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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-NINTH SESSION

H. F. No. 2603

03/08/2016 Authored by Green; Dettmer; Anderson, M.; Drazkowski and Albright
The bill was read for the first time and referred to the Committee on Government Operations and Elections Policy
03/21/2016 Adoption of Report: Amended and re-referred to the Committee on Civil Law and Data Practices
03/29/2016 Adoption of Report: Amended and re-referred to the Committee on Mining and Outdoor Recreation Policy
04/01/2016 Adoption of Report: Re-referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to natural resources; requiring notice, public hearing, and response to
1.3 questions and comments before purchasing real property with public money;
1.4 proposing coding for new law in Minnesota Statutes, chapters 94; 103B.

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

1.6 Section 1. **[94.167] NOTICE, HEARING BEFORE PURCHASING LAND.**

1.7 Subdivision 1. **Application.** This section applies when the commissioner of
1.8 natural resources intends to purchase real property in fee using public money and is in
1.9 addition to any other requirement in law governing the acquisition of real property by the
1.10 commissioner. The requirements of this section must be met before the commissioner
1.11 enters into a purchase agreement or other contract to purchase the property. Nothing in
1.12 this section authorizes the commissioner to disclose data that is not public pursuant to
1.13 chapter 13 or other law.

1.14 Subd. 2. **Notice.** The commissioner must provide public notice that the
1.15 commissioner intends to purchase the property. The notice must be made at least 30 days,
1.16 but not more than 60 days, before the hearing required in subdivision 3. The notice must
1.17 be published in a newspaper of general circulation in the area, the State Register, and on
1.18 the department's Web site. In addition, the commissioner must mail notice to any person
1.19 who has requested notice of land acquisition by the commissioner, the governing bodies
1.20 of the towns, home rule charter and statutory cities, and county in which the property to
1.21 be purchased is located, and all owners and residents of real property adjacent to the
1.22 property the commissioner intends to purchase.

1.23 Subd. 3. **Public hearing.** The commissioner must hold a public hearing at a
1.24 convenient location in the county in which the property to be purchased is located or, if

2.1 none is available, in an adjacent county. Any interested person must be allowed reasonable
2.2 time to present relevant testimony or ask questions at the public hearing. The person
2.3 conducting the hearing may respond to questions or defer response until the commissioner
2.4 provides the written responses required in this subdivision. The proceedings of the hearing
2.5 must be recorded and available to the public for review on the department's Web site. The
2.6 commissioner must accept written comments and questions from the time the notice under
2.7 subdivision 2 is given until ten days after the public hearing. Within 30 days after the
2.8 public hearing, the commissioner must provide written responses to the comments made
2.9 and questions raised at the public hearing or those submitted in writing.

2.10 **EFFECTIVE DATE.** This section is effective July 1, 2016, and applies to the
2.11 purchase of real property with an appropriation enacted on or after that date.

2.12 Sec. 2. **[103B.105] NOTICE, HEARING BEFORE PURCHASING LAND.**

2.13 Subdivision 1. **Application.** This section applies when the Board of Water and Soil
2.14 Resources intends to purchase real property in fee using public money and is in addition
2.15 to any other requirement in law governing the acquisition of real property by the board.
2.16 This section does not apply to the acquisition of easements. The requirements of this
2.17 section must be met before the board enters into a purchase agreement or other contract to
2.18 purchase the property. Nothing in this section authorizes the board to disclose data that is
2.19 not public pursuant to chapter 13 or other law.

2.20 Subd. 2. **Notice.** The board must provide public notice that the board intends to
2.21 purchase the property. The notice must be made at least 30 days, but not more than 60
2.22 days, before the hearing required in subdivision 3. The notice must be published in a
2.23 newspaper of general circulation in the area, the State Register, and on the board's Web
2.24 site. In addition, the board must mail notice to any person who has requested notice of
2.25 land acquisition by the board, the governing bodies of the towns, home rule charter and
2.26 statutory cities, and county in which the property to be purchased is located, and all owners
2.27 and residents of real property adjacent to the property the board intends to purchase.

2.28 Subd. 3. **Public hearing.** The board must hold a public hearing at a convenient
2.29 location in the county in which the property to be purchased is located or, if none is
2.30 available, in an adjacent county. Any interested person must be allowed reasonable time to
2.31 present relevant testimony or ask questions at the public hearing. The person conducting
2.32 the hearing may respond to questions or defer response until the board provides the
2.33 written responses required in this subdivision. The proceedings of the hearing must be
2.34 recorded and available to the public for review on the board's Web site. The board must
2.35 accept written comments and questions from the time the notice under subdivision 2 is

3.1 given until ten days after the public hearing. Within 30 days after the public hearing, the
3.2 board must provide written responses to the comments made and questions raised at the
3.3 public hearing or those submitted in writing.

3.4 **EFFECTIVE DATE.** This section is effective July 1, 2016, and applies to the
3.5 purchase of real property with an appropriation enacted on or after that date.