

A bill for an act

relating to natural resources; modifying Minnesota critical habitat private sector matching account; modifying certain enforcement authority; modifying timber permit provisions; providing for expedited exchanges of public land; modifying outdoor recreation system; adding to and deleting from state parks, recreation areas, and forests; providing for public and private sales, conveyances, and exchanges of certain state land; providing for certain leases of and easements on tax-forfeited and other state lands; modifying aquatic farm and invasive species provisions; authorizing certain fees; modifying horse trail pass requirements; modifying report requirements for game and fish fund; modifying disposition of pheasant habitat improvement account; modifying wild turkey management account; modifying hunting and fishing licensing and taking provisions; modifying fireworks regulation; requiring reports; providing for rulemaking; establishing an Outdoor Heritage Council; appropriating money; amending Minnesota Statutes 2006, sections 17.4981; 84.027, subdivision 15; 84.943, subdivision 5; 84D.10, subdivision 2; 84D.13, subdivision 4; 85.46, subdivision 1; 86A.04; 86A.08, subdivision 1; 90.151, subdivision 1; 97A.015, by adding a subdivision; 97A.055, subdivision 4b; 97A.075, subdivisions 4, 5; 97A.311, subdivision 5; 97A.431, subdivision 2; 97A.433, subdivision 2; 97A.434, subdivision 2; 97A.451, subdivision 4, by adding a subdivision; 97A.475, subdivision 5; 97A.485, subdivision 6; 97A.535, subdivision 1; 97B.015, subdivision 5; 97B.041; 97B.106, subdivision 1; 97B.211, subdivision 1; 97B.301, subdivision 6, by adding a subdivision; 97B.405; 97B.431; 97B.621, subdivision 3; 97B.711, subdivision 1; 97B.721; 97C.001, subdivision 3; 97C.005, subdivision 3; 97C.205; 97C.315, subdivision 1; 97C.355, subdivisions 4, 7, 7a; 97C.371, subdivision 4, by adding a subdivision; 97C.395, subdivision 1; 97C.401, subdivision 2; 97C.865, subdivision 2; 282.04, subdivision 4a; 624.20, subdivision 1; Minnesota Statutes 2007 Supplement, sections 10A.01, subdivision 35; 17.4984, subdivision 1; 97A.055, subdivision 4; 97A.405, subdivision 2; 97A.441, subdivision 7; 97A.451, subdivision 3; 97A.475, subdivisions 2, 3, 7, 12, 16; 97B.031, subdivision 1; 97B.035, subdivision 1a; 97B.036; 97B.328; 97C.355, subdivisions 2, 8; Laws 2006, chapter 236, article 1, section 43; proposing coding for new law in Minnesota Statutes, chapters 84B; 94; 97A; 97C; repealing Minnesota Statutes 2006, section 97A.411, subdivision 2; Minnesota Rules, parts 6232.0200, subpart 4; 6232.0300, subpart 4; 6234.0100, subpart 4.

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

ARTICLE 1
STATE LANDS

Section 1. Minnesota Statutes 2006, section 84.943, subdivision 5, is amended to read:

Subd. 5. **Pledges and contributions.** The commissioner of natural resources may accept contributions and pledges to the critical habitat private sector matching account. A pledge that is made contingent on an appropriation is acceptable and shall be reported with other pledges as required in this section. The commissioner may agree to match a contribution contingent on a future appropriation. In the budget request for each biennium, the commissioner shall report the balance of contributions in the account and the amount that has been pledged for payment in the succeeding two calendar years.

Money in the account is appropriated to the commissioner of natural resources only for the direct acquisition or improvement of land or interests in land as provided in section 84.944. To the extent of available appropriations other than bond proceeds, the money matched to the nongame wildlife management account may be used for the management of nongame wildlife projects as specified in section 290.431. Acquisition includes: (1) purchase of land or an interest in land by the commissioner; or (2) acceptance by the commissioner of gifts of land or interests in land as program projects.

Sec. 2. **[84B.062] ENFORCEMENT OF FEDERAL LAWS.**

A state employee shall not enforce federal laws or regulations pertaining to speed limits on snowmobiles or all-terrain vehicles, to the prohibition of all-terrain vehicles, or to the prohibition of commercial float planes or ski planes on the navigable waters within Voyageurs National Park under the state's jurisdiction as described in section 84B.061.

Sec. 3. Minnesota Statutes 2006, section 86A.04, is amended to read:

86A.04 COMPOSITION OF SYSTEM.

The outdoor recreation system shall consist of all state parks; state recreation areas; state trails established pursuant to sections 84.029, subdivision 2, 85.015, 85.0155, and 85.0156; state scientific and natural areas; state wilderness areas; state forests; state wildlife management areas; state aquatic management areas; state water access sites, which include all lands and facilities established by the commissioner of natural resources or the commissioner of transportation to provide public access to water; state wild, scenic, and recreational rivers; state historic sites; state rest areas, which include all facilities established by the commissioner of transportation for the safety, rest, comfort and use of the highway traveler, and shall include all existing facilities designated as rest areas

and waysides by the commissioner of transportation; and any other units not listed in this section that are classified under section 86A.05. Each individual state park, state recreation area, and so forth is called a "unit."

Sec. 4. Minnesota Statutes 2006, section 86A.08, subdivision 1, is amended to read:

Subdivision 1. **Secondary authorization; when permitted.** A unit of the outdoor recreation system may be authorized wholly or partially within the boundaries of another unit only when the authorization is consistent with the purposes and objectives of the respective units and only in the instances permitted below:

(a) The following units may be authorized wholly or partially within a state park: historic site, scientific and natural area, wilderness area, wild, scenic, and recreational river, trail, rest area, aquatic management area, and water access site.

(b) The following units may be authorized wholly or partially within a state recreation area: historic site, scientific and natural area, wild, scenic, and recreational river, trail, rest area, aquatic management area, wildlife management area, and water access site.

(c) The following units may be authorized wholly or partially within a state forest: state park, state recreation area, historic site, wildlife management area, scientific and natural area, wilderness area, wild, scenic, and recreational river, trail, rest area, aquatic management area, and water access site.

(d) The following units may be authorized wholly or partially within a state historic site: wild, scenic, and recreational river, trail, rest area, aquatic management area, and water access site.

(e) The following units may be authorized wholly or partially within a state wildlife management area: state water access site and aquatic management area.

(f) The following units may be authorized wholly or partially within a state wild, scenic, or recreational river: state park, historic site, scientific and natural area, wilderness area, trail, rest area, aquatic management area, and water access site.

(g) The following units may be authorized wholly or partially within a state rest area: historic site, trail, wild, scenic, and recreational river, aquatic management area, and water access site.

(h) The following units may be authorized wholly or partially within an aquatic management area: historic site, scientific and natural area, wild, scenic, and recreational river, and water access site.

Sec. 5. Minnesota Statutes 2006, section 90.151, subdivision 1, is amended to read:

Subdivision 1. **Issuance; expiration.** (a) Following receipt of the down payment for state timber required under section 90.14 or 90.191, the commissioner shall issue a numbered permit to the purchaser, in a form approved by the attorney general, by the terms of which the purchaser shall be authorized to enter upon the land, and to cut and remove the timber therein described as designated for cutting in the report of the state appraiser, according to the provisions of this chapter. The permit shall be correctly dated and executed by the commissioner and signed by the purchaser. If a permit is not signed by the purchaser within 60 days from the date of purchase, the permit cancels and the down payment for timber required under section 90.14 forfeits to the state. The commissioner may grant an additional period for the purchaser to sign the permit, not to exceed five business days, provided the purchaser pays a \$125 penalty fee.

(b) The permit shall expire no later than five years after the date of sale as the commissioner shall specify or as specified under section 90.191, and the timber shall be cut within the time specified therein. All cut timber, equipment, and buildings not removed from the land within 90 days after expiration of the permit shall become the property of the state.

(c) The commissioner may grant an additional period of time not to exceed 120 days for the removal of cut timber, equipment, and buildings upon receipt of such request by the permit holder for good and sufficient reasons. The commissioner may grant a second period of time not to exceed 120 days for the removal of cut timber, equipment, and buildings upon receipt of a request by the permit holder for hardship reasons only.

EFFECTIVE DATE. This section is effective the day following final enactment and applies retroactively to permits dated January 1, 2008, and thereafter.

Sec. 6. **[94.3495] EXPEDITED EXCHANGES OF LAND INVOLVING THE STATE AND GOVERNMENTAL SUBDIVISIONS OF THE STATE.**

Subdivision 1. **Purpose and scope.** (a) The purpose of this section is to expedite the exchange of public land ownership. Consolidation of public land reduces management costs and aids in the reduction of forest fragmentation.

(b) This section applies to exchanges of land between the state and a governmental subdivision of the state. For land exchanges under this section, sections 94.342 to 94.347 apply only to the extent specified in this section.

Subd. 2. **Classes of land; definitions.** The classes of public land that may be involved in an expedited exchange under this section are:

(1) Class 1 land, which for the purpose of this section is Class A land as defined in section 94.342, subdivision 1, except for:

(i) school trust land as defined in section 92.025; and
(ii) university land granted to the state by acts of Congress;
(2) Class 2 land, which for the purpose of this section is Class B land as defined in section 94.342, subdivision 2; and

(3) Class 3 land, which for the purpose of this section is all land owned in fee by a governmental subdivision of the state.

Subd. 3. Valuation of land. (a) In an exchange of Class 1 land for Class 2 or 3 land, the value of all the land shall be determined by the commissioner of natural resources. In an exchange of Class 2 land for Class 3 land, the value of all the land shall be determined by the county board of the county in which the land lies. To determine the value of the land, the parties to the exchange may cause the land to be appraised, utilize the valuation process provided under section 84.0272, subdivision 3, or obtain a market analysis from a qualified real estate broker. Merchantable timber value must be determined and considered in finalizing valuation of the lands.

(b) All lands exchanged under this section shall be exchanged only for lands of at least substantially equal value. For the purposes of this subdivision, "substantially equal value" has the meaning given under section 94.343, subdivision 3, paragraph (b). No payment is due either party if the lands are of substantially equal value but are not of the same value.

Subd. 4. Title. Title to the land must be examined to the extent necessary for the parties to determine that the title is good, with any encumbrances identified. The parties to the exchange may utilize title insurance to aid in the determination.

Subd. 5. Approval by Land Exchange Board. All expedited land exchanges under this section, and the terms and conditions of the exchanges, require the unanimous approval of the Land Exchange Board.

Subd. 6. Conveyance. (a) Conveyance of Class 1 land given in exchange shall be made by deed executed by the commissioner of natural resources in the name of the state. Conveyance of Class 2 land given in exchange shall be by a deed executed by the commissioner of revenue in the name of the state. Conveyance of Class 3 land shall be by a deed executed by the governing body in the name of the governing authority.

(b) If Class 1 land is given in exchange for Class 2 or 3 land, the deed to the Class 2 or 3 land shall first be delivered to the commissioner of natural resources. Following the recording of the deed, the commissioner of natural resources shall deliver the deed conveying the Class 1 land.

(c) If Class 2 land is given in exchange for Class 3 land, the deed to the Class 3 land shall first be delivered to the county auditor. Following the recording of the deed, the commissioner of revenue shall deliver the deed conveying the Class 2 land.

(d) All deeds shall be recorded or registered in the county in which the lands lie.

Subd. 7. **Reversionary interest; mineral and water power rights and other reservations.** (a) All deeds conveying land given in an expedited land exchange under this section shall include a reverter that provides that title to the land automatically reverts to the conveying governmental unit if:

(1) the receiving governmental unit sells, exchanges, or otherwise transfers title of the land within 40 years of the date of the deed conveying ownership; and

(2) there is no prior written approval for such transfer from the conveying governmental unit. The authority for granting approval is the commissioner of natural resources for former Class 1 land, the county board for former Class 2 land, and the governing body for former Class 3 land.

(b) Class 1 land given in exchange is subject to the reservation provisions of section 94.343, subdivision 4. Class 2 land given in exchange is subject to the reservation provisions of section 94.344, subdivision 4. County fee land given in exchange is subject to the reservation provisions of section 373.01, subdivision 1, paragraph (g).

Subd. 8. **Land status.** Land received in exchange for Class 1 land is subject to the same trust, if any, and otherwise has the same status as the land given in exchange. Land received in exchange for Class 2 land is subject to a trust in favor of the governmental subdivision wherein it lies and all laws relating to tax-forfeited land. Land received in exchange for Class 3 land has the same status as the land given in exchange.

Sec. 7. Minnesota Statutes 2006, section 282.04, subdivision 4a, is amended to read:

Subd. 4a. **Private easements.** (a) A county board may convey a road easement across unsold tax-forfeited land to ~~an individual~~ a person, as defined under section 645.44, subdivision 7, requesting an easement for access to private property owned by the ~~individual~~ person if:

(1) there are no reasonable alternatives to obtain access to the ~~individual's~~ person's property; and

(2) exercising the easement will not cause significant adverse environmental or natural resource management impacts.

(b) The county auditor shall require ~~an individual~~ a person applying for an easement under paragraph (a) to pay the appraised value of the easement. The conveyance must

provide that the easement reverts to the state in trust for the taxing district in the event of nonuse.

Sec. 8. Laws 2006, chapter 236, article 1, section 43, is amended to read:

Sec. 43. LAND REPLACEMENT TRUST FUND; ITASCA COUNTY.

Notwithstanding the provisions of Minnesota Statutes, chapter 282, and any other law relating to the apportionment of proceeds from the sale or lease of tax-forfeited land, Itasca County must apportion the first \$1,000,000 received from the sale or lease of tax-forfeited lands within Minnesota Steel Industries permit to mine area near Nashwauk, Minnesota, as provided in Laws 1965, chapter 326, section 1, as amended. Any remaining proceeds received from the sale or lease must be deposited into a tax-forfeited land replacement trust fund established by Itasca County under this section. The principal and interest from this fund may be spent only on the purchase of lands to replace the tax-forfeited lands sold to Minnesota Steel Industries. Lands purchased with the land replacement fund must:

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

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

EFFECTIVE DATE. This section is effective the day after compliance with Minnesota Statutes, section 645.021, subdivision 3, by the governing body of Itasca County.

Sec. 9. ADDITIONS TO STATE PARKS.

Subdivision 1. [85.012] [Subd. 9.] Buffalo River State Park, Clay County. The following area is added to Buffalo River State Park, all in Section 11, Township 139 North, Range 46, Clay County: That part of the Southeast Quarter of Section 11, described as follows: Beginning at the southwest corner of the Southeast Quarter of said Section 11; thence North 00 degrees 13 minutes 06 seconds East (assumed bearing), along the westerly line of the Southeast Quarter of said Section 11, for a distance of 503.33 feet; thence South 89 degrees 25 minutes 32 seconds East for a distance of 200.00 feet; thence North 00 degrees 13 minutes 06 seconds East, parallel to the westerly line of the Southeast Quarter of said Section 11, for a distance of 457.87 feet; thence South 89 degrees 44 minutes 18 seconds East for a distance of 323.00 feet; thence South 48 degrees 16 minutes 47 seconds East for a distance of 89.46 feet; thence South 29 degrees 17 minutes 10 seconds East for a distance of 1,035.56 feet to a point of intersection with the southerly

line of the Southeast Quarter of said Section 11; thence North 89 degrees 44 minutes 18 seconds West, along the southerly line of the Southeast Quarter of said Section 11, for a distance of 1,100.00 feet to the point of beginning. Said tract of land contains 16.133 acres, more or less, and is subject to the following described ingress-egress easement: A 30.00-foot strip of land for purposes of ingress and egress centered along the following described line: Commencing at the southwest corner of the Southeast Quarter of Section 11, Township 139 North, Range 46 West, Fifth Principal Meridian, Clay County, Minnesota; thence North 00 degrees 13 minutes 06 seconds East (assumed bearing), along the westerly line of the Southeast Quarter of said Section 11, for a distance of 15.00 feet to the true point of beginning; thence South 89 degrees 44 minutes 18 seconds East, parallel to and 15.00 feet northerly of the southerly line of the Southeast Quarter of said Section 11, for a distance of 797.03 feet; thence North 22 degrees 07 minutes 20 seconds East for a distance of 327.76 feet and there terminating.

Subd. 2. [85.012] [Subd. 21.] Frontenac State Park, Goodhue County. The following areas are added to Frontenac State Park, Goodhue County:

(1) all that part of Government Lot 4, and all that part of the Southwest Quarter of the Southeast Quarter and of the Southeast Quarter of the Southwest Quarter, all in Section 2, Township 112 North, Range 13 West, described as follows, to-wit: Beginning at the point of intersection of the east and west center line of said Section 2 with the line of the west shore of Lake Pepin, running thence West 6 chains; thence South 33 degrees 15 minutes West 9.60 chains; thence South 41 degrees West 5.54 chains; thence South 51 degrees 15 minutes West 4.32 chains; thence South 65 degrees 15 minutes West 4 chains; thence South 70 degrees 45 minutes West 11.27 chains to a rock in Glenway Street in the village of Frontenac; thence South 48 degrees 30 minutes East 4.72 chains to the north and south center line of said section; thence South 39 degrees 10 minutes East 11.14 chains; thence South 32 degrees 30 minutes East 8.15 chains to the north line of Waconia Avenue in said Frontenac; thence North 42 degrees 50 minutes East 5.15 chains; thence North 23 degrees 50 minutes East 2.75 chains; thence North 9 degrees 20 minutes East 7.90 chains; thence North 20 degrees 20 minutes East 4.64 chains; thence North 52 degrees West 3.80 chains; thence North 20 degrees 20 minutes East 18.40 chains to the east line of said Mill Street in said Frontenac; thence South along the east line of said Mill Street 3.76 chains to the north line of Lot 8 in Block 13 in said Frontenac; thence along said north line to the shore of Lake Pepin; thence along the shore of said lake 1.50 chains to the point of beginning, containing in all 35.67 acres of land, more or less. Excepting therefrom all that part of Government Lot 4, Section 2, Township 112 North, Range 13 West, described, as follows: Beginning on the shore of Lake Pepin at the northeast corner of Lot 8 in

9.1 Block 13 of the town of Frontenac, running thence westerly along the north line of said
9.2 lot to the northwest corner thereof; thence northerly along the easterly line of Mill Street
9.3 in said town of Frontenac 215 feet, more or less, to its intersection with the north line of
9.4 said Government Lot 4; thence East along the north line of said Government Lot 4 to low
9.5 water mark on shore of Lake Pepin; thence southerly along the low water mark of Lake
9.6 Pepin to the place of beginning. Also excepting that part of Government Lot 4, Section 2,
9.7 Township 112 North, Range 12 West, which lies West of Undercliff Street in said village,
9.8 North of the southerly line of said Lot 1, Block 14, prolonged westerly, and East of a line
9.9 beginning 6 chains West of the intersection of the east and west center line of said Section
9.10 2 with the west shore of Lake Pepin, being the point of intersection of the west line of said
9.11 Undercliff Street and said east and west center line; thence South 33 degrees 15 minutes
9.12 West 9.60 chains, being a triangular piece of land; all of Block 14, except Lot 1 of said
9.13 Block 14; Lots 11, 12, 13, 14, 15, 16, 17, 18, and 19 of Block 15, except so much of Lot
9.14 11 in said Block 15 (in a triangular form) as lies between the west end of Lots 2 and 3 of
9.15 said Block 15 and the east line of Bluff Street, all in the town of Frontenac according to
9.16 the accepted and recorded map of said town of Frontenac now on file and of record in the
9.17 Office of the Register of Deeds in and for said County of Goodhue;

9.18 (2) that part of the West Half of the Northeast Quarter of Section 6, Township 112
9.19 North, Range 13 West, Goodhue County, Minnesota, described as follows: Commencing
9.20 at the northeast corner of the West Half of the Northeast Quarter of said Section 6; thence
9.21 South 01 degree 11 minutes 39 seconds East, assumed bearing, along the east line of
9.22 said West Half of the Northeast Quarter of Section 6, a distance of 1,100.00 feet to the
9.23 point of beginning of the land to be described; thence North 01 degree 11 minutes 39
9.24 seconds West, along said east line, a distance of 400.00 feet; thence South 89 degrees 01
9.25 minute 10 seconds West, a distance of 442.03 feet; thence southwesterly, a distance of
9.26 534.99 feet along a nontangential curve concave to the northwest having a radius of
9.27 954.93 feet, a central angle of 33 degrees 53 minutes 57 seconds, and a chord that bears
9.28 South 42 degrees 45 minutes 42 seconds West; thence South 59 degrees 42 minutes 41
9.29 seconds West, tangent to said curve, a distance of 380.00 feet to the centerline of State
9.30 Highway 61, as now located and established; thence southeasterly, along said centerline
9.31 of State Highway 61, a distance of 160 feet, more or less, to the intersection with a line
9.32 bearing South 73 degrees 00 minutes 00 seconds West from the point of beginning; thence
9.33 North 73 degrees 00 minutes 00 seconds East, to the point of beginning. Together with a
9.34 50.00-foot wide driveway and utility easement, which lies northwesterly and adjoins the
9.35 northwesterly line of the above described property; and

(3) that part of the West Half of the Northeast Quarter of Section 6, Township 112 North, Range 13 West, Goodhue County, described as follows: Commencing at the northeast corner of the West Half of the Northeast Quarter of said Section 6; thence South 01 degree 11 minutes 39 seconds East, assumed bearing, along the east line of said West Half of the Northeast Quarter of Section 6, a distance of 1,100.00 feet to the point of beginning of the land to be described; thence South 73 degrees 00 minutes 00 seconds West, to the centerline of State Highway 61, as now located and established; thence southeasterly, along said centerline of State Highway 61, to the south line of said West Half of the Northeast Quarter of Section 6; thence North 88 degrees 34 minutes 56 seconds East, along said south line, to the southeast corner of said West Half of the Northeast Quarter of Section 6; thence North 01 degree 11 minutes 39 seconds West, a distance of 1,902.46 feet to the point of beginning.

Subd. 3. [85.012] [Subd. 44.] Monson Lake State Park, Swift County. The following area is added to Monson Lake State Park, Swift County: the Northeast Quarter of Section 1, Township 121 North, Range 37 West.

Subd. 4. [85.012] [Subd. 51.] Savanna Portage State Park, Aitkin and St. Louis Counties. The following areas are added to Savanna Portage State Park: the Southwest Quarter of the Northeast Quarter, the Southeast Quarter of the Northwest Quarter, Government Lot 2, and Government Lot 3, all in Section 13, Township 50 North, Range 23 West, Aitkin County.

Subd. 5. [85.012] [Subd. 52.] Scenic State Park, Itasca County. The following areas are added to Scenic State Park: Government Lot 3, Government Lot 4, the Northeast Quarter of the Northwest Quarter, and the Southeast Quarter of the Northwest Quarter, all in Section 7, Township 60 North, Range 25 West, Itasca County.

Subd. 6. [85.012] [Subd. 53a.] Soudan Underground Mine State Park, St. Louis County. The following area is added to Soudan Underground Mine State Park: the Northeast Quarter of the Northeast Quarter, Section 29, Township 62 North, Range 15 West, St. Louis County.

Subd. 7. [85.012] [Subd. 60.] William O'Brien State Park, Washington County. The following areas are added to William O'Brien State Park, Washington County:

(1) Lot 1, Block 1, and Outlots A and B, Spring View Acres according to the plat on file and of record in the Office of the Recorder for Washington County;

(2) the South 200.00 feet of the North 1,326.20 feet of the West One-Half of the Southeast Quarter, Section 36, Township 32 North, Range 20 West; and

(3) that part of the Northeast Quarter of the Southwest Quarter lying west of Highway 95 (St. Croix Trail North) in Section 31, Township 32 North, Range 19 West.

Sec. 10. **DELETIONS FROM STATE PARKS.**

Subdivision 1. [85.012] [Subd. 21.] Frontenac State Park, Goodhue County.

The following areas are deleted from Frontenac State Park, all in Township 112 North, Range 13 West, Goodhue County:

(1) that part of the East Half, Section 11, and that part of the Southwest Quarter, Section 12, being described as BLOCK's O, F, H, G, and L, GARRARD'S SOUTH EXTENSION TO FRONTENAC according to the plat on file and of record in the Office of the Recorder for Goodhue County, Minnesota. Including all of those parts of vacated Birch Way and Birch Way South situated in GARRARD'S SOUTH EXTENSION TO FRONTENAC lying southerly of vacated Ludlow Avenue and northerly of Winona Avenue;

(2) that part of the Northeast Quarter, Section 11, being described as BLOCK 70, WESTERVELT (also known as the town of Frontenac) according to the plat on file and of record in the Office of the Recorder for Goodhue County, Minnesota;

(3) that part of the Northeast Quarter, Section 11, being described as Lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, and 16, BLOCK 69, WESTERVELT (aka town of Frontenac) according to the plat on file and of record in the Office of the Recorder for Goodhue County, Minnesota;

(4) that part of the Northeast Quarter, Section 11, being described as BLOCK 67, WESTERVELT (aka town of Frontenac) according to the plat on file and of record in the Office of the Recorder for Goodhue County, Minnesota. Including the South 30 feet of Graham Street lying adjacent to and northerly of Lots 1 and 16, BLOCK 67 of said plat of WESTERVELT;

(5) that part of the Northeast Quarter, Section 11, being described as BLOCK 66, WESTERVELT (aka town of Frontenac) according to the plat on file and of record in the Office of the Recorder for Goodhue County, Minnesota; and

(6) that part of the Northeast Quarter, Section 11, being described as those parts of Lots 1 and 9 in BLOCK 65 of the town of Frontenac lying adjacent to and northerly of the southerly 50 feet of said Lots 1 and 9 according to the plat on file and of record in the Office of the Recorder for Goodhue County, Minnesota.

Subd. 2. [85.012][Subd. 30.] Jay Cooke State Park, Carlton County. Effective upon the commissioner of natural resources entering into an agreement with the commissioner of military affairs to transfer the property for use as a veterans cemetery, the following areas are deleted from Jay Cooke State Park:

(a) the Northeast Quarter of the Southeast Quarter lying southerly of the railroad right-of-way, Section 21, Township 48 North, Range 16 West;

12.1 (b) the Northwest Quarter of the Southwest Quarter lying southerly of the railroad
12.2 right-of-way, Section 22, Township 48 North, Range 16 West; and

12.3 (c) the East 2 rods of the Southwest Quarter of the Southwest Quarter, Section
12.4 22, Township 48 North, Range 16 West.

12.5 Subd. 3. [85.012] [Subd. 35.] Lake Carlos State Park, Douglas County. The
12.6 following area is deleted from Lake Carlos State Park: that part of Government Lot 2,
12.7 being described as EHLERT'S ADDITION according to the plat on file and of record in
12.8 the Office of the Recorder for Douglas County, Minnesota, Section 10, Township 129
12.9 North, Range 37 West, Douglas County.

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

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

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

12.16 (3) that part of Government Lot 6 and that part of Government Lot 7 of Section 6,
12.17 Township 107 North, Range 40 West, and that part of Government Lot 1 and that part of
12.18 Government Lot 2 of Section 7, Township 107 North, Range 40 West, Murray County,
12.19 Minnesota, described as follows: Commencing at the East Quarter Corner of said Section
12.20 6; thence on a bearing based on the 1983 Murray County Coordinate System (1996
12.21 Adjustment), of South 00 degrees 22 minutes 05 seconds East 1405.16 feet along the east
12.22 line of said Section 6; thence North 89 degrees 07 minutes 01 second West 1942.39 feet;
12.23 thence South 03 degrees 33 minutes 00 seconds West 94.92 feet to the northeast corner
12.24 of Block 5 of FORMAN ACRES, according to the recorded plat thereof on file and of
12.25 record in the Murray County Recorder's Office; thence South 14 degrees 34 minutes 00
12.26 seconds West 525.30 feet along the easterly line of said Block 5 and along the easterly line
12.27 of the Private Roadway of FORMAN ACRES to the southeasterly corner of said Private
12.28 Roadway and the POINT OF BEGINNING; thence North 82 degrees 15 minutes 00
12.29 seconds West 796.30 feet along the southerly line of said Private Roadway to an angle
12.30 point on said line and an existing ½ inch diameter rebar; thence South 64 degrees 28
12.31 minutes 26 seconds West 100.06 feet along the southerly line of said Private Roadway to
12.32 an angle point on said line and an existing ½ inch diameter rebar; thence South 33 degrees
12.33 01 minute 32 seconds West 279.60 feet along the southerly line of said Private Roadway to
12.34 an angle point on said line; thence South 76 degrees 04 minutes 52 seconds West 766.53
12.35 feet along the southerly line of said Private Roadway to a ¾ inch diameter rebar with
12.36 a plastic cap stamped "MN DNR LS 17003" (DNR MON); thence South 16 degrees 24

13.1 minutes 50 seconds West 470.40 feet to a DNR MON; thence South 24 degrees 09 minutes
13.2 57 seconds West 262.69 feet to a DNR MON; thence South 08 degrees 07 minutes 09
13.3 seconds West 332.26 feet to a DNR MON; thence North 51 degrees 40 minutes 02 seconds
13.4 West 341.79 feet to the east line of Lot A of Lot 1 of LOT A OF GOV. LOT 8, OF SEC. 6
13.5 AND LOT A OF GOV. LOT 1, OF SEC 7 TP. 107 RANGE 40, according to the recorded
13.6 plat thereof on file and of record in the Murray County Recorder's Office and a DNR
13.7 MON; thence South 14 degrees 28 minutes 55 seconds West 71.98 feet along the east line
13.8 of said Lot A to the northerly most corner of Lot 36 of HUDSON ACRES, according to
13.9 the recorded plat thereof on file and of record in the Murray County Recorder's Office
13.10 and an existing steel fence post; thence South 51 degrees 37 minutes 05 seconds East
13.11 418.97 feet along the northeasterly line of said Lot 36 and along the northeasterly line of
13.12 Lots 35,34,33,32 of HUDSON ACRES to an existing 1 inch inside diameter iron pipe
13.13 marking the easterly most corner of Lot 32 and the most northerly corner of Lot 31A of
13.14 HUDSONS ACRES; thence South 48 degrees 33 minutes 10 seconds East 298.26 feet
13.15 along the northeasterly line of said Lot 31A to an existing 1½ inch inside diameter iron
13.16 pipe marking the easterly most corner thereof and the most northerly corner of Lot 31 of
13.17 HUDSONS ACRES; thence South 33 degrees 53 minutes 30 seconds East 224.96 feet
13.18 along the northeasterly line of said Lot 31 and along the northeasterly line of Lots 30 and
13.19 29 of HUDSON ACRES to an existing 1½ inch inside diameter iron pipe marking the
13.20 easterly most corner of said Lot 29 and the most northerly corner of Lot 28 of HUDSONS
13.21 ACRES; thence South 45 degrees 23 minutes 54 seconds East 375.07 feet along the
13.22 northeasterly line of said Lot 28 and along the northeasterly line of Lots 27,26,25,24 of
13.23 HUDSON ACRES to an existing 1½ inch inside diameter iron pipe marking the easterly
13.24 most corner of said Lot 24 and the most northerly corner of Lot 23 of HUDSON ACRES;
13.25 thence South 64 degrees 39 minutes 53 seconds East 226.80 feet along the northeasterly
13.26 line of said Lot 23 and along the northeasterly line of Lots 22 and 21 of HUDSON ACRES
13.27 to an existing 1½ inch inside diameter iron pipe marking the easterly most corner of said
13.28 Lot 21 and the most northerly corner of Lot 20 of HUDSON ACRES; thence South 39
13.29 degrees 49 minutes 49 seconds East 524.75 feet along the northeasterly line of said Lot 20
13.30 and along the northeasterly line of Lots 19,18,17,16,15,14 of HUDSON ACRES to an
13.31 existing 1½ inch inside diameter iron pipe marking the easterly most corner of said Lot 14
13.32 and the most northerly corner of Lot 13 of HUDSON ACRES; thence South 55 degrees
13.33 31 minutes 43 seconds East 225.11 feet along the northeasterly line of said Lot 13 and
13.34 along the northeasterly line of Lots 12 and 11 of HUDSON ACRES to an existing 1½
13.35 inch inside diameter iron pipe marking the easterly most corner of said Lot 11 and the
13.36 northwest corner of Lot 10 of HUDSON ACRES; thence South 88 degrees 03 minutes

14.1 49 seconds East 224.90 feet along the north line of said Lot 10 and along the north line
14.2 of Lots 9 and 8 of HUDSON ACRES to an existing 1½ inch inside diameter iron pipe
14.3 marking the northeast corner of said Lot 8 and the northwest corner of Lot 7 of HUDSON
14.4 ACRES; thence North 84 degree 07 minutes 37 seconds East 525.01 feet along the north
14.5 line of said Lot 7 and along the north line of Lots 6,5,4,3,2,1 of HUDSON ACRES to an
14.6 existing 1½ inch inside diameter iron pipe marking the northeast corner of said Lot 1 of
14.7 HUDSON ACRES; thence southeasterly, easterly and northerly along a non-tangential
14.8 curve concave to the north having a radius of 50.00 feet, central angle 138 degrees 41
14.9 minutes 58 seconds, a distance of 121.04 feet, chord bears North 63 degrees 30 minutes 12
14.10 seconds East; thence continuing northwesterly and westerly along the previously described
14.11 curve concave to the south having a radius of 50.00 feet, central angle 138 degrees 42
14.12 minutes 00 seconds, a distance of 121.04 feet, chord bears North 75 degrees 11 minutes 47
14.13 seconds West and a DNR MON; thence South 84 degrees 09 minutes 13 seconds West not
14.14 tangent to said curve 520.52 feet to a DNR MON; thence North 88 degrees 07 minutes 40
14.15 seconds West 201.13 feet to a DNR MON; thence North 55 degrees 32 minutes 12 seconds
14.16 West 196.66 feet to a DNR MON; thence North 39 degrees 49 minutes 59 seconds West
14.17 530.34 feet to a DNR MON; thence North 64 degrees 41 minutes 41 seconds West 230.01
14.18 feet to a DNR MON; thence North 45 degrees 23 minutes 00 seconds West 357.33 feet
14.19 to a DNR MON; thence North 33 degrees 53 minutes 32 seconds West 226.66 feet to a
14.20 DNR MON; thence North 48 degrees 30 minutes 31 seconds West 341.45 feet to a DNR
14.21 MON; thence North 08 degrees 07 minutes 09 seconds East 359.28 feet to a DNR MON;
14.22 thence North 24 degrees 09 minutes 58 seconds East 257.86 feet to a DNR MON; thence
14.23 North 16 degrees 24 minutes 50 seconds East 483.36 feet to a DNR MON; thence North
14.24 76 degrees 04 minutes 53 seconds East 715.53 feet to a DNR MON; thence North 33
14.25 degrees 01 minute 32 seconds East 282.54 feet to a DNR MON; thence North 64 degrees
14.26 28 minutes 25 seconds East 84.97 feet to a DNR MON; thence South 82 degrees 15
14.27 minutes 00 seconds East 788.53 feet to a DNR MON; thence North 07 degrees 45 minutes
14.28 07 seconds East 26.00 feet to the point of beginning; containing 7.55 acres.

14.29 Subd. 5. [85.012] [Subd. 44a.] Moose Lake State Park, Carlton County. The
14.30 following areas are deleted from Moose Lake State Park, all in Township 46 North, Range
14.31 19 West, Carlton County:

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

14.34 (2) Parcel B: the West 660.00 feet of the Northwest Quarter of the Southeast Quarter
14.35 of Section 28 lying northerly of a line 75.00 feet northerly of and parallel with the

15.1 centerline of State Trunk Highway 73, and subject to a taking for highway purposes of a
15.2 100.00-foot wide strip for access and also subject to highway and road easements;

15.3 (3) Parcel C: the West 660.00 feet of the Southwest Quarter of the Southeast Quarter
15.4 of Section 28 lying northerly of a line 75.00 feet northerly of and parallel with the
15.5 centerline of State Trunk Highway 73, and subject to taking for highway purposes of a
15.6 road access under S.P. 0919 (311-311) 901 from State Trunk Highway 73 to old County
15.7 Road 21, said access being 100.00 feet in width with triangular strips of land adjoining it at
15.8 the northerly line of State Trunk Highway 73, and subject to highway and road easements;

15.9 (4) Parcel G: that part of Government Lot 1 of Section 28, which lies northerly of the
15.10 westerly extension of the northerly line of the Southwest Quarter of the Northeast Quarter
15.11 of said Section 28, and southerly of the westerly extension of the northerly line of the
15.12 South 660.00 feet of the Northwest Quarter of the Northeast Quarter of said Section 28;

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

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

15.17 (7) Parcel J: that part of the North One-Half of the Southeast Quarter of Section 28,
15.18 described as follows: Commencing at the northwest corner of said North One-Half of the
15.19 Southeast Quarter; thence South 89 degrees 57 minutes 36 seconds East along the north
15.20 line of said North One-Half of the Southeast Quarter a distance of 660.01 feet to the east
15.21 line of the West 660.00 feet of said North One-Half of the Southeast Quarter and the actual
15.22 point of beginning; thence continue South 89 degrees 57 minutes 36 seconds East along
15.23 the north line of said North One-Half of the Southeast Quarter a distance of 657.40 feet to
15.24 the southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 28;
15.25 thence South 00 degrees 19 minutes 17 seconds West, parallel to the west line of said North
15.26 One-Half of the Southeast Quarter a distance of 715.12 feet to the westerly right-of-way
15.27 of US Interstate Highway 35; thence along said westerly right-of-way of US Interstate
15.28 Highway 35 a distance of 457.86 feet on a nontangential curve, concave to the southeast,
15.29 having a radius of 1,054.93 feet, a central angle of 24 degrees 52 minutes 03 seconds, and
15.30 a chord bearing of South 39 degrees 00 minutes 37 seconds West; thence South 46 degrees
15.31 44 minutes 11 seconds West along said westerly right-of-way of US Interstate Highway 35
15.32 a distance of 295.30 feet to the northerly right-of-way of Minnesota Trunk Highway 73;
15.33 thence 163.55 feet along said northerly right-of-way of Minnesota Trunk Highway 73 on
15.34 a nontangential curve, concave to the south, having a radius of 1,984.88 feet, a central
15.35 angle of 4 degrees 43 minutes 16 seconds, and a chord bearing of South 77 degrees 39
15.36 minutes 40 seconds West to the east line of the West 660.00 feet of said North One-Half of

the Southeast Quarter; thence North 00 degrees 19 minutes 17 seconds East a distance of 1,305.90 feet, more or less, to the point of beginning and there terminating.

Sec. 11. **ADDITIONS TO STATE RECREATION AREAS.**

[85.013] [Subd. 11a.] Garden Island State Recreation Area, Lake of the Woods County. The following areas are added to Garden Island State Recreation Area, Lake of the Woods County:

(1) Bureau of Land Management Island County Control Number 013 (aka Bridges Island) within Lake of the Woods and located in Section 9, Township 165 North, Range 32 West;

(2) Bureau of Land Management Island County Control Number 014 (aka Knight Island) within Lake of the Woods and located in Section 22, Township 165 North, Range 32 West; and

(3) Bureau of Land Management Island County Control Number 015 (aka Babe Island) within Lake of the Woods and located in Section 17, Township 166 North, Range 32 West.

Sec. 12. **ADDITIONS TO BIRCH LAKES STATE FOREST.**

[89.021] [Subd. 7.] Birch Lakes State Forest. The following area is added to Birch Lakes State Forest: the East Half of the Northeast Quarter, Section 35, Township 127 North, Range 33 West, Stearns County.

Sec. 13. **PUBLIC OR PRIVATE SALE OF CONSOLIDATED CONSERVATION LAND BORDERING PUBLIC WATER; AITKIN COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 92.45, and the classification and public sale provisions of Minnesota Statutes, chapters 84A and 282, the commissioner of natural resources may sell by public or private sale the consolidated conservation land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. The consideration for the conveyance must be for no less than the survey costs and appraised value of the land and timber. Proceeds shall be disposed of according to Minnesota Statutes, chapter 84A.

(c) The land that may be sold is located in Aitkin County and is described as: the East 132 feet of the West 396 feet, less the North 40 feet of Government Lot 8, Section 19, Township 50 North, Range 23 West, containing 3.74 acres, more or less.

17.1 (d) The land borders Aitkin Lake with privately owned land to the east and west. The
17.2 land has been subject to continued trespasses by adjacent landowners. The Department of
17.3 Natural Resources has determined that the land is not needed for natural resource purposes.

17.4 Sec. 14. **PUBLIC OR PRIVATE SALE OF CONSOLIDATED CONSERVATION**
17.5 **LAND; AITKIN COUNTY.**

17.6 (a) Notwithstanding the classification and public sale provisions of Minnesota
17.7 Statutes, chapters 84A and 282, Aitkin County may sell by public or private sale the
17.8 consolidated conservation lands that are described in paragraph (c).

17.9 (b) The conveyance must be in a form approved by the attorney general. The
17.10 attorney general may make necessary changes to the legal description to correct errors
17.11 and ensure accuracy. The consideration for the conveyance must be for no less than the
17.12 survey costs and appraised value of the land and timber. Proceeds shall be disposed of
17.13 according to Minnesota Statutes, chapter 84A.

17.14 (c) The lands that may be sold are located in Aitkin County and are described as:

17.15 (1) that part of the Northwest Quarter of the Southeast Quarter, Section 31, Township
17.16 49 North, Range 22 West, lying east of County State-Aid Highway 6, containing 3 acres,
17.17 more or less;

17.18 (2) that part of Government Lot 11, Section 3, Township 47 North, Range 26 West,
17.19 lying north of County Road 54, containing 2 acres, more or less;

17.20 (3) that part of Government Lot 1, Section 19, Township 51 North, Range 25 West,
17.21 lying southwest of the ditch, containing 20 acres, more or less;

17.22 (4) that part of the Southwest Quarter of the Southwest Quarter, Section 13,
17.23 Township 51 North, Range 26 West, lying south of the ditch, containing 12 acres, more or
17.24 less; and

17.25 (5) that part of the South Half of the Southeast Quarter, Section 13, Township 51
17.26 North, Range 26 West, lying south of the ditch, containing 40 acres, more or less.

17.27 (d) The lands are separated from management units by roads or ditches. The
17.28 Department of Natural Resources has determined that the lands are not needed for natural
17.29 resource purposes.

17.30 Sec. 15. **PRIVATE SALE OF SURPLUS STATE LAND; BELTRAMI COUNTY.**

17.31 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, and upon
17.32 completion of condemnation of the school trust land interest, the commissioner of natural
17.33 resources may sell by private sale to Cormant Township the surplus land that is described
17.34 in paragraph (c).

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

(c) The land that may be sold is located in Beltrami County and is described as: that part of the Northeast Quarter of the Southeast Quarter, Section 15, Township 151 North, Range 31 West, Beltrami County, Minnesota, described as follows: Commencing at the northeast corner of said Northeast Quarter of the Southeast Quarter; thence West along the north line of said Northeast Quarter of the Southeast Quarter to the northwest corner of said Northeast Quarter of the Southeast Quarter and the POINT OF BEGINNING of the property to be described; thence East a distance of 76 feet, along said north line; thence South a distance of 235 feet; thence West a distance of 76 feet to the west line of said Northeast Quarter of the Southeast Quarter; thence North a distance of 235 feet along said west line to the point of beginning. Containing 0.41 acre, more or less.

(d) Cormant Cemetery has inadvertently trespassed upon the land. The Department of Natural Resources has determined that the state's land management interests would best be served if the land was conveyed to Cormant Township and managed as part of the cemetery. Since the land is currently school trust land, the Department of Natural Resources shall first condemn the school trust interest prior to conveyance to Cormant Township.

Sec. 16. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; BELTRAMI COUNTY.**

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

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

(c) The land to be sold is located in Beltrami County and is described as: the easterly 350 feet of the following described parcel: Northland Addition to Bemidji Lots E, G, H, I, J, Section 8, Township 146 North, Range 33 West, and all that part of Unplatted Lot 1, Section 17, Township 146 North, Range 33 West and the Minneapolis, Red Lake, and Manitoba Railway right-of-way lying West of Park Avenue and within Lot 1 except that

part of the MRL&M RY R/W lying north of the north boundary line of Lot E, Northland Addition to Bemidji.

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

Sec. 17. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC WATER; CARLTON COUNTY.**

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

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

(c) The land to be sold is located in Carlton County and is described as: the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 31, Township 47 North, Range 17 West, Blackhoof Township.

(d) The Carlton County Board of Commissioners has classified the parcel as nonconservation and has determined that the county's land management interests would best be served if the parcel was returned to private ownership.

Sec. 18. **EXCHANGE OF STATE LAND WITHIN CARVER HIGHLANDS WILDLIFE MANAGEMENT AREA; CARVER COUNTY.**

(a) The commissioner of natural resources may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the provisions of Minnesota Statutes, sections 94.343 to 94.347, exchange the lands described in paragraph (b).

(b) The lands to be exchanged are located in Carver County and are described as:

(1) that part of the South Half of the Northwest Quarter and that part of the Northwest Quarter of the Southwest Quarter lying northwesterly of the following described line: Beginning on the north line of the South Half of the Northwest Quarter, 1,815 feet East of the northwest corner thereof; thence southwesterly 3,200 feet, more or less, to the southwest corner of the Northwest Quarter of the Southwest Quarter and there terminating, all in Section 30, Township 115 North, Range 23 West;

(2) the Southeast Quarter of the Northeast Quarter, the West Half of the Southeast Quarter of the Southeast Quarter, and that part of the North Half of the Southeast Quarter lying easterly of County State-Aid Highway 45, all in Section 25, Township 115 North, Range 24 West;

(3) the Northwest Quarter of the Northeast Quarter of the Northeast Quarter and the North Half of the Southwest Quarter of the Northeast Quarter of the Northeast Quarter, all in Section 36, Township 115 North, Range 24 West; and

(4) the Northwest Quarter of the Northwest Quarter, Section 6, Township 114 North, Range 23 West.

(c) The lands were acquired in part with bonding appropriations. The exchange with the United States Fish and Wildlife Service will consolidate land holdings, facilitate management of the lands, and provide additional wildlife habitat acres to the state.

Sec. 19. **CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CHIPPEWA COUNTY.**

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

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

(c) The land that may be conveyed is located in Chippewa County and is described as follows:

(1) Tract 1: a tract in Government Lot 2 described as: beginning at the southeast corner of Lot 6, Block 1, Original Plat Wegdahl; thence West 50 feet South, 50 Feet West on a line 50 feet South of the south line of Block 1 to the river; thence southeasterly along the river to a point 165 feet South of the south line of Block 1; thence East on a line parallel with the south line of Block 1, to the intersection with the continuation of the east line of Lot 6, Block 1; thence North 165 feet to the point of beginning, Section 3, Township 116, Range 40;

(2) Tract 2: a 50 foot strip adjacent to Block 1, Original Plat Wegdahl on South from Lot 3 to river, in Section 3, Township 116, Range 40; and

(3) Tract 3: Lot 1, Block 2, Aadlands Subdivision.

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

Sec. 20. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; CLEARWATER COUNTY.**

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

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

(c) The land to be sold is located in Clearwater County and is described as: Parcel 11.300.0020.

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

Sec. 21. **CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER OR WETLANDS; DAKOTA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Dakota County may convey to Dakota County for no consideration the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if Dakota County stops using the land for the public purpose described in paragraph (d). The conveyance is subject to restrictions imposed by the commissioner of natural resources. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in Dakota County and is described as:

That part of Government Lots 7 and 8, Section 26, Township 28, Range 22, lying southeasterly of Lot 2, AUDITORS SUBDIVISION NO. 23, according to the recorded plat thereof, and lying easterly of the railroad right-of-way and lying northwesterly of the following described line:

Commencing at the southwest corner of said Government Lot 7; thence North, assumed bearing, along the west line of said Government Lot 7, a distance of 178.00 feet; thence northeasterly along a nontangential curve concave to the southeast a distance of 290.00 feet, said curve having a radius of 764.50 feet, a central angle of 21 degrees 43 minutes 57 seconds, a chord of 288.24 feet and a chord bearing of North 24 degrees 29 minutes 20 seconds East; thence continuing northeasterly along a tangent curve concave to the southeast a distance of 350.00 feet, said curve having a radius of 708.80 feet, a central angle of 28 degrees 17 minutes 32 seconds, a chord of 346.46 feet and a chord bearing of North 49 degrees 30 minutes 04 seconds East; thence North 63 degrees 38 minutes 50 seconds East tangent to the last described

22.1 curve a distance of 578.10 feet, to a point hereinafter referred to as Point B; thence
22.2 continuing North 63 degrees 38 minutes 50 seconds East a distance of 278.68 feet,
22.3 more or less, to the westerly right-of-way line of the Chicago, Rock Island and
22.4 Pacific Railroad, said point being the point of beginning of the line to be described;
22.5 thence North 63 degrees 38 minutes 50 seconds East a distance of 225.00 feet, more
22.6 or less, to the shoreline of the Mississippi River and there terminating. (Dakota
22.7 County tax identification number 36-02600-016-32).

22.8 (d) The county has determined that the land is needed as a trail corridor for the
22.9 Mississippi River Regional Trail.

22.10 Sec. 22. **PRIVATE SALE OF SURPLUS STATE LAND; HENNEPIN COUNTY.**

22.11 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
22.12 of natural resources may sell by private sale to the city of Wayzata the surplus land that is
22.13 described in paragraph (c).

22.14 (b) The conveyance must be in a form approved by the attorney general. The
22.15 attorney general may make necessary changes to the legal description to correct errors and
22.16 ensure accuracy. The commissioner may sell to the city of Wayzata, for less than the value
22.17 of the land as determined by the commissioner, but the conveyance must provide that the
22.18 land described in paragraph (c) be used for the public and reverts to the state if the city of
22.19 Wayzata fails to provide for public use or abandons the public use of the land.

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

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

22.25 Sec. 23. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
22.26 **WATER; ITASCA COUNTY.**

22.27 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
22.28 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca County may
22.29 sell to Itasca County the tax-forfeited land bordering public water that is described in
22.30 paragraph (c), for the appraised value of the land.

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

22.33 (c) The land to be sold is in Itasca County and is described as: the North 1,100 feet
22.34 of Government Lot 1, Section 26, Township 56 North, Range 26 West.

(d) The county has determined that the county's land management interests would be best served if the land was under the direct ownership of Itasca County.

Sec. 24. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; MARSHALL COUNTY.**

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

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

(c) The land to be sold is located in Marshall County and is described as: that part of the westerly ten acres of the North Half of the Northeast Quarter lying southerly of the following described line: Commencing at the quarter section corner between Sections 2 and 11; thence South along the quarter section line a distance of 1,080 feet to the northern edge of County Ditch #25, the point of beginning; thence upstream along said ditch North 40 degrees East 95 feet; thence South 41 degrees East 500 feet to the intersection with State Ditch #83; thence along said state ditch North 52 degrees 50 minutes East 196 feet; thence East 2,092 feet to the section line between Sections 11 and 12.

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

Sec. 25. **EXCHANGE OF STATE LAND WITHIN LAKE LOUISE STATE PARK; MOWER COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 94.342, subdivision 4, the commissioner of natural resources may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the land located within state park boundaries that is described in paragraph (c).

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

(c) The state land that may be exchanged is located in Mower County and is described as: that part of the Southeast Quarter of the Southwest Quarter of the Southeast Quarter of Section 20, Township 101 North, Range 14 West, Mower County, Minnesota, described as follows: Beginning at a point on the south line of said Section 20 a distance of 1,039.50 feet (63 rods) East of the south quarter corner of said Section 20; thence North

24.1 at right angles to said south line 462.00 feet (28 rods); thence West parallel to said south
24.2 line 380.6 feet, more or less, to the west line of said Southeast Quarter of the Southwest
24.3 Quarter of the Southeast Quarter; thence South along said west line 462 feet, more or less,
24.4 to the south line of said Section 20; thence East along said south line 380.6 feet, more
24.5 or less, to the point of beginning, containing 4.03 acres.

24.6 (d) The exchange would resolve an unintentional trespass by the Department of
24.7 Natural Resources of a horse trail that is primarily located within Lake Louise State Park
24.8 and provide for increased access to the state park.

24.9 Sec. 26. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**
24.10 **WATER; OTTER TAIL COUNTY.**

24.11 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
24.12 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County
24.13 may sell by private sale the tax-forfeited land bordering public water that is described in
24.14 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

24.17 (c) The land to be sold is located in Otter Tail County and is described as:
24.18 Section 19, Township 133, Range 42, River's Bend Reserve, Lot B.

24.19 (d) The sale would be to the adjacent landowner and the Department of Natural
24.20 Resources has determined that the land is not appropriate for the department to manage.

24.21 Sec. 27. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**
24.22 **WATER; OTTER TAIL COUNTY.**

24.23 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
24.24 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County
24.25 may sell by private sale the tax-forfeited land bordering public water that is described in
24.26 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

24.29 (c) The land to be sold is located in Otter Tail County and is described as:
24.30 Section 24, Township 136, Range 41, Crystal Beach, Lot 56, Block 1.

24.31 (d) The sale would be to the adjacent landowner and the Department of Natural
24.32 Resources has determined that the land is not appropriate for the department to manage.

25.1 Sec. 28. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**
25.2 **WATER; OTTER TAIL COUNTY.**

25.3 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
25.4 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County
25.5 may sell by private sale the tax-forfeited land bordering public water that is described in
25.6 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

25.9 (c) The land to be sold is located in Otter Tail County and is described as:
25.10 Section 9, Township 133, Range 43, South 212 feet of Sub Lot 6 and South 212 feet
25.11 of Sub Lot 7, except tract and except platted (1.19) acres.

25.12 (d) The Department of Natural Resources has no objection to the sale of this land.

25.13 Sec. 29. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**
25.14 **WATER; OTTER TAIL COUNTY.**

25.15 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
25.16 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County
25.17 may sell by private sale the tax-forfeited land bordering public water that is described in
25.18 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

25.21 (c) The land to be sold is located in Otter Tail County and is described as:
25.22 Section 10, Township 134, Range 42, Heilberger Lake Estates, Reserve Lot A.

25.23 (d) The sale would be to the adjacent landowner and the Department of Natural
25.24 Resources has determined that the land is not appropriate for the department to manage.

25.25 Sec. 30. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**
25.26 **WATER; OTTER TAIL COUNTY.**

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

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

25.32 (c) The land to be sold is located in Otter Tail County and is described as:
25.33 Section 31, Township 137, Range 39, Government Lot 5 (37.20 acres).

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

Sec. 31. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC WATER; OTTER TAIL COUNTY.**

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

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

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

Section 29, Township 137, Range 40, Freedom Flyer Estates, Lot 26, Block 1.

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

Sec. 32. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC WATER; OTTER TAIL COUNTY.**

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

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

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

Quiet Waters Development Outlot A.

(d) The sale would be to the adjacent landowner and the Department of Natural Resources has determined that the land is not appropriate for the department to manage.

Sec. 33. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC WATER; OTTER TAIL COUNTY.**

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

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

(c) The land to be sold is located in Otter Tail County and is described as:
Section 9, Township 136, Range 38, part of Government Lot 4 North and East of
highway (Book 307, Page 31).

(d) The sale would be to the adjacent landowner and the Department of Natural
Resources has determined that the land is not appropriate for the department to manage.

Sec. 34. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC
WATER; OTTER TAIL COUNTY.**

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

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

(c) The land to be sold is located in Otter Tail County and is described as:
Section 9, Township 136, Range 38, Elm Rest, part of Lots 3, 4, 5, and 6 and of
Reserve A lying North of road (Book 307, Page 31).

(d) The sale would be to the adjacent landowner and the Department of Natural
Resources has determined that the land is not appropriate for the department to manage.

Sec. 35. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC
WATER; OTTER TAIL COUNTY.**

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

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

(c) The land to be sold is located in Otter Tail County and is described as:
Section 27, Township 135, Range 39, Government Lot 7 (9.50 acres).

(d) The sale would be to the adjacent landowner and the Department of Natural
Resources has determined that the land is not appropriate for the department to manage.

Sec. 36. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC
WATER; OTTER TAIL COUNTY.**

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

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

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

Section 9, Township 135, Range 41, Government Lot 2, except tracts (7.77 acres).

(d) The sale would be to the adjacent landowner and the Department of Natural Resources has determined that the land is not appropriate for the department to manage.

Sec. 37. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC WATER; OTTER TAIL COUNTY.**

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

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

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

38609 County Highway 41, Section 9, Township 135, Range 41, part of Government Lot 2 beginning 275 feet West, 1,021.36 feet southwesterly, 1,179 feet southeasterly, 132 feet South from northeast corner Section 9; East 33 feet, southerly 314 feet, West 33 feet, northerly on lake East 110 feet to beginning.

Sec. 38. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC WATER; OTTER TAIL COUNTY.**

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

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

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

Section 27, Township 132, Range 41, Stalker View Acres, Lot 6, Block 1.

Sec. 39. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC WATER; OTTER TAIL COUNTY.**

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

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

(c) The land to be sold is located in Otter Tail County and is described as:
Section 33, Township 135, Range 36, North Half of Sub Lot 5 of the Southwest Quarter (7.07 acres).

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

Sec. 40. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC WATER; OTTER TAIL COUNTY.**

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

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

(c) The land to be sold is located in Otter Tail County and is described as:
Section 33, Township 135, Range 36, South Half of Sub Lot 5 of the Southwest Quarter (7.06 acres).

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

Sec. 41. **CONVEYANCE OF SURPLUS STATE LAND; RICE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 16B.281 to 16B.287, the commissioner of administration may convey to Rice County for no consideration the surplus land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land revert to the state if Rice County stops using the land for the public purpose described in paragraph (d). The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be sold is located in Rice County and is described as:
(1) that part of Section 5, Township 109 North, Range 20 West, Rice County, Minnesota, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 5;
thence southerly on a Minnesota State Plane Grid Azimuth from North of 180
degrees 23 minutes 50 seconds along the west line of said Northwest Quarter 348.30
feet to the point of beginning of the parcel to be described; thence easterly on an
azimuth of 93 degrees 18 minutes 54 seconds 279.20 feet; thence southerly on an
azimuth of 183 degrees 10 minutes 40 seconds 144.38 feet; thence southeasterly on
an azimuth of 148 degrees 00 minutes 00 seconds 110.00 feet; thence northeasterly
on an azimuth of 58 degrees 00 minutes 00 seconds 119.90 feet; thence southeasterly
on an azimuth of 148 degrees 00 minutes 00 seconds 133.00 feet; thence
southwesterly on an azimuth of 238 degrees 00 minutes 00 seconds 199.38 feet;
thence westerly on an azimuth of 268 degrees 00 minutes 00 seconds 180.72 feet;
thence northerly on an azimuth of 358 degrees 00 minutes 00 seconds 55.36 feet;
thence westerly on an azimuth of 268 degrees 00 minutes 00 seconds 152.18 feet;
thence northerly on an azimuth of 00 degrees 23 minutes 50 seconds 364.80 feet
to the point of beginning; and

(2) that part of Section 5, Township 109 North, Range 20 West, Rice County,
Minnesota, described as follows:

Commencing at the northwest corner of the Northwest Quarter of said Section 5;
thence southerly on a Minnesota State Plane Grid Azimuth from North of 180
degrees 23 minutes 50 seconds along the west line of said Northwest Quarter 348.30
feet; thence easterly on an azimuth of 93 degrees 18 minutes 54 seconds 279.20
feet to the point of beginning of the parcel to be described; thence continuing
easterly on an azimuth of 93 degrees 18 minutes 54 seconds 45.00 feet; thence
southeasterly on an azimuth of 148 degrees 00 minutes 00 seconds 202.00 feet;
thence southwesterly on an azimuth of 238 degrees 00 minutes 00 seconds 119.90
feet; thence northwesterly on an azimuth of 328 degrees 00 minutes 00 seconds
110.00 feet; thence northerly on an azimuth of 3 degrees 10 minutes 40 seconds
144.38 feet to the point of beginning.

(d) The commissioner has determined that the land is no longer needed for any state
purpose and that the state's land management interests would best be served if the land
was conveyed to and used by Rice County for a jail.

Sec. 42. PRIVATE SALE OF CONSOLIDATED CONSERVATION LAND;
ROSEAU COUNTY.

31.1 (a) Notwithstanding the classification and public sale provisions of Minnesota
31.2 Statutes, chapters 84A and 282, the commissioner of natural resources may sell by private
31.3 sale the consolidated conservation land that is described in paragraph (c).

31.4 (b) The conveyance must be in a form approved by the attorney general. The
31.5 attorney general may make necessary changes to the legal description to correct errors
31.6 and ensure accuracy. The consideration for the conveyance must be for no less than the
31.7 survey costs and the appraised value of the land and timber. Proceeds shall be disposed of
31.8 according to Minnesota Statutes, chapter 84A.

31.9 (c) The land that may be sold is located in Roseau County and is described as: the
31.10 North 75 feet of the East 290.4 feet of the West 489.85 feet of the East 1,321.15 feet
31.11 of the Northeast Quarter, Section 35, Township 160 North, Range 38 West, containing
31.12 0.5 acres, more or less.

31.13 (d) The land would be sold to the current leaseholder who through an inadvertent
31.14 trespass located a cabin, septic system, and personal property on the state land. The
31.15 Department of Natural Resources has determined that the land is not needed for natural
31.16 resource purposes.

31.17 Sec. 43. **PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.**

31.18 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
31.19 of natural resources may sell by private sale to St. Louis County the surplus land that is
31.20 described in paragraph (c).

31.21 (b) The conveyance must be in a form approved by the attorney general. The
31.22 attorney general may make necessary changes to the legal description to correct errors and
31.23 ensure accuracy. The commissioner may sell to St. Louis County for less than the value of
31.24 the land as determined by the commissioner, but the conveyance must provide that the
31.25 land described in paragraph (c) be used for the public and reverts to the state if St. Louis
31.26 County fails to provide for public use or abandons the public use of the land.

31.27 (c) The land that may be sold is located in St. Louis County and is described as: an
31.28 undivided 1/12 interest in Government Lot 6, Section 6, Township 62 North, Range 13
31.29 West, containing 35.75 acres, more or less.

31.30 (d) The land was gifted to the state. The remaining 11/12 undivided interest in
31.31 the land is owned by the state in trust for the taxing districts and administered by St.
31.32 Louis County. The Department of Natural Resources has determined that the state's land
31.33 management interests would best be served if the land was conveyed to St. Louis County.

Sec. 44. **CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell or convey to the state acting by and through its commissioner of natural resources, the tax-forfeited land bordering public water that is described in paragraph (c), under the provisions of Minnesota Statutes, section 282.01, subdivision 1a.

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

(c) The land that may be sold is located in St. Louis County and is described as: Lot 7, Klimek's Addition to Grand Lake, according to the plat thereof on file and of record in the Office of the County Recorder, St. Louis County.

(d) The county has determined that the land is not needed for county management purposes and the Department of Natural Resources would like to acquire the land for use as a public water access site to Little Grand Lake.

Sec. 45. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

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

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. Prior to the sales, the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37, to provide riparian protection and public access to shore fishing. The easements for land described in paragraph (c), clauses (1) to (3), shall be 450 feet in width from the centerline of the river. The easements for land described in paragraph (c), clauses (4) and (5), shall be 300 feet in width from the centerline of the river. The easements must be approved by the St. Louis County Board and the commissioner of natural resources.

(c) The land to be sold is located in St. Louis County and is described as:

(1) Lot 5 except railroad right-of-way 3.15 acres, Section 2, T50N, R18W (23.35 acres) (535-0010-00210);

33.1 (2) Lot 7 except railroad right-of-way 3.9 acres, Section 2, T50N, R18W (30.1
33.2 acres) (535-0010-00300);

33.3 (3) Lot 5 except railroad right-of-way 3 acres, Section 12, T50N, R18W (36 acres)
33.4 (535-0010-01910);

33.5 (4) Lot 2 except railroad right-of-way, Section 35, T51N, R18W (22.5 acres)
33.6 (310-0010-05650); and

33.7 (5) Lot 1 except GN railroad right-of-way, Section 35, T51N, R18W (34 acres)
33.8 (110-0040-00160).

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

33.11 Sec. 46. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
33.12 **WATER; ST. LOUIS COUNTY.**

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

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

33.18 (c) Prior to the sales of the land described in paragraph (d), clauses (1), (2), and
33.19 (10) to (12), the commissioner of revenue shall grant permanent conservation easements
33.20 according to Minnesota Statutes, section 282.37, to provide riparian protection and public
33.21 access for angling. The easements must be approved by the St. Louis County Board and
33.22 the commissioner of natural resources. The easements shall be for lands described in
33.23 paragraph (d):

33.24 (1) clause (1), 75 feet in width on each side of the centerline of the creek;

33.25 (2) clause (2), 200 feet in width on each side of the centerline of the river;

33.26 (3) clause (10), 100 feet in width on each side of the centerline of the river; and

33.27 (4) clauses (11) and (12), 50 feet in width on each side of the centerline of the stream.

33.28 (d) The land to be sold is located in St. Louis County and is described as:

33.29 (1) N 1/2 of NW 1/4 of NE 1/4 of SE 1/4, Section 22, T51N, R14W (5 acres)
33.30 (520-0016-00590);

33.31 (2) SW 1/4 of SW 1/4, Section 8, T50N, R16W (40 acres) (530-0010-01510);

33.32 (3) undivided 1/6 and undivided 1/2 of Lot 9, Thompson Lake Addition, Section 12,
33.33 T53N, R14W (375-0120-00091, 375-0120-00094);

33.34 (4) SLY 200 FT OF NLY 1,220 FT OF LOT 4, Section 20, T54N, R18W (9.5 acres)
33.35 (405-0010-03394);

(5) PART OF SW 1/4 OF SE 1/4 LYING N OF SLY 433 FT, Section 36, T57N, R21W (25 acres) (141-0050-07345);

(6) PART OF SE 1/4 OF SW 1/4 LYING W OF DW & P RY AND N OF PLAT OF HALEY, Section 23, T63N, R19W (11 acres) (350-0020-03730);

(7) SE 1/4 of NW 1/4, Section 26, T58N, R19W (40 acres) (385-0010-02610);

(8) NE 1/4 of SW 1/4, Section 20, T59N, R20W (40 acres) (235-0030-03110);

(9) LOT 4, Section 2, T61N, R19W (40 acres) (200-0010-00230);

(10) SW 1/4 of SE 1/4, Section 19, T50N, R16W (40 acres) (530-0010-03570);

(11) LOTS 15, 16, 17, 18, 19, BLOCK 1, COLMANS 4th ACRE TRACT ADDITION TO DULUTH, Section 33, T51N, R14W (520-0090-00150, -00160, -00180);
and

(12) BLOCKS 17, 18, and 20, PLAT OF VERMILION TRAIL LODGE, Section 13, T62N, R14W.

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

Sec. 47. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land described in paragraph (c).

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

(c) The land to be sold is located in St. Louis County and is described as:

Lots 20 and 21, Plat of Twin Lakes, Government Lot 3, Section 32, T60N, R19W (1.1 acres) (385-0070-00200).

(d) This sale resolves an unintentional trespass. The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

Sec. 48. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may convey to the state for no consideration the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be according to Minnesota Statutes, section 282.01, subdivision 2, and in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy.

(c) The land to be conveyed is located in St. Louis County and is described as:

(1) lands in the city of Duluth, Section 23, Township 49 North, Range 15 West, that part of Government Lot 2 lying southeasterly of the southeasterly right-of-way of the St. Paul and Duluth and Northern Pacific Railway including riparian rights.

EXCEPT: that part of Government Lot 2 beginning at the intersection of the south line of Lot 2 and the southeasterly right-of-way of the St. Paul and Duluth and Northern Pacific Railway; thence easterly along the south line of said Lot 2 a distance of 150 feet to a point; thence deflect to the left and continue in a straight line to a point on the southeasterly line of said railway right-of-way said point distant 150 feet northeast of the point of beginning; thence deflect to the left and continue southwesterly along the southeasterly line of said railway right-of-way a distance of 150 feet to point of beginning and there terminating.

EXCEPT FURTHER: that part of Government Lot 2 commencing at the point of intersection of the south line of Lot 2 and the southeasterly right-of-way of the St. Paul and Duluth and Northern Pacific Railway; thence northeasterly along the southeasterly line of said railway right-of-way a distance of 1,064 feet to point of beginning; thence deflect 44 degrees, 12 minutes, 27 seconds to the right a distance of 105.44 feet to a point; thence deflect 85 degrees, 16 minutes, 07 seconds to the left a distance of 111.92 feet more or less to a point on the southeasterly line of said railway right-of-way; thence deflect to the left and continue northwesterly along the southeasterly line of said railway right-of-way a distance of 160 feet more or less to point of beginning and there terminating (010-2746-00290); and

(2) lands in the city of Duluth, Section 23, Township 49 North, Range 15 West, that part of Government Lot 1, including riparian rights, lying southerly of the Northern Pacific Short Line right-of-way except 5 18/100 acres for Northern Pacific Main Line and except a strip of land 75 feet wide and adjoining the Northern Pacific Main Line right-of-way and formerly used as right-of-way by Duluth Transfer Railway 2 67/100 acres, also except that part lying North of Grand Avenue 72/100 acres and except a strip of land adjacent to the Old Transfer Railway right-of-way containing 2 13/100 acres. Revised Description #40, Recorder of Deeds, Book 686, Page 440.

EXCEPT: that part of Government Lot 1 lying southerly of the Northern Pacific Short Line right-of-way and northerly of the Old Transfer Railway right-of-way.

EXCEPT FURTHER: that part of Government Lot 1 lying southerly of the Northern Pacific Main Line right-of-way and lying northerly of a line parallel to and lying 305 feet southerly of the north line of said Government Lot 1 (010-2746-00245).

Sec. 49. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

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

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. The conveyance must include a deed restriction that prohibits excavating, filling, dumping, tree cutting, burning, structures, and buildings within an area that is 75 feet in width along the shoreline. A 15-foot strip for landowner lake access is allowed.

(c) The land to be sold is located in St. Louis County and is described as: E 1/2 of W 1/2 of E 1/2 of SW 1/4 of NW 1/4, Section 27, T57N, R17W (5 acres).

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

Sec. 50. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

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

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make changes to the land description to correct errors and ensure accuracy. The conveyance must include a deed restriction on buildings, structures, tree cutting, removal of vegetation, and shoreland alterations within an area that is 75 feet in width along the river. A 15-foot strip for landowner river access is allowed.

(c) The land to be sold is located in St. Louis County and is described as: that part of Lot 8 beginning at a point 200 feet East of the center of Section 5; thence South 300 feet; thence East 300 feet; thence North 263 feet to shoreline of Ash River; thence northwesterly along the river 325 feet; thence southerly to point of beginning, Section 5, T68N, R19W (2 acres) (731-0010-00845).

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

Sec. 51. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.

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

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

(c) Prior to the sales of the land described in paragraph (d), clauses (1) to (4), the commissioner of revenue shall grant permanent conservation easements according to Minnesota Statutes, section 282.37. The easements must be approved by the St. Louis County Board and the commissioner of natural resources. The easements shall be for lands described in paragraph (d):

(1) clause (1), 100 feet in width on each side of the centerline of the river. A 15-foot strip for landowner river access is allowed;

(2) clause (2), 125 feet in width on each side of the centerline of the river. A 15-foot strip for landowner river access is allowed;

(3) clause (3), 100 feet in width on each side of the centerline of the tributary; and

(4) clause (4), for access purposes.

(d) The land to be sold is located in St. Louis County and is described as:

(1) SW 1/4 of SW 1/4 except W 1/2, Section 14, T62N, R18W (20 acres);

(2) S 1/2 of SW 1/4 of SW 1/4, Section 16, T62N, R18W (20 acres);

(3) SW 1/4 of SE 1/4 except 5 acres at NW corner and except S 1/2 and except E 1/2 of NE 1/4, Section 10, T52N, R12W (10 acres);

(4) NW 1/4 of SE 1/4 except that part of the NE 1/4 lying N of the East Van Road and except S 1/2 of N 1/2 of S 1/2 and except S 1/2 of S 1/2, Section 5, T52N, R14W (18.3 acres);

(5) westerly 416 feet of SW 1/4 of SW 1/4 except westerly 208 feet of southerly 624 feet, Section 21, T56N, R18W (9.63 acres);

(6) Lot 3, Section 1, T55N, R21W (46.18 acres);

(7) SW 1/4 of NE 1/4, Section 18, T52N, R15W (40 acres); and

(8) Lots 23, 73, 95, 118, 119 of NE-NA MIK-KA-TA plat, town of Breitung, located in Government Lots 1 and 12 of Section 6, T62N, R15W.

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

Sec. 52. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by private sale the tax-forfeited land that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

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

(c) The land to be sold is located in St. Louis County and is described as:

(1) that part of the South 200 feet of the West 900 feet of Government Lot 4 lying east of State Highway 73, and that part of the North 300 feet of the West 900 feet of Government Lot 5 lying east of State Highway 73, all in Section 6, Township 52 North, Range 20 West;

(2) that part of the Southeast Quarter of the Northeast Quarter lying north of County Road 115 in Section 15, Township 62 North, Range 17 West; and

(3) that part of the Southwest Quarter of the Northeast Quarter of Section 26, Township 63 North, Range 12 West, lying west of the west right-of-way boundary of County Highway 88; EXCEPTING therefrom the following described tract of land: That part of the Southwest Quarter of the Northeast Quarter of Section 26, Township 63 North, Range 12 West, described as follows: Begin at a point located at the intersection of the north and south quarter line of said section and the north boundary line of the right-of-way of County Highway 88, said point being 494.44 feet North of the center of said section; thence North on said north and south quarter line a distance of 216.23 feet; thence at an angle of 90 degrees 0 minutes to the right a distance of 253.073 feet; thence at an angle of 90 degrees 0 minutes to the right a distance of 472.266 feet to a point on the north boundary line of the right-of-way of said County Highway 88; thence in a northwesterly direction along the north boundary line of the right-of-way of said County Highway 88, a distance of 360 feet to the point of beginning.

(d) The sales authorized under this section are needed for public utility substations.

Sec. 53. **PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County may sell by private sale the tax-forfeited land that is described in paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

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

(c) The land to be sold is located in St. Louis County and is described as: Southeast Quarter of Southwest Quarter, Section 24, Township 65 North, Range 20 West.

39.1 Sec. 54. **PRIVATE SALE OF WILDLIFE MANAGEMENT AREA LAND;**
39.2 **WABASHA COUNTY.**

39.3 (a) Notwithstanding Minnesota Statutes, sections 94.09, 94.10, and 97A.135,
39.4 subdivision 2a, the commissioner of natural resources shall sell by private sale the wildlife
39.5 management area land described in paragraph (c).

39.6 (b) The conveyance must be in a form approved by the attorney general. The
39.7 attorney general may make necessary changes to the legal description to correct errors and
39.8 ensure accuracy. The commissioner may sell the land to Mazeppa Township for less than
39.9 the value of the land as determined by the commissioner.

39.10 (c) The land that may be sold is located in Wabasha County and is described as
39.11 follows: all of the following described tract: the southerly 300 feet of the westerly 350
39.12 feet of the Northwest Quarter of the Northwest Quarter of Section 10, Township 109
39.13 North, Range 14 West; together with the southerly 300 feet of the easterly 150 feet of the
39.14 Northeast Quarter of the Northeast Quarter of Section 9, Township 109 North, Range 14
39.15 West; excepting therefrom the right-of-way of existing highway; containing 3.23 acres
39.16 more or less.

39.17 (d) The land is located in Mazeppa Township and is not contiguous to other
39.18 state lands. The Department of Natural Resources has determined that the state's land
39.19 management interests would best be served if the lands were conveyed to a local unit
39.20 of government.

39.21 Sec. 55. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
39.22 **WATER; WADENA COUNTY.**

39.23 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
39.24 resources may sell by public sale the surplus lands bordering public water that are
39.25 described in paragraph (c).

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

39.29 (c) The lands that may be sold are located in Wadena County and are described as:

39.30 (1) Government Lot 3, Section 28, Township 135 North, Range 33 West, containing
39.31 0.01 acres, more or less;

39.32 (2) Government Lot 2, Section 34, Township 135 North, Range 33 West, containing
39.33 1.5 acres, more or less; and

39.34 (3) Government Lot 7, Section 30, Township 135 North, Range 35 West, containing
39.35 0.01 acres, more or less.

(d) The lands border the Leaf River and are not contiguous to other state lands.
The Department of Natural Resources has determined that the lands are not needed for
natural resource purposes.

Sec. 56. **CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**
WATER; WASHINGTON COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1,
and the public sale provisions of Minnesota Statutes, chapter 282, Washington County
may convey to the Comfort Lake-Forest Lake Watershed District for no consideration the
tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide
that the land reverts to the state if the Comfort Lake-Forest Lake Watershed District stops
using the land for the public purpose described in paragraph (d). The attorney general may
make changes to the land description to correct errors and ensure accuracy.

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

(1) Parcel A (PIN 05.032.21.12.0001): all that part of the Northwest Quarter of the
Northeast Quarter, Section 5, Township 32, Range 21, Washington County, Minnesota,
that lies East of Minnesota Highway 61 as relocated and South of Judicial Ditch No.
1, except the following described tracts:

Beginning at a point where the easterly right-of-way of Minnesota Highway 61
intersects the south line of the Northwest Quarter of the Northeast Quarter, Section 5,
Township 32, Range 21, Washington County, Minnesota; thence East along said south
line of the Northwest Quarter of the Northeast Quarter of Section 5 for 194.1 feet; thence
North at right angles 435.3 feet; thence South 75 degrees 56 minutes West for 294.4 feet
to said easterly right-of-way of Minnesota Highway 61; thence South 14 degrees 04
minutes East along said easterly right-of-way of Minnesota Highway 61 for 375.0 feet to
the point of the beginning; and

That part of the Northwest Quarter of the Northeast Quarter, Section 5, Township
32 North, Range 21 West, Washington County, Minnesota, described as follows:
commencing at the north quarter corner of Section 5; thence East along the north line of
Section 5, a distance of 538.8 feet to the easterly right-of-way line of Trunk Highway 61;
thence southeasterly deflection to the right 76 degrees 00 minutes 20 seconds, along
said highway right-of-way line, 500.4 feet to the point of beginning; thence continuing
southeasterly along said highway right-of-way line 293.7 feet to the northwest corner of
the Philip F. and Maree la J. Turcott property, as described in Book 261 of Deeds on Page
69; thence northeasterly at right angles along the northerly line of said Turcott property in

its northeasterly projection thereof, 318.4 feet, more or less, to the centerline of Sunrise River; thence northwesterly along said Sunrise River centerline, 358 feet, more or less, to the point of intersection with a line drawn northeasterly from the point of beginning and perpendicular to the easterly right-of-way line of Trunk Highway 61; thence southwesterly along said line, 154.3 feet, more or less, to the point of beginning; and

(2) Parcel B (PIN 05.032.21.12.0004): that part of the Northwest Quarter of the Northeast Quarter, Section 5, Township 32, Range 21, lying easterly of Highway 61 and North of Judicial Ditch No. 1.

(d) The county has determined that the land is needed by the watershed district for purposes of Minnesota Statutes, chapter 103D.

Sec. 57. **LEASE OF TAX-FORFEITED AND STATE LANDS.**

(a) Notwithstanding Minnesota Statutes, section 282.04, or other law to the contrary, St. Louis County may enter a 30-year lease of tax-forfeited land for a wind energy project.

(b) The commissioner of natural resources may enter a 30-year lease of land administered by the commissioner for a wind energy project.

Sec. 58. **EASEMENT ON TAX-FORFEITED LAND; ITASCA COUNTY.**

Notwithstanding Minnesota Statutes, section 282.04, or other law to the contrary, Itasca County may grant a 40-year easement of tax-forfeited land to the Itasca County Regional Rail Authority for a rail line right-of-way. The easement may be canceled only by resolution of the county board after reasonable notice for any substantial breach of the terms of the easement. The land subject to the easement may not be sold or otherwise conveyed by the county board during the period of the easement.

Sec. 59. **EFFECTIVE DATE.**

This article is effective the day following final enactment.

ARTICLE 2
GAME AND FISH

Section 1. Minnesota Statutes 2006, 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:

- 42.1 (1) prevent public aquatic life from entering an aquatic farm;
42.2 (2) prevent release of nonindigenous or exotic species into public waters without
42.3 approval of the commissioner;
42.4 (3) protect against release of disease pathogens to public waters;
42.5 (4) protect existing natural aquatic habitats and the wildlife dependent on them; and
42.6 (5) protect private aquatic life from unauthorized taking or harvest.

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

42.9 (c) The commissioner of natural resources shall report to the legislature, in
42.10 odd-numbered years, the proposed license and other fees that would make aquaculture
42.11 self-sustaining. The fees shall not cover the costs of other programs. The commissioner
42.12 shall encourage fish farming in man-made ponds and develop best management practices
42.13 for aquaculture to ensure the long-term sustainability of the program.

42.14 Sec. 2. Minnesota Statutes 2007 Supplement, section 17.4984, subdivision 1, is
42.15 amended to read:

42.16 Subdivision 1. **License required.** (a) A person or entity may not operate an aquatic
42.17 farm without first obtaining an aquatic farm license from the commissioner.

42.18 (b) Applications for an aquatic farm license must be made on forms provided by
42.19 the commissioner.

42.20 (c) Licenses are valid for five years and are transferable upon notification to the
42.21 commissioner.

42.22 (d) The commissioner shall issue an aquatic farm license on payment of the required
42.23 license fee under section 17.4988.

42.24 (e) A license issued by the commissioner is not a determination of private property
42.25 rights, but is only based on a determination that the licensee does not have a significant
42.26 detrimental impact on the public resource.

42.27 ~~(f) By January 15, 2008, the commissioner shall report to the senate and house~~
42.28 ~~of representatives committees on natural resource policy and finance on policy~~
42.29 ~~recommendations regarding aquaculture.~~

42.30 (f) The commissioner shall not issue or renew a license to raise minnows in a natural
42.31 water body if the natural water body is the subject of a protective easement or other
42.32 interest in land that was acquired with funding from federal waterfowl stamp proceeds
42.33 or migratory waterfowl stamp proceeds under section 97A.075, subdivision 2, or if the
42.34 natural water body was the subject of any other development, restoration, maintenance, or
42.35 preservation project funded under section 97A.075, subdivision 2.

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

43.2 Sec. 3. Minnesota Statutes 2006, section 84.027, subdivision 15, is amended to read:

43.3 Subd. 15. **Electronic transactions.** (a) The commissioner may receive an
43.4 application for, sell, and issue any license, stamp, permit, pass, sticker, duplicate safety
43.5 training certification, registration, or transfer under the jurisdiction of the commissioner
43.6 by electronic means, including by telephone. Notwithstanding section 97A.472, electronic
43.7 and telephone transactions may be made outside of the state. The commissioner may:

43.8 (1) provide for the electronic transfer of funds generated by electronic transactions,
43.9 including by telephone;

43.10 (2) assign an identification number to an applicant who purchases a hunting or
43.11 fishing license or recreational vehicle registration by electronic means, to serve as
43.12 temporary authorization to engage in the activity requiring a license or registration until
43.13 the license or registration is received or expires;

43.14 (3) charge and permit agents to charge a fee of individuals who make electronic
43.15 transactions and transactions by telephone or Internet, including issuing fees and an
43.16 additional transaction fee not to exceed \$3.50;

43.17 (4) charge and permit agents to charge a convenience fee not to exceed three percent
43.18 of the cost of the license to individuals who use electronic bank cards for payment. An
43.19 electronic licensing system agent charging a fee of individuals making an electronic
43.20 bank card transaction in person must post a sign informing individuals of the fee. The
43.21 sign must be near the point of payment, clearly visible, include the amount of the fee, and
43.22 state that charging the fee is not required by state law and that it is the agent's choice to
43.23 charge the fee;

43.24 (5) establish, by written order, an electronic licensing system commission to be
43.25 paid by revenues generated from all sales made through the electronic licensing system.
43.26 The commissioner shall establish the commission in a manner that neither significantly
43.27 overrecovers nor underrecovers costs involved in providing the electronic licensing
43.28 system; and

43.29 ~~(5)~~ (6) adopt rules to administer the provisions of this subdivision.

43.30 (b) The fees established under paragraph (a), ~~clause~~ clauses (3) and (4), and
43.31 the commission established under paragraph (a), clause ~~(4)~~ (5), are not subject to the
43.32 rulemaking procedures of chapter 14 and section 14.386 does not apply.

43.33 (c) Money received from fees and commissions collected under this subdivision,
43.34 including interest earned, is annually appropriated from the game and fish fund and the
43.35 natural resources fund to the commissioner for the cost of electronic licensing.

44.1 Sec. 4. Minnesota Statutes 2006, section 84D.10, subdivision 2, is amended to read:

44.2 Subd. 2. **Exceptions.** Unless otherwise prohibited by law, a person may place into
44.3 the waters of the state a watercraft or trailer with aquatic macrophytes:

44.4 (1) that are duckweeds in the family Lemnaceae;

44.5 (2) for purposes of shooting or observation blinds attached in or on watercraft in
44.6 amounts sufficient for that purpose, if the aquatic macrophytes are emergent and cut
44.7 above the waterline;

44.8 (3) that are wild rice harvested under section 84.091; or

44.9 (4) in the form of fragments of emergent aquatic macrophytes incidentally
44.10 transported in or on watercraft or decoys used for waterfowl hunting during the waterfowl
44.11 season.

44.12 Sec. 5. Minnesota Statutes 2006, section 84D.13, subdivision 4, is amended to read:

44.13 Subd. 4. **Warnings; civil citations.** After appropriate training, conservation
44.14 officers, other licensed peace officers, and other department personnel designated by the
44.15 commissioner may issue warnings or citations to a person who:

44.16 (1) unlawfully transports prohibited invasive species or aquatic macrophytes;

44.17 (2) unlawfully places or attempts to place into waters of the state a trailer, a
44.18 watercraft, or plant harvesting equipment that has aquatic macrophytes or prohibited
44.19 invasive species attached;

44.20 (3) intentionally damages, moves, removes, or sinks a buoy marking, as prescribed
44.21 by rule, Eurasian water milfoil;

44.22 (4) fails to drain water, as required by rule, from watercraft and equipment before
44.23 leaving designated zebra mussel, spiny water flea, or other invasive plankton infested
44.24 waters; or

44.25 (5) transports infested water, in violation of rule, off riparian property.

44.26 Sec. 6. Minnesota Statutes 2006, section 85.46, subdivision 1, is amended to read:

44.27 Subdivision 1. **Pass in possession.** (a) Except as provided in paragraph (b), while
44.28 riding, leading, or driving a horse on horse trails and associated day use areas on state
44.29 trails, in state parks, in state recreation areas, and in state forests, a person 16 years of age
44.30 or over shall carry in immediate possession ~~and visibly display on person or horse tack,~~
44.31 a valid horse trail pass. The pass must be available for inspection by a peace officer, a
44.32 conservation officer, or an employee designated under section 84.0835.

45.1 (b) A valid horse trail pass is not required under this section for a person riding,
45.2 leading, or driving a horse only on the portion of a horse trail that is owned by the person
45.3 or the person's spouse, child, or parent.

45.4 Sec. 7. Minnesota Statutes 2006, section 97A.015, is amended by adding a subdivision
45.5 to read:

45.6 Subd. 44a. **Shelter.** "Shelter" means any structure, other than a self-propelled motor
45.7 vehicle, set on the ice of state waters to provide shelter.

45.8 Sec. 8. Minnesota Statutes 2007 Supplement, section 97A.055, subdivision 4, is
45.9 amended to read:

45.10 Subd. 4. **Game and fish annual reports.** (a) By December 15 each year,
45.11 the commissioner shall submit to the legislative committees having jurisdiction over
45.12 appropriations and the environment and natural resources reports on each of the following:

45.13 (1) the amount of revenue from the following and purposes for which expenditures
45.14 were made:

45.15 (i) the small game license surcharge under section 97A.475, subdivision 4;

45.16 (ii) the Minnesota migratory waterfowl stamp under section 97A.475, subdivision
45.17 5, clause (1);

45.18 (iii) the trout and salmon stamp under section 97A.475, subdivision 10;

45.19 (iv) the pheasant stamp under section 97A.475, subdivision 5, clause (2);

45.20 (v) the ~~turkey stamp~~ wild turkey management account under section ~~97A.475,~~
45.21 ~~subdivision 5, clause (3)~~ 97A.075, subdivision 5; and

45.22 (vi) the deer license donations and surcharges under section 97A.475, subdivisions
45.23 3, paragraph (b), and 3a;

45.24 (2) the amounts available under section 97A.075, subdivision 1, paragraphs (b) and
45.25 (c), and the purposes for which these amounts were spent;

45.26 (3) money credited to the game and fish fund under this section and purposes for
45.27 which expenditures were made from the fund;

45.28 (4) outcome goals for the expenditures from the game and fish fund; and

45.29 (5) summary and comments of citizen oversight committee reviews under
45.30 subdivision 4b.

45.31 (b) The report must include the commissioner's recommendations, if any, for
45.32 changes in the laws relating to the stamps and surcharge referenced in paragraph (a).

45.33 **EFFECTIVE DATE.** This section is effective March 1, 2009.

Sec. 9. Minnesota Statutes 2006, section 97A.055, subdivision 4b, is amended to read:

Subd. 4b. **Citizen oversight subcommittees.** (a) The commissioner shall appoint subcommittees of affected persons to review the reports prepared under subdivision 4; review the proposed work plans and budgets for the coming year; propose changes in policies, activities, and revenue enhancements or reductions; review other relevant information; and make recommendations to the legislature and the commissioner for improvements in the management and use of money in the game and fish fund.

(b) The commissioner shall appoint the following subcommittees, each comprised of at least three affected persons:

(1) a Fisheries Operations Subcommittee to review fisheries funding, excluding activities related to trout and salmon stamp funding;

(2) a Wildlife Operations Subcommittee to review wildlife funding, excluding activities related to migratory waterfowl, pheasant, and ~~turkey stamp~~ wild turkey management funding and excluding review of the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c);

(3) a Big Game Subcommittee to review the report required in subdivision 4, paragraph (a), clause (2);

(4) an Ecological Services Operations Subcommittee to review ecological services funding;

(5) a subcommittee to review game and fish fund funding of enforcement, support services, and Department of Natural Resources administration;

(6) a subcommittee to review the trout and salmon stamp report and address funding issues related to trout and salmon;

(7) a subcommittee to review the report on the migratory waterfowl stamp and address funding issues related to migratory waterfowl;

(8) a subcommittee to review the report on the pheasant stamp and address funding issues related to pheasants; and

(9) a subcommittee to review the report on the ~~turkey stamp~~ wild turkey management account and address funding issues related to wild turkeys.

(c) The chairs of each of the subcommittees shall form a Budgetary Oversight Committee to coordinate the integration of the subcommittee reports into an annual report to the legislature; recommend changes on a broad level in policies, activities, and revenue enhancements or reductions; provide a forum to address issues that transcend the subcommittees; and submit a report for any subcommittee that fails to submit its report in a timely manner.

(d) The Budgetary Oversight Committee shall develop recommendations for a biennial budget plan and report for expenditures on game and fish activities. By August 15 of each even-numbered year, the committee shall submit the budget plan recommendations to the commissioner and to the senate and house committees with jurisdiction over natural resources finance.

(e) Each subcommittee shall choose its own chair, except that the chair of the Budgetary Oversight Committee shall be appointed by the commissioner and may not be the chair of any of the subcommittees.

(f) The Budgetary Oversight Committee must make recommendations to the commissioner and to the senate and house committees with jurisdiction over natural resources finance for outcome goals from expenditures.

(g) Notwithstanding section 15.059, subdivision 5, or other law to the contrary, the Budgetary Oversight Committee and subcommittees do not expire until June 30, 2010.

EFFECTIVE DATE. This section is effective March 1, 2009.

Sec. 10. Minnesota Statutes 2006, section 97A.075, subdivision 4, is amended to read:

Subd. 4. **Pheasant stamp.** (a) Ninety percent of the revenue from pheasant stamps must be credited to the pheasant habitat improvement account. Money in the account may be used only for:

(1) the development, restoration, and maintenance of suitable habitat for ringnecked pheasants on public and private land including the establishment of nesting cover, winter cover, and reliable food sources;

(2) reimbursement of landowners for setting aside lands for pheasant habitat;

(3) reimbursement of expenditures to provide pheasant habitat on public and private land;

(4) the promotion of pheasant habitat development and maintenance, including promotion and evaluation of government farm program benefits for pheasant habitat; and

(5) the acquisition of lands suitable for pheasant habitat management and public hunting.

(b) Money in the account may not be used for:

(1) costs unless they are directly related to a specific parcel of land under paragraph (a), clause (1), (3), or (5), or to specific promotional or evaluative activities under paragraph (a), clause (4); or

(2) any personnel costs, except that prior to July 1, ~~2009~~ 2019, personnel may be hired to provide technical and promotional assistance for private landowners to implement conservation provisions of state and federal programs.

Sec. 11. Minnesota Statutes 2006, section 97A.075, subdivision 5, is amended to read:

Subd. 5. **Turkey stamps account.** (a) ~~Ninety percent of the revenue from turkey stamps~~ \$4.50 from each turkey license sold must be credited to the wild turkey management account. Money in the account may be used only for:

(1) the development, restoration, and maintenance of suitable habitat for wild turkeys on public and private land including forest stand improvement and establishment of nesting cover, winter roost area, and reliable food sources;

(2) acquisitions of, or easements on, critical wild turkey habitat;

(3) reimbursement of expenditures to provide wild turkey habitat on public and private land;

(4) trapping and transplantation of wild turkeys; and

(5) the promotion of turkey habitat development and maintenance, population surveys and monitoring, and research.

(b) Money in the account may not be used for:

(1) costs unless they are directly related to a specific parcel of land under paragraph (a), clauses (1) to (3), a specific trap and transplant project under paragraph (a), clause (4), or to specific promotional or evaluative activities under paragraph (a), clause (5); or

(2) any permanent personnel costs.

EFFECTIVE DATE. This section is effective March 1, 2009.

Sec. 12. Minnesota Statutes 2006, section 97A.311, subdivision 5, is amended to read:

Subd. 5. **Refunds.** (a) The commissioner may issue a refund on a license, not including any issuing fees paid under section 97A.485, subdivision 6, if:

(1) the licensee dies before the opening of the licensed season. The original license and a copy of the death certificate must be provided to the commissioner; ~~or~~

(2) the licensee is unable to participate in the licensed activity because the licensee is called to active military duty or military leave is canceled during the entire open season of the licensed activity. The original license and a copy of the military orders or notice of cancellation of leave must be provided to the commissioner; or

(3) the licensee purchased two licenses for the same license season in error.

(b) This subdivision does not apply to lifetime licenses.

Sec. 13. Minnesota Statutes 2007 Supplement, section 97A.405, subdivision 2, is amended to read:

Subd. 2. **Personal possession.** (a) A person acting under a license or traveling from an area where a licensed activity was performed must have in personal possession either:

(1) the proper license, if the license has been issued to and received by the person; or (2) the proper license identification number or stamp validation, if the license has been sold to the person by electronic means but the actual license has not been issued and received.

(b) If possession of a license or a license identification number is required, a person must exhibit, as requested by a conservation officer or peace officer, either: (1) the proper license if the license has been issued to and received by the person; or (2) the proper license identification number or stamp validation and a valid state driver's license, state identification card, or other form of identification provided by the commissioner, if the license has been sold to the person by electronic means but the actual license has not been issued and received. A person charged with violating the license possession requirement shall not be convicted if the person produces in court or the office of the arresting officer, the actual license previously issued to that person, which was valid at the time of arrest, or satisfactory proof that at the time of the arrest the person was validly licensed. Upon request of a conservation officer or peace officer, a licensee shall write the licensee's name in the presence of the officer to determine the identity of the licensee.

(c) If the actual license has been issued and received, a receipt for license fees, a copy of a license, or evidence showing the issuance of a license, including the license identification number or stamp validation, does not entitle a licensee to exercise the rights or privileges conferred by a license.

(d) A license issued electronically and not immediately provided to the licensee shall be mailed to the licensee within 30 days of purchase of the license. A pictorial ~~turkey~~, migratory waterfowl, pheasant, or trout and salmon stamp shall be provided to the licensee after purchase of a stamp validation only if the licensee pays an additional \$2 fee. A pictorial turkey stamp may be purchased for a \$2 fee.

EFFECTIVE DATE. This section is effective March 1, 2009.

Sec. 14. Minnesota Statutes 2006, section 97A.431, subdivision 2, is amended to read:

Subd. 2. **Eligibility.** Persons eligible for a moose license shall be determined under this section and commissioner's rule. A person is eligible for a moose license only if the person:

(1) is a resident; and
~~(2) is at least age 16 before the season opens; and~~
~~(3) (2) has not been issued a moose license for any of the last five seasons or after~~
January 1, 1991.

Sec. 15. Minnesota Statutes 2006, section 97A.433, subdivision 2, is amended to read:

50.1 Subd. 2. **Eligibility.** Persons eligible for an elk license shall be determined under this
50.2 section and commissioner's rule. A person is eligible for an elk license only if the person:

- 50.3 (1) is a resident; and
50.4 ~~(2) is at least age 16 before the season opens; and~~
50.5 ~~(3)~~ (2) has never been issued an elk license.

50.6 Sec. 16. Minnesota Statutes 2006, section 97A.434, subdivision 2, is amended to read:

50.7 Subd. 2. **Eligibility.** Eligibility for a prairie chicken license shall be determined by
50.8 this section and by rule adopted by the commissioner. A person is eligible for a prairie
50.9 chicken license only if the person:

- 50.10 ~~(1) is a resident; and~~
50.11 ~~(2) was born before January 1, 1980, or possesses a firearms safety certificate.~~

50.12 Sec. 17. Minnesota Statutes 2007 Supplement, section 97A.441, subdivision 7, is
50.13 amended to read:

50.14 Subd. 7. **Owners or tenants of agricultural land.** (a) The commissioner may
50.15 issue, without a fee, a license to take an antlerless deer to a person resident who is an
50.16 owner or tenant, or a nonresident who is an owner, of at least 80 acres of agricultural land,
50.17 as defined in section 97B.001, in deer permit areas that have deer archery licenses to
50.18 take additional deer under section 97B.301, subdivision 4. A person may receive only
50.19 one license per year under this subdivision. For properties with co-owners or cotenants,
50.20 only one co-owner or cotenant may receive a license under this subdivision per year. The
50.21 license issued under this subdivision is restricted to land leased for agricultural purposes
50.22 or owned by the holder of the license within the permit area where the qualifying land
50.23 is located. The holder of the license may transfer the license to the holder's spouse or
50.24 dependent. Notwithstanding sections 97A.415, subdivision 1, and 97B.301, subdivision
50.25 2, the holder of the license may purchase an additional license for taking deer and may
50.26 take an additional deer under that license.

50.27 (b) A person who obtains a license under paragraph (a) must allow public deer
50.28 hunting on their land during that deer hunting season, with the exception of the first
50.29 Saturday and Sunday during the deer hunting season applicable to the license issued under
50.30 section 97A.475, subdivision 2, clauses (4) and (13).

50.31 Sec. 18. Minnesota Statutes 2007 Supplement, section 97A.451, subdivision 3, is
50.32 amended to read:

51.1 Subd. 3. **Residents under age 16; small game.** (a) A resident under age 16 ~~may~~
51.2 ~~not must~~ obtain a small game license ~~but may~~ in order to take small game by firearms
51.3 or bow and arrow without a license paying the applicable fees under section 97A.475,
51.4 subdivisions 2, 4, and 5, if the resident is:

51.5 (1) age 14 or 15 and possesses a firearms safety certificate;

51.6 (2) age 13, possesses a firearms safety certificate, and is accompanied by a parent or
51.7 guardian;

51.8 (3) age 13, 14, or 15, possesses an apprentice hunter validation, and is accompanied
51.9 by a parent or guardian who possesses a small game license that was not obtained using an
51.10 apprentice hunter validation; or

51.11 (4) age 12 or under and is accompanied by a parent or guardian.

51.12 (b) A resident under age 16 may take small game by trapping without a small game
51.13 license, but a resident 13 years of age or older must have a trapping license. A resident
51.14 under age 13 may trap without a trapping license, but may not register fisher, otter,
51.15 bobcat, or pine marten unless the resident is at least age five. Any fisher, otter, bobcat,
51.16 or pine marten taken by a resident under age five must be included in the limit of the
51.17 accompanying parent or guardian.

51.18 (c) A resident under age 12 may apply for a turkey license and may take a turkey
51.19 without a firearms safety certificate if the resident is accompanied by an adult parent or
51.20 guardian who has a firearms safety certificate.

51.21 (d) A resident under age 12 may apply for a prairie chicken license and may take a
51.22 prairie chicken without a firearms safety certificate if the resident is accompanied by an
51.23 adult parent or guardian who has a firearms safety certificate.

51.24 Sec. 19. Minnesota Statutes 2006, section 97A.451, subdivision 4, is amended to read:

51.25 Subd. 4. ~~Persons~~ **Residents under age 16; big game.** A ~~person~~ resident under the
51.26 age of 16 may ~~not obtain a license to take big game unless the person possesses a firearms~~
51.27 ~~safety certificate. A person under the age of 14 must be accompanied by a parent or~~
51.28 ~~guardian to hunt big game.~~ by firearms or bow and arrow if the resident obtains a license
51.29 to take big game and is:

51.30 (1) age 14 or 15 and possesses a firearms safety certificate;

51.31 (2) age 13, possesses a firearms safety certificate, and is accompanied by a parent or
51.32 guardian;

51.33 (3) age 13, 14, or 15, possesses an apprentice hunter validation, and is accompanied
51.34 by a parent or guardian who possesses a big game license that was not obtained using
51.35 an apprentice hunter validation;

52.1 (4) age 12 and is accompanied by a parent or guardian. A resident age 12 or under
52.2 is not required to possess a firearms safety certificate under section 97B.020 to take big
52.3 game; or

52.4 (5) age 10 or 11 and is under the direct supervision of a parent or guardian where the
52.5 parent is within immediate reach and the youth obtains a license without paying the fee.

52.6 Sec. 20. Minnesota Statutes 2006, section 97A.451, is amended by adding a
52.7 subdivision to read:

52.8 Subd. 4a. **Nonresidents under age 16; big game.** (a) A nonresident under age
52.9 16 may obtain a big game license at the applicable resident fee under section 97A.475,
52.10 subdivision 2, if the nonresident is:

52.11 (1) age 14 or 15 and possesses a firearms safety certificate;

52.12 (2) age 13, possesses a firearms safety certificate, and is accompanied by a parent or
52.13 guardian;

52.14 (3) age 12 and is accompanied by a parent or guardian. A nonresident age 12
52.15 or under is not required to possess a firearms safety certificate under section 97B.020
52.16 to take big game; or

52.17 (4) age 10 or 11 and is under the direct supervision of a parent or guardian where the
52.18 parent is within immediate reach.

52.19 Sec. 21. Minnesota Statutes 2007 Supplement, section 97A.475, subdivision 2, is
52.20 amended to read:

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

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

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

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

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

52.27 ~~(4)~~ (5) for persons age 18 or over to take deer with firearms, \$26;

52.28 ~~(5)~~ (6) for persons age 18 or over to take deer by archery, \$26;

52.29 ~~(6)~~ (7) to take moose, for a party of not more than six persons, \$310;

52.30 ~~(7)~~ (8) to take bear, \$38;

52.31 ~~(8)~~ (9) to take elk, for a party of not more than two persons, \$250;

52.32 ~~(9)~~ (10) multizone license to take antlered deer in more than one zone, \$52;

52.33 ~~(10)~~ (11) to take Canada geese during a special season, \$4;

53.1 ~~(11)~~ (12) all season license to take three deer throughout the state in any open deer
53.2 season, except as restricted under section 97B.305, \$78;

53.3 ~~(12)~~ (13) all-firearm season license to take two deer throughout the state in any open
53.4 firearms deer season, except as restricted under section 97B.305, \$52;

53.5 (14) to take prairie chickens, \$20;

53.6 ~~(13)~~ (15) for persons at least age 12 and under age 18 to take deer with firearms
53.7 during the muzzle-loader season or during the regular firearms season in any open zone
53.8 or time period, \$13; and

53.9 ~~(14)~~ (16) for persons at least age 12 and under age 18 to take deer by archery, \$13.

53.10 **EFFECTIVE DATE.** The amendments to clauses (3) and (4) are effective March
53.11 1, 2009.

53.12 Sec. 22. Minnesota Statutes 2007 Supplement, section 97A.475, subdivision 3, is
53.13 amended to read:

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

53.16 (1) for persons age 18 and older to take small game, \$73;

53.17 (2) for persons age 18 and older to take deer with firearms, \$135;

53.18 (3) for persons age 18 and older to take deer by archery, \$135;

53.19 (4) to take bear, \$195;

53.20 (5) for persons age 18 and older to take turkey, ~~\$73~~ \$78;

53.21 (6) for persons under age 18 to take turkey, \$12;

53.22 ~~(6)~~ (7) to take raccoon or bobcat, \$155;

53.23 ~~(7)~~ (8) multizone license to take antlered deer in more than one zone, \$270;

53.24 ~~(8)~~ (9) to take Canada geese during a special season, \$4;

53.25 ~~(9)~~ (10) for persons at least age 12 and under age 18 to take deer with firearms
53.26 during the muzzle-loader season or during the regular firearms season in any open zone
53.27 or time period, \$13; and

53.28 ~~(10)~~ (11) for persons at least age 12 and under age 18 to take deer by archery, \$13.

53.29 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under
53.30 paragraph (a), clauses (1) to ~~(7)~~ (5), (7), and (8). An additional commission may not be
53.31 assessed on this surcharge.

53.32 **EFFECTIVE DATE.** The amendments to paragraph (a), clauses (5) and (6), are
53.33 effective March 1, 2009.

54.1 Sec. 23. Minnesota Statutes 2006, section 97A.475, subdivision 5, is amended to read:

54.2 Subd. 5. **Hunting stamps.** Fees for the following stamps and stamp validations are:

54.3 (1) migratory waterfowl stamp, \$7.50; and

54.4 (2) pheasant stamp, \$7.50; ~~and~~

54.5 ~~(3) turkey stamp validation, \$5.~~

54.6 **EFFECTIVE DATE.** This section is effective March 1, 2009.

54.7 Sec. 24. Minnesota Statutes 2007 Supplement, section 97A.475, subdivision 7, is
54.8 amended to read:

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

54.11 (1) to take fish by angling, \$37.50;

54.12 (2) to take fish by angling limited to seven consecutive days selected by the licensee,
54.13 \$26.50;

54.14 (3) to take fish by angling for a 72-hour period selected by the licensee, \$22;

54.15 (4) to take fish by angling for a combined license for a family for one or both parents
54.16 and dependent children under the age of 16, \$50.50;

54.17 (5) to take fish by angling for a 24-hour period selected by the licensee, \$8.50; ~~and~~

54.18 (6) to take fish by angling for a combined license for a married couple, limited to 14
54.19 consecutive days selected by one of the licensees, \$38.50; and

54.20 (7) to take fish by spearing from a dark house, \$37.50.

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

54.24 Sec. 25. Minnesota Statutes 2007 Supplement, section 97A.475, subdivision 12,
54.25 is amended to read:

54.26 Subd. 12. **Fish houses or dark houses; nonresident.** Fees for fish house or dark
54.27 house licenses for a nonresident are:

54.28 (1) annual, \$33;

54.29 (2) seven consecutive days, \$19; and

54.30 (3) three-year, \$99.

54.31 Sec. 26. Minnesota Statutes 2007 Supplement, section 97A.475, subdivision 16,
54.32 is amended to read:

Subd. 16. **Resident bear hunting guides outfitters.** (a) The fee for a resident bear hunting outfitter license to guide bear hunters is \$82.50 and is available only to a Minnesota resident individual.

(b) The fee for a resident master bear hunting outfitter license is \$165. The fee to add an additional person under the license is \$82.50 per person.

Sec. 27. Minnesota Statutes 2006, section 97A.485, subdivision 6, is amended to read:

Subd. 6. **Licenses to be sold and issuing fees.** (a) Persons authorized to sell licenses under this section must issue the following licenses for the license fee and the following issuing fees:

(1) to take deer or bear with firearms and by archery, the issuing fee is \$1;

(2) Minnesota sporting, the issuing fee is \$1; and

(3) to take small game, to take fish by angling or by spearing, and to trap fur-bearing animals, the issuing fee is \$1;

(4) for a stamp validation that is not issued simultaneously with a license, an issuing fee of 50 cents may be charged at the discretion of the authorized seller;

(5) for stamps stamp validations issued simultaneously with a license, there is no fee;

(6) for licenses, seals, tags, or coupons issued without a fee under section 97A.441 or 97A.465, an issuing fee of 50 cents may be charged at the discretion of the authorized seller;

(7) for lifetime licenses, there is no fee; and

(8) for all other licenses, permits, renewals, or applications or any other transaction through the electronic licensing system under this chapter or any other chapter when an issuing fee is not specified, an issuing fee of 50 cents may be charged at the discretion of the authorized seller.

(b) ~~An issuing fee may not be collected for issuance of a trout and salmon stamp if a stamp validation is issued simultaneously with the related angling or sporting license.~~ Only one issuing fee may be collected when selling more than one trout and salmon stamp in the same transaction after the end of the season for which the stamp was issued.

(c) The agent shall keep the issuing fee as a commission for selling the licenses.

(d) The commissioner shall collect the issuing fee on licenses sold by the commissioner.

(e) A license, except stamps, must state the amount of the issuing fee and that the issuing fee is kept by the seller as a commission for selling the licenses.

(f) For duplicate licenses, including licenses issued without a fee, the issuing fees are:

(1) for licenses to take big game, 75 cents; and

56.1 (2) for other licenses, 50 cents.

56.2 (g) The commissioner may issue one-day angling licenses in books of ten licenses
56.3 each to fishing guides operating charter boats upon receipt of payment of all license
56.4 fees, excluding the issuing fee required under this section. Copies of sold and unsold
56.5 licenses shall be returned to the commissioner. The commissioner shall refund the charter
56.6 boat captain for the license fees of all unsold licenses. Copies of sold licenses shall be
56.7 maintained by the commissioner for one year.

56.8 Sec. 28. Minnesota Statutes 2006, section 97A.535, subdivision 1, is amended to read:

56.9 Subdivision 1. **Tags required.** (a) A person may not possess or transport deer,
56.10 bear, elk, or moose taken in the state unless a tag is attached to the carcass in a manner
56.11 prescribed by the commissioner. The commissioner must prescribe the type of tag that has
56.12 the license number of the owner, the year of its issue, and other information prescribed by
56.13 the commissioner.

56.14 (b) The tag ~~and the license~~ must be validated at the site of the kill as prescribed by
56.15 the commissioner.

56.16 (c) Except as otherwise provided in this section, the tag must be attached to the
56.17 deer, bear, elk, or moose at the site of the kill before the animal is removed from the
56.18 site of the kill.

56.19 (d) The tag must remain attached to the animal until the animal is processed for
56.20 storage.

56.21 (e) A person may move a lawfully taken deer, bear, elk, or moose from the site of the
56.22 kill without attaching the validated tag to the animal only while in the act of manually
56.23 or mechanically dragging, carrying, or carting the animal across the ground and while
56.24 possessing the validated tag on their person. A motor vehicle may be used to drag the
56.25 animal across the ground. At all other times, the validated tag must be attached to the
56.26 deer, bear, elk, or moose:

56.27 (1) as otherwise provided in this section; and

56.28 (2) prior to the animal being placed onto and transported on a motor vehicle, being
56.29 hung from a tree or other structure or device, or being brought into a camp or yard or
56.30 other place of habitation.

56.31 Sec. 29. Minnesota Statutes 2006, section 97B.015, subdivision 5, is amended to read:

56.32 Subd. 5. **Firearms safety certificate.** The commissioner shall issue a firearms
56.33 safety certificate to a person that satisfactorily completes the required course of instruction.
56.34 A person must be at least age 11 to take the firearms safety course and may receive a

57.1 firearms safety certificate, but the certificate is not valid for hunting until the year the
57.2 person reaches age 12. A person who is age 11 and has a firearms safety certificate may
57.3 purchase a ~~deer, bear, turkey, or prairie chicken~~ license to take big game that will ~~become~~
57.4 be valid when for hunting during the entire regular season for which the license is valid if
57.5 the person ~~reaches~~ will reach age 12 during that calendar year. A firearms safety certificate
57.6 issued to a person under age 12 by another state as provided in section 97B.020 is not
57.7 valid for hunting in Minnesota until the person reaches age 12. The form and content of
57.8 the firearms safety certificate shall be prescribed by the commissioner.

57.9 Sec. 30. Minnesota Statutes 2007 Supplement, section 97B.031, subdivision 1, is
57.10 amended to read:

57.11 Subdivision 1. **Firearms and ammunition that may be used to take big game.** ~~(a)~~

57.12 A person may take big game with a firearm only if:

57.13 (1) the rifle, shotgun, and handgun used is a caliber of at least ~~.23~~ .22 inches and
57.14 with centerfire ignition;

57.15 (2) the firearm is loaded only with single projectile ammunition;

57.16 (3) a projectile used is a caliber of at least ~~.23~~ .22 inches and has a soft point or is
57.17 an expanding bullet type;

57.18 ~~(4) the ammunition has a case length of at least 1.285 inches;~~

57.19 ~~(5) (4) the muzzle-loader muzzleloader~~ used is incapable of being loaded at the
57.20 breech;

57.21 ~~(6) (5) the smooth-bore muzzle-loader muzzleloader~~ used is a caliber of at least
57.22 .45 inches; and

57.23 ~~(7) (6) the rifled muzzle-loader muzzleloader~~ used is a caliber of at least .40 inches.

57.24 ~~(b) Notwithstanding paragraph (a), clause (4), a person may take big game with a~~
57.25 ~~ten millimeter cartridge that is at least 0.95 inches in length, a .45 Winchester Magnum~~
57.26 ~~cartridge, a .50 A. E. (Action Express) handgun cartridge, or a 56-46 Spencer, 56-50~~
57.27 ~~Spencer, or 56-56 Spencer cartridge.~~

57.28 Sec. 31. Minnesota Statutes 2007 Supplement, section 97B.035, subdivision 1a,
57.29 is amended to read:

57.30 Subd. 1a. **Minimum draw weight.** A bow used to take big game or turkey must
57.31 have a pull that meets or exceeds 30 pounds at or before full draw.

57.32 Sec. 32. Minnesota Statutes 2007 Supplement, section 97B.036, is amended to read:

57.33 **97B.036 CROSSBOW HUNTING DURING FIREARMS ~~DEER~~ SEASON.**

58.1 Notwithstanding section 97B.035, subdivisions 1 and 2, a person may take deer,
58.2 bear, or turkey by crossbow during the respective regular firearms deer season seasons.
58.3 The transportation requirements of section 97B.051 apply to crossbows during the regular
58.4 firearms deer, bear, or turkey season. Crossbows must meet the requirements of section
58.5 97B.106, subdivision 2. A person taking deer, bear, or turkey by crossbow under this
58.6 section must have a valid firearms ~~deer~~ license to take the respective game.

58.7 Sec. 33. Minnesota Statutes 2006, section 97B.041, is amended to read:

58.8 **97B.041 POSSESSION OF FIREARMS AND AMMUNITION RESTRICTED**
58.9 **IN DEER ZONES.**

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

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

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

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

58.19 (4) a handgun or rifle ~~and only short, long, and long rifle cartridges that are caliber~~
58.20 ~~of .22 inches~~ capable of firing only rimfire cartridges of .17 and .22 caliber, including
58.21 .22 magnum caliber cartridges;

58.22 (5) handguns possessed by a person authorized to carry a handgun under sections
58.23 624.714 and 624.715 for the purpose authorized; and

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

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

58.29 **EFFECTIVE DATE.** This section is effective August 1, 2008.

58.30 Sec. 34. Minnesota Statutes 2006, section 97B.106, subdivision 1, is amended to read:

58.31 Subdivision 1. **Qualifications for crossbow permits.** (a) The commissioner may
58.32 issue a special permit, without a fee, to take big game, small game, or rough fish with a
58.33 crossbow to a person that is unable to hunt or take rough fish by archery because of a

permanent or temporary physical disability. A crossbow permit issued under this section also allows the permittee to use a bow with a mechanical device that draws, releases, or holds the bow at full draw as provided in section 97B.035, subdivision 1, paragraph (a).

(b) To qualify for a crossbow permit under this section, a temporary disability must render the person unable to hunt or fish by archery for a minimum of two years after application for the permit is made. The permanent or temporary disability must be established by medical evidence, and the inability to hunt or fish by archery for the required period of time must be verified in writing by a licensed physician or chiropractor. A person who has received a special permit under this section because of a permanent disability is eligible for subsequent special permits without providing medical evidence and verification of the disability.

(c) The person must obtain the appropriate license.

Sec. 35. Minnesota Statutes 2006, section 97B.211, subdivision 1, is amended to read:

Subdivision 1. **Possession of firearms prohibited.** ~~Except when hunting bear,~~ A person may not take ~~big game~~ deer by archery while in possession of a firearm.

Sec. 36. Minnesota Statutes 2006, section 97B.301, subdivision 6, is amended to read:

Subd. 6. **Residents or nonresidents under age 18 may take deer of either sex.** A resident or nonresident under the age of 18 may take a deer of either sex except in those antlerless permit areas and seasons where no antlerless permits are offered. In antlerless permit areas where no antlerless permits are offered, the commissioner may provide a limited number of youth either sex permits to residents or nonresidents under age 18, under the procedures provided in section 97B.305, and may give preference to residents or nonresidents under the age of 18 that have not previously been selected. This subdivision does not authorize the taking of an antlerless deer by another member of a party under subdivision 3.

Sec. 37. Minnesota Statutes 2006, section 97B.301, is amended by adding a subdivision to read:

Subd. 8. **All-firearm season deer license.** (a) A resident may obtain an all-firearm season deer license that authorizes the resident to hunt during the regular firearms and muzzle-loader seasons. The all-firearm season license is valid for taking two deer, no more than one of which may be a legal buck.

(b) The all-firearm season deer license is valid for taking antlerless deer as prescribed by the commissioner.

60.1 (c) The commissioner shall issue two tags when issuing a license under this
60.2 subdivision.

60.3 Sec. 38. Minnesota Statutes 2007 Supplement, section 97B.328, is amended to read:

60.4 **97B.328 BAITING PROHIBITED.**

60.5 Subdivision 1. **Hunting with aid of bait or feed prohibited.** ~~(a)~~ A person may
60.6 not hunt deer:

60.7 (1) with the aid or use of bait or feed; or

60.8 (2) in the vicinity of bait or feed if the person knows or has reason to know that
60.9 bait or feed is present; ~~or.~~

60.10 ~~(3) in the vicinity of where the person has placed bait or caused bait to be placed~~
60.11 ~~within the previous ten days.~~

60.12 ~~(b) This restriction does not apply to:~~

60.13 Subd. 2. **Removal of bait.** An area is considered baited for ten days after the
60.14 complete removal of all bait or feed.

60.15 Subd. 3. **Definition.** For purposes of this section, "bait or feed" includes grains,
60.16 fruits, vegetables, nuts, hay, or other food that is capable of attracting or enticing deer and
60.17 that has been placed by a person. Liquid scents, salt, minerals, and bird feeders containing
60.18 grains or nuts that are at least six feet above the ground are not bait or feed.

60.19 ~~(1)~~ Food resulting from normal or accepted farming, forest management, wildlife
60.20 food plantings, orchard management, or other similar land management activities; ~~or is~~
60.21 not bait or feed unless it has been placed by a person.

60.22 Subd. 4. **Exception for bait or feed on adjacent land.** ~~(2)~~ A person otherwise
60.23 in compliance with this section who is hunting on the person's own private or public
60.24 property, when that is adjacent to property where bait or feed is present is not in violation
60.25 of this section if the person has not participated in, been involved with, or agreed to
60.26 baiting or feeding wildlife on the adjacent land owned by another person property.

60.27 Sec. 39. Minnesota Statutes 2006, section 97B.405, is amended to read:

60.28 **97B.405 COMMISSIONER MAY LIMIT NUMBER OF BEAR HUNTERS.**

60.29 (a) The commissioner may limit the number of persons that may hunt bear in an
60.30 area, if it is necessary to prevent an overharvest or improve the distribution of hunters.

60.31 The commissioner may establish, by rule, a method, including a drawing, to impartially
60.32 select the hunters for an area. The commissioner shall give preference to hunters that have
60.33 previously applied and have not been selected.

61.1 (b) In the case of a drawing, the commissioner shall allow a person to apply for a
61.2 permit in more than one area at the same time and rank the person's choice of area. A
61.3 person applying for a permit shall submit the applicable license fee under section 97A.475
61.4 with the application. If a person is not selected for a bear hunting permit, the person may
61.5 elect to have the license fee refunded or held and applied to a future license or permit.

61.6 Sec. 40. Minnesota Statutes 2006, section 97B.431, is amended to read:

61.7 **97B.431 BEAR HUNTING ~~GUIDES~~ OUTFITTERS.**

61.8 (a) A person may not place bait for bear, or guide hunters to take bear, for
61.9 compensation without a bear hunting ~~guide~~ outfitter license. A bear hunting ~~guide~~ outfitter
61.10 is not required to have a license to take bear unless the ~~guide~~ outfitter is attempting
61.11 to shoot a bear. The commissioner shall adopt rules for qualifications for issuance and
61.12 administration of the licenses.

61.13 (b) The commissioner shall establish a resident master bear hunting outfitter license
61.14 under which one person serves as the bear hunting outfitter and one other person is eligible
61.15 to guide and bait bear. Additional persons may be added to the license and are eligible to
61.16 guide and bait bear under the license, provided the additional fee under section 97A.475,
61.17 subdivision 16, is paid for each person added. The commissioner shall adopt rules for
61.18 qualifications for issuance and administration of the licenses.

61.19 Sec. 41. Minnesota Statutes 2006, section 97B.621, subdivision 3, is amended to read:

61.20 Subd. 3. **Nighttime hunting restrictions.** To take raccoons between one-half hour
61.21 before sunset and one-half hour after sunrise, a person:

61.22 (1) must be on foot;

61.23 (2) may use an artificial light only if hunting with dogs;

61.24 (3) ~~may not use a rifle other than one of a .22 inch caliber with .22 short, long, or~~
61.25 ~~long rifle, rimfire ammunition~~ may use a handgun or rifle capable of firing only rimfire
61.26 cartridges of .17 or .22 caliber, including .22 magnum; and

61.27 (4) may not use shotgun shells with larger than No. 4 shot.

61.28 Sec. 42. Minnesota Statutes 2006, section 97B.711, subdivision 1, is amended to read:

61.29 Subdivision 1. **Seasons for certain upland game birds.** (a) The commissioner
61.30 may, by rule, prescribe an open season in designated areas between September 16 and
61.31 January 3 for:

61.32 (1) pheasant;

61.33 (2) ruffed grouse;

- 62.1 (3) sharp tailed grouse;
- 62.2 (4) Canada spruce grouse;
- 62.3 (5) prairie chicken;
- 62.4 (6) gray partridge;
- 62.5 (7) bob-white quail; and
- 62.6 (8) turkey.

62.7 (b) The commissioner may by rule prescribe an open season for turkey in the spring.

62.8 (c) The commissioner shall allow a four-week season for turkey in the fall for the
62.9 area designated as turkey permit area 601 as of the 2008 season. All applicable local
62.10 and state regulations apply.

62.11 Sec. 43. Minnesota Statutes 2006, section 97B.721, is amended to read:

62.12 **97B.721 LICENSE ~~AND STAMP VALIDATION~~ REQUIRED TO TAKE**
62.13 **TURKEY; TAGGING AND REGISTRATION REQUIREMENTS.**

62.14 (a) Except as provided in paragraph (b) or section 97A.405, subdivision 2, a person
62.15 may not take a turkey without possessing a turkey license ~~and a turkey stamp validation.~~

62.16 (b) ~~The requirement in paragraph (a) to have a turkey stamp validation does not~~
62.17 ~~apply to persons under age 18.~~ An unlicensed adult age 18 or older may assist a licensed
62.18 wild turkey hunter. The unlicensed adult may not shoot or possess a firearm or bow while
62.19 assisting a hunter under this paragraph and may not charge a fee for the assistance.

62.20 (c) The commissioner may by rule prescribe requirements for the tagging and
62.21 registration of turkeys.

62.22 **EFFECTIVE DATE.** This section is effective March 1, 2009.

62.23 Sec. 44. Minnesota Statutes 2006, section 97C.001, subdivision 3, is amended to read:

62.24 Subd. 3. **Seasons, limits, and other requirements.** The commissioner may, in
62.25 accordance with the procedures in subdivision 2 or by rule under chapter 14, establish
62.26 open seasons, limits, methods, and other requirements for taking fish on experimental
62.27 waters. Notwithstanding the limits on seasons in section 97C.395, subdivision 1, the
62.28 commissioner may extend the end of a season for up to two weeks to take a fish species in
62.29 an experimental water when the harvest level for the species in that season is less than the
62.30 harvest goal of the experimental regulations.

62.31 Sec. 45. Minnesota Statutes 2006, section 97C.005, subdivision 3, is amended to read:

Subd. 3. **Seasons, limits, and other rules.** The commissioner may, in accordance with the procedures in subdivision 2, paragraphs (c) and (e), or by rule under chapter 14, establish open seasons, limits, methods, and other requirements for taking fish on special management waters. Notwithstanding the limits on seasons in section 97C.395, subdivision 1, the commissioner may extend the end of a season for up to two weeks to take a fish species in a special management water when the harvest level for the species in that season is less than the harvest goal of the special management regulations.

Sec. 46. Minnesota Statutes 2006, section 97C.205, is amended to read:

97C.205 TRANSPORTING AND STOCKING FISH.

(a) Except on the water body where taken, a person may not transport a live fish in a quantity of water sufficient to keep the fish alive, unless the fish:

(1) is being transported under an aquaculture license as authorized under sections 17.4985 and 17.4986;

(2) is being transported for a fishing contest weigh-in under section 97C.081;

(3) is a minnow being transported under section 97C.505 or 97C.515;

(4) is being transported by a commercial fishing license holder under section 97C.821; or

(5) is being transported as otherwise authorized in this section.

(b) The commissioner may adopt rules to allow and regulate:

(1) the transportation of fish and fish eggs; and

(2) the stocking of waters with fish or fish eggs.

(c) The commissioner must allow the possession of fish on special management or experimental waters to be prepared as a meal on the ice or on the shore of that water body if the fish:

(1) were lawfully taken;

(2) have been packaged by a licensed fish packer; and

(3) do not otherwise exceed the daily possession limits.

~~(c)~~ (d) The commissioner shall prescribe rules designed to encourage local sporting organizations to propagate game fish by using rearing ponds. The rules must:

(1) prescribe methods to acquire brood stock for the ponds by seining public waters;

(2) allow the sporting organizations to own and use seines and other necessary equipment; and

(3) prescribe methods for stocking the fish in public waters that give priority to the needs of the community where the fish are reared and the desires of the organization operating the rearing pond.

64.1 ~~(d)~~ (e) A person age 16 or under may, for purposes of display in a home aquarium,
64.2 transport largemouth bass, smallmouth bass, yellow perch, rock bass, black crappie,
64.3 white crappie, bluegill pumpkinseed, green sunfish, orange spotted sunfish, and black,
64.4 yellow, and brown bullheads taken by angling. No more than four of each species may
64.5 be transported at any one time, and any individual fish can be no longer than ten inches
64.6 in total length.

64.7 Sec. 47. **[97C.303] CONSERVATION ANGLING LICENSE.**

64.8 Subdivision 1. **Availability.** The commissioner shall make available a conservation
64.9 angling license according to this section. Conservation angling licenses shall be offered
64.10 for resident individuals and resident married couples.

64.11 Subd. 2. **Daily and possession limits.** Daily and possession limits for fish taken
64.12 under a conservation angling license are one-half the daily and possession limits for the
64.13 corresponding fish taken under a standard angling license, rounded down to the next
64.14 whole number if necessary.

64.15 Subd. 3. **License fee.** The fee for a conservation angling license issued under this
64.16 section is two-thirds of the corresponding standard angling license fee under section
64.17 97A.475, subdivision 6, rounded to the nearest whole dollar.

64.18 Sec. 48. Minnesota Statutes 2006, section 97C.315, subdivision 1, is amended to read:

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

64.21 ~~(1) two lines may be used to take fish through the ice; and (1) through the ice; or~~
64.22 ~~(2) the commissioner may, by rule, authorize the use of two lines in areas~~
64.23 ~~designated by the commissioner in Lake Superior~~ (2) if the angler purchases a second
64.24 line endorsement for \$5.

64.25 Sec. 49. Minnesota Statutes 2007 Supplement, section 97C.355, subdivision 2, is
64.26 amended to read:

64.27 Subd. 2. **License required.** A person may not ~~take fish from~~ leave a dark house
64.28 or fish house ~~that is left~~ unattended on the ice overnight at any time between midnight
64.29 and one hour before sunrise unless the house is licensed and has a license tag attached
64.30 to the exterior in a readily visible location, except as provided in this subdivision. The
64.31 commissioner must issue a tag with a dark house or fish house license, marked with a
64.32 number to correspond with the license and the year of issue. A dark house or fish house

65.1 license is not required of a resident on boundary waters where the adjacent state does not
65.2 charge a fee for the same activity.

65.3 Sec. 50. Minnesota Statutes 2006, section 97C.355, subdivision 4, is amended to read:

65.4 Subd. 4. **Distance between houses.** A person may not erect a dark house ~~or~~₂ fish
65.5 house, or shelter within ten feet of an existing dark house ~~or~~₂ fish house, or shelter.

65.6 Sec. 51. Minnesota Statutes 2006, section 97C.355, subdivision 7, is amended to read:

65.7 Subd. 7. **Dates and times houses may remain on ice.** (a) ~~Except as provided in~~
65.8 ~~paragraph (d),~~ A shelter, including a fish house or dark house, may not be on the ice
65.9 unattended between 12:00 a.m. midnight and one hour before sunrise after ~~the following~~
65.10 ~~dates:~~

65.11 (1) ~~the last day of February~~ first Monday in March, for state waters south of a line
65.12 starting at the Minnesota-North Dakota border and formed by rights-of-way of U.S. Route
65.13 No. 10, then east along U.S. Route No. 10 to Trunk Highway No. 34, then east along
65.14 Trunk Highway No. 34 to Trunk Highway No. 200, then east along Trunk Highway No.
65.15 200 to U.S. Route No. 2, then east along U.S. Route No. 2 to the Minnesota-Wisconsin
65.16 border; and

65.17 (2) the third Monday in March ~~15~~, for other state waters.

65.18 A shelter, including a fish house or dark house, on the ice in violation of this
65.19 subdivision is subject to the enforcement provisions of paragraph (b). The commissioner
65.20 may, by rule, change the dates in this paragraph for any part of state waters. Copies of
65.21 the rule must be conspicuously posted on the shores of the waters as prescribed by the
65.22 commissioner.

65.23 (b) A conservation officer must confiscate a fish house, dark house, or shelter in
65.24 violation of paragraph (a). The officer may remove, burn, or destroy the house or shelter.
65.25 The officer shall seize the contents of the house or shelter and hold them for 60 days. If the
65.26 seized articles have not been claimed by the owner, they may be retained for the use of the
65.27 division or sold at the highest price obtainable in a manner prescribed by the commissioner.

65.28 ~~(c) When the last day of February, under paragraph (a), clause (1), or March 15,~~
65.29 ~~under paragraph (a), clause (2), falls on a Saturday, a shelter, including a fish house or~~
65.30 ~~dark house, may be on the ice between 12:00 a.m. and one hour before sunrise until~~
65.31 ~~12:00 a.m. the following Monday.~~

65.32 ~~(d) A person may have a shelter, including a fish house or dark house, on the ice~~
65.33 ~~between 12:00 a.m. and one hour before sunrise on waters within the area prescribed in~~

66.1 ~~paragraph (a), clause (2), but the house or shelter may not be unattended during those~~
66.2 ~~hours.~~

66.3 Sec. 52. Minnesota Statutes 2006, section 97C.355, subdivision 7a, is amended to read:

66.4 Subd. 7a. **Houses left overnight.** A fish house ~~or~~, dark house, or shelter left on the
66.5 ice overnight must be marked with reflective material on each side of the house structure.
66.6 The reflective material must measure a total area of no less than two square inches on each
66.7 side of the house structure. ~~Violation of this subdivision is not subject to subdivision 8~~
66.8 ~~or section 97A.301.~~

66.9 Sec. 53. Minnesota Statutes 2007 Supplement, section 97C.355, subdivision 8, is
66.10 amended to read:

66.11 Subd. 8. **Confiscation of unlawful structures; civil penalty.** (a) Structures on the
66.12 ice in violation of this section may be confiscated and disposed of, retained by the division,
66.13 or sold at the highest price obtainable, in a manner prescribed by the commissioner.

66.14 (b) In addition to other penalties provided by law, the owner of a structure left on the
66.15 ice in violation of this section is subject to a civil penalty under section 115A.99.

66.16 (c) This subdivision also applies to structures left on state public access sites for
66.17 more than 48 hours past the deadlines specified in subdivision 7.

66.18 Sec. 54. Minnesota Statutes 2006, section 97C.371, subdivision 4, is amended to read:

66.19 Subd. 4. **Open season.** The open season for spearing through the ice is ~~December 1~~
66.20 November 15 to the ~~last~~ second Sunday in ~~February~~ March.

66.21 Sec. 55. Minnesota Statutes 2006, section 97C.371, is amended by adding a
66.22 subdivision to read:

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

66.24 Sec. 56. Minnesota Statutes 2006, section 97C.395, subdivision 1, is amended to read:

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

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

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

67.1 (3) for the winter season for lake trout on all lakes and streams, from January 15
67.2 to March 31;

67.3 (4) for brown trout, brook trout, rainbow trout, and splake, between January 1 to
67.4 October 31 as prescribed by the commissioner by rule except as provided in section
67.5 97C.415, subdivision 2; and

67.6 ~~(4)~~ (5) for salmon, as prescribed by the commissioner by rule.

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

67.9 Sec. 57. Minnesota Statutes 2006, section 97C.401, subdivision 2, is amended to read:

67.10 Subd. 2. **Walleye; northern pike.** (a) Except as provided in paragraph (b), a person
67.11 may ~~take~~ have no more than one walleye larger than 20 inches and one northern pike
67.12 larger than 30 inches ~~daily~~ in possession.

67.13 (b) The restrictions in paragraph (a) do not apply to boundary waters.

67.14 **EFFECTIVE DATE.** This section is effective March 1, 2009.

67.15 Sec. 58. Minnesota Statutes 2006, section 97C.865, subdivision 2, is amended to read:

67.16 Subd. 2. **Rules.** The commissioner may adopt rules establishing requirements for
67.17 labeling and packing fish under a fish packer's license. The commissioner shall require
67.18 only the license number of the fish packer, the name and license number of the angler
67.19 or person who lawfully possesses the fish, the name of the lake on which the fish were
67.20 caught, the species of fish, and the number of fish to appear on a label. The commissioner
67.21 must not allow sauger to be labeled as walleye.

67.22 Sec. 59. Minnesota Statutes 2006, section 624.20, subdivision 1, is amended to read:

67.23 Subdivision 1. **Regulation.** (a) As used in sections 624.20 to 624.25, the term
67.24 "fireworks" means any substance or combination of substances or article prepared
67.25 for the purpose of producing a visible or an audible effect by combustion, explosion,
67.26 deflagration, or detonation, and includes blank cartridges, toy cannons, and toy canes in
67.27 which explosives are used, the type of balloons which require fire underneath to propel
67.28 them, firecrackers, torpedoes, skyrockets, Roman candles, daygo bombs, sparklers other
67.29 than those specified in paragraph (c), or other fireworks of like construction, and any
67.30 fireworks containing any explosive or inflammable compound, or any tablets or other
67.31 device containing any explosive substance and commonly used as fireworks.

(b) The term "fireworks" shall not include toy pistols, toy guns, in which paper caps containing 25/100 grains or less of explosive compound are used and toy pistol caps which contain less than 20/100 grains of explosive mixture.

(c) The term also does not include wire or wood sparklers of not more than 100 grams of mixture per item, other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical mixture per tube or a total of ~~200~~ 500 grams or less for multiple tubes, snakes and glow worms, smoke devices, or trick noisemakers which include paper streamers, party poppers, string poppers, snappers, and drop pops, each consisting of not more than twenty-five hundredths grains of explosive mixture. The use of items listed in this paragraph is not permitted on public property. This paragraph does not authorize the purchase of items listed in it by persons younger than 18 years of age. The age of a purchaser of items listed in this paragraph must be verified by photographic identification.

(d) A local unit of government may impose an annual license fee for the retail sale of items authorized under paragraph (c). The annual license fee of each retail seller that is in the business of selling only the items authorized under paragraph (c) may not exceed \$350, and the annual license of each other retail seller may not exceed \$100. A local unit of government may not:

(1) impose any fee or charge, other than the fee authorized by this paragraph, on the retail sale of items authorized under paragraph (c);

(2) prohibit or restrict the display of items for permanent or temporary retail sale authorized under paragraph (c) that comply with National Fire Protection Association Standard 1124 (2003 edition); or

(3) impose on a retail seller any financial guarantee requirements, including bonding or insurance provisions, containing restrictions or conditions not imposed on the same basis on all other business licensees.

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

Sec. 60. **UNCASED FIREARMS REPORT.**

(a) The commissioner of natural resources shall submit a report to the legislature by January 1, 2009, on uncased firearms that answers the questions listed below.

(1) How many other states have laws like Minnesota's governing uncased firearms?

(2) Are there any studies that prove that uncased firearms laws like Minnesota's reduce firearm-related accidents?

(3) Is there evidence that more accidents occur loading and unloading firearms and putting firearms in and out of cases than would occur if the firearms were not required to be cased?

(4) Are there any studies to prove that having a cased gun law reduces other criminal violations? For example, there are thousands of tickets written for uncased guns every year; is this the activity the state is trying to stop or is the state trying to reduce other crimes? Is there any proof that by issuing tickets Minnesota is stopping other crimes?

(5) If the state cannot verify that it is reducing accidents or reducing other criminal violations by writing uncased gun tickets, why is the state writing them?

(6) If the state is reducing other wildlife crimes such as shooting from the roadway, how is it doing this?

(b) The report must comply with Minnesota Statutes, sections 3.195 and 3.197, and be submitted to the chairs of the house and senate committees with jurisdiction over the environment and natural resources. The commissioner may include additional information that the commissioner feels is important to this issue.

Sec. 61. **COCK PHEASANT BAG LIMIT; RULEMAKING.**

The commissioner of natural resources shall amend Minnesota Rules, part 6234.0400, subpart 2, to allow a person to take up to three cock pheasants per day after the 16th day of the pheasant season. The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt the rule and Minnesota Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes, section 14.388.

Sec. 62. **BEAR HUNTING PERMIT DRAWING; RULEMAKING.**

The commissioner of natural resources shall adopt rules to comply with the changes made to Minnesota Statutes, section 97B.405. The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt the rules. Minnesota Statutes, section 14.386, does not apply except as provided in Minnesota Statutes, section 14.388.

Sec. 63. **NONRESIDENT SPEAR FISHING; RULEMAKING.**

The commissioner of natural resources shall adopt rules, including amending Minnesota Rules, part 6262.0600, to allow taking fish by spear by nonresidents. The commissioner may use the good cause exemption under Minnesota Statutes, section

70.1 14.388, subdivision 1, clause (3), to adopt the rules. Minnesota Statutes, section 14.386,
70.2 does not apply except as provided under Minnesota Statutes, section 14.388.

70.3 Sec. 64. **WILD TURKEY HUNTING MANAGEMENT RECOMMENDATIONS.**

70.4 The commissioner of natural resources, in consultation with the National
70.5 Wild Turkey Federation, shall, by January 15, 2009, provide the legislature with
70.6 recommendations for future management of hunting wild turkeys in Minnesota.

70.7 Sec. 65. **WALLEYE STOCKING ON LEECH LAKE.**

70.8 While continuing to study the effects of cormorant control on Leech Lake and the
70.9 lack of natural reproduction of the walleye, the commissioner of natural resources shall
70.10 stock Leech Lake with 25,000,000 walleye fry in calendar year 2009 and with 25,000,000
70.11 walleye fry in calendar year 2010 unless the commissioner can show evidence that the
70.12 stocking is harmful to the lake's natural walleye population or that the fishery has fully
70.13 recovered.

70.14 Sec. 66. **RULES.**

70.15 The commissioner of natural resources shall adopt rules in compliance with the
70.16 changes to Minnesota Statutes, sections 97C.205 and 97C.865, subdivision 2. The rules
70.17 required by this section are exempt from the rulemaking provisions of Minnesota Statutes,
70.18 chapter 14. The rules are subject to Minnesota Statutes, section 14.386, except that
70.19 notwithstanding Minnesota Statutes, section 14.386, paragraph (b), the rules continue
70.20 in effect until repealed or superseded by other law or rule. As part of this rulemaking,
70.21 the commissioner shall:

70.22 (1) amend Minnesota Rules, part 6262.3250, by deleting item A and amending the
70.23 part so that labels required under item D are consistent with the new requirements in
70.24 Minnesota Statutes, section 97C.865, subdivision 2; and

70.25 (2) amend Minnesota Rules, part 6262.0100, to allow the possession of fish on
70.26 special management or experimental waters for a meal, as provided in Minnesota Statutes,
70.27 section 97C.205.

70.28 Sec. 67. **DISABLED HUNTING; RULES.**

70.29 By January 1, 2010, the commissioner of natural resources shall consider amending
70.30 Minnesota Rules in order to simplify the process for obtaining disabled hunting permits
70.31 and for landowners to allow hunts on their land for the disabled. By January 1, 2009,
70.32 the commissioner shall report to the chairs of the senate and house committees with

71.1 jurisdiction over natural resources on any statutory changes needed in order to achieve the
71.2 simplification. The commissioner shall work with nonprofit groups and other interested
71.3 parties in simplifying the process.

71.4 Sec. 68. **MISSISSIPPI RIVER SLOT LIMITS.**

71.5 The Department of Natural Resources must not adopt rules regarding slot limits on
71.6 the Mississippi River between the Crow River and Coon Rapids Dam without legislative
71.7 authorization.

71.8 Sec. 69. **APPROPRIATION.**

71.9 \$102,000 in fiscal year 2009 is appropriated from the game and fish fund to the
71.10 commissioner of natural resources for the development of aquaculture best management
71.11 practices. The base in fiscal year 2010 is \$150,000. The base for fiscal year 2011 is \$0.

71.12 Sec. 70. **REPEALER.**

71.13 Minnesota Statutes 2006, section 97A.411, subdivision 2, and Minnesota Rules,
71.14 parts 6232.0200, subpart 4; 6232.0300, subpart 4; and 6234.0100, subpart 4, are repealed.

71.15 **ARTICLE 3**

71.16 **OUTDOOR HERITAGE**

71.17 Section 1. Minnesota Statutes 2007 Supplement, section 10A.01, subdivision 35,
71.18 is amended to read:

71.19 Subd. 35. **Public official.** "Public official" means any:

71.20 (1) member of the legislature;

71.21 (2) individual employed by the legislature as secretary of the senate, legislative
71.22 auditor, chief clerk of the house, revisor of statutes, or researcher, legislative analyst, or
71.23 attorney in the Office of Senate Counsel and Research or House Research;

71.24 (3) constitutional officer in the executive branch and the officer's chief administrative
71.25 deputy;

71.26 (4) solicitor general or deputy, assistant, or special assistant attorney general;

71.27 (5) commissioner, deputy commissioner, or assistant commissioner of any state
71.28 department or agency as listed in section 15.01 or 15.06, or the state chief information
71.29 officer;

71.30 (6) member, chief administrative officer, or deputy chief administrative officer of a
71.31 state board or commission that has either the power to adopt, amend, or repeal rules under
71.32 chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;

- 72.1 (7) individual employed in the executive branch who is authorized to adopt, amend,
72.2 or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;
- 72.3 (8) executive director of the State Board of Investment;
- 72.4 (9) deputy of any official listed in clauses (7) and (8);
- 72.5 (10) judge of the Workers' Compensation Court of Appeals;
- 72.6 (11) administrative law judge or compensation judge in the State Office of
72.7 Administrative Hearings or referee in the Department of Employment and Economic
72.8 Development;
- 72.9 (12) member, regional administrator, division director, general counsel, or operations
72.10 manager of the Metropolitan Council;
- 72.11 (13) member or chief administrator of a metropolitan agency;
- 72.12 (14) director of the Division of Alcohol and Gambling Enforcement in the
72.13 Department of Public Safety;
- 72.14 (15) member or executive director of the Higher Education Facilities Authority;
- 72.15 (16) member of the board of directors or president of Minnesota Technology, Inc.;
- 72.16 (17) member of the board of directors or executive director of the Minnesota State
72.17 High School League;
- 72.18 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 72.19 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 72.20 (20) manager of a watershed district, or member of a watershed management
72.21 organization as defined under section 103B.205, subdivision 13; ~~or~~
- 72.22 (21) supervisor of a soil and water conservation district; or
- 72.23 (22) citizen member of the Outdoor Heritage Council established in section 97A.056.

72.24 Sec. 2. **[97A.056] OUTDOOR HERITAGE FUND; OUTDOOR HERITAGE**
72.25 **COUNCIL.**

72.26 Subdivision 1. **Outdoor heritage fund.** An outdoor heritage fund, under article XI,
72.27 section 15, of the Minnesota Constitution, is established as an account in the state treasury.
72.28 All money earned by the outdoor heritage fund must be credited to the fund. At least 99
72.29 and one-half percent of the money appropriated from the fund must be expended to restore,
72.30 protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife.

72.31 Subd. 2. **Outdoor Heritage Council.** (a) The Outdoor Heritage Council of 12
72.32 members is created in the legislative branch, consisting of:

- 72.33 (1) four public members appointed by the senate Subcommittee on Committees of
72.34 the Committee on Rules and Administration;
- 72.35 (2) four public members appointed by the speaker of the house; and

73.1 (3) four public members appointed by the governor.

73.2 (b) Members appointed under paragraph (a) must not be registered lobbyists and
73.3 must not have a personal or organizational conflict of interest, as provided in subdivision
73.4 4. In making appointments, the governor, senate Subcommittee on Committees of the
73.5 Committee on Rules and Administration, and the speaker of the house shall attempt to
73.6 provide for geographic balance. The governor's appointments to the council are subject
73.7 to the advice and consent of the senate.

73.8 (c) Members appointed under paragraph (a) shall have experience or expertise in
73.9 the science, policy, or practice of restoring, protecting, and enhancing wetlands, prairies,
73.10 forests, and habitat for fish, game, and wildlife.

73.11 (d) Public members serve four-year terms and shall be initially appointed according
73.12 to the following schedule of terms:

73.13 (1) two members appointed by the governor for a term ending the first Monday in
73.14 January 2011;

73.15 (2) two members appointed by the senate Subcommittee on Committees of the
73.16 Committee on Rules and Administration for a term ending the first Monday in January
73.17 2011;

73.18 (3) two members appointed by the speaker of the house for a term ending the first
73.19 Monday in January 2011;

73.20 (4) two members appointed by the governor for a term ending the first Monday in
73.21 January 2013;

73.22 (5) two members appointed by the senate Subcommittee on Committees of the
73.23 Committee on Rules and Administration for a term ending the first Monday in January
73.24 2013; and

73.25 (6) two members appointed by the speaker of the house for a term ending the first
73.26 Monday in January 2013.

73.27 (e) Compensation and removal of council members are as provided in section
73.28 15.059, subdivisions 3 and 4. A vacancy on the council may be filled by the appointing
73.29 authority for the remainder of the unexpired term.

73.30 (f) The first meeting of the council shall be convened by the chair of the Legislative
73.31 Coordinating Commission. Members shall elect a chair, vice chair, secretary, and other
73.32 officers as determined by the council. The chair may convene meetings as necessary to
73.33 conduct the duties prescribed by this section.

73.34 (g) The Department of Natural Resources shall provide administrative support for
73.35 the council. Up to one-half of one percent of the money appropriated from the fund may

74.1 be used to cover the staffing and related administrative expenses of the department, and to
74.2 cover the compensation and travel expenses of council members.

74.3 Subd. 3. **Council recommendations.** (a) The council shall make recommendations
74.4 to the legislature on appropriations of money from the outdoor heritage fund that are
74.5 consistent with the Constitution and state law, and that best achieve the land and aquatic
74.6 habitat outcomes of the Minnesota Conservation and Preservation Plan. The council
74.7 shall submit its initial recommendations to the legislature no later than April 1, 2009.
74.8 Subsequent recommendations shall be submitted no later than January 15 each year.

74.9 (b) The council shall work with the Clean Water Council to identify projects that
74.10 are consistent with both the purpose of the outdoor heritage fund and the purpose of
74.11 the clean water fund.

74.12 (c) The council may make recommendations to the Legislative-Citizen Commission
74.13 of Minnesota Resources on scientific research that will assist in restoring, protecting, and
74.14 enhancing wetlands, prairies, forests, and habitat for fish, game, and wildlife.

74.15 (d) Recommendations of the council, including approval of recommendations for the
74.16 outdoor heritage fund, require an affirmative vote of at least seven members of the council.

74.17 Subd. 4. **Conflict of interest.** (a) A council member may not advocate for or
74.18 against a council action or vote on any action that may be a conflict of interest. A conflict
74.19 of interest must be disclosed as soon as it is discovered. The council shall follow the
74.20 policies and requirements related to conflicts of interest developed by the Office of Grants
74.21 Management under section 16B.98.

74.22 (b) For the purposes of this section, a "conflict of interest" exists when a person has
74.23 an organizational conflict of interest or direct financial interests and those interests present
74.24 the appearance that it will be difficult for the person to impartially fulfill the person's duty.
74.25 An "organizational conflict of interest" exists when a person has had an affiliation within
74.26 the past three years, which presents the appearance of a conflict between organizational
74.27 interests and council member duties, with an organization within the previous three years
74.28 of council activity that involves the organization.

74.29 Subd. 5. **Open meetings.** Meetings of the council and other groups the council
74.30 may establish are subject to chapter 13D. Except where prohibited by law, the council
74.31 shall establish additional processes to broaden public involvement in all aspects of its
74.32 deliberations, including recording meetings, video conferencing, and publishing minutes.
74.33 For the purposes of this subdivision, a meeting occurs when a quorum is present and the
74.34 members receive information on, discuss, or take action on any matter relating to the duties
74.35 of the council. Enforcement of this subdivision shall be governed by section 13D.06,
74.36 subdivisions 1 and 2. The quorum requirement for the council shall be seven members.

75.1 Subd. 6. **Audit.** The legislative auditor shall audit outdoor heritage fund
75.2 expenditures every two years to ensure that the money is spent for the purposes for which
75.3 the money was appropriated.

75.4 Subd. 7. **Sunset.** This section expires January 15, 2015.

75.5 Sec. 3. **EFFECTIVE DATE.**

75.6 This article is effective January 15, 2009, if the constitutional amendment proposed
75.7 in Laws 2008, chapter 151, is adopted by the voters.