 1. **[16B.2971] NO NET GAIN IN REAL PROPERTY ACQUISITION.**

1.7 Subdivision 1. **Definition.** For purposes of this section, "agency" means an agency  
 1.8 as defined in section 16B.01, subdivision 2, and the Board of Trustees of the Minnesota  
 1.9 State Colleges and Universities.

1.10 Subd. 2. **No net gain; county approval.** (a) A county board may by resolution  
 1.11 adopt a no-net-gain policy for state-owned land within the county. Upon adoption, the  
 1.12 county board must submit the resolution to the commissioner of natural resources for  
 1.13 inclusion in the compilation required under paragraph (b).

1.14 (b) The commissioner of natural resources must compile and maintain a list of  
 1.15 counties that submit no-net-gain resolutions according to paragraph (a). The commissioner  
 1.16 must publish the list of counties on the Department of Natural Resources Web site.

1.17 (c) Notwithstanding any other provision of law, an agency must not enter an  
 1.18 agreement to acquire real property or an interest in real property in a county listed  
 1.19 according to paragraph (b) unless the county board approves the acquisition.

1.20 (d) As a condition of approval for an acquisition of real property in fee, the  
 1.21 county board may require that an equal amount of state-owned land administered by  
 1.22 the commissioner of natural resources in the county be offered for sale in fee by public  
 1.23 auction according to chapter 94.

2.1 (e) If the land sought to be acquired by the agency is owned by the county, the  
2.2 county may, as a condition of approval, require an acre-for-acre exchange of public land  
2.3 of equal value and require that the land conveyed to the county in exchange be sold before  
2.4 title vests in the state for property conveyed to the agency in exchange. Sections 94.341  
2.5 to 94.347 apply to the exchange.