

1.1 CONFERENCE COMMITTEE REPORT ON H. F. No. 1237

1.2 A bill for an act

1.3 relating to natural resources; modifying wild rice season and harvest authority;
1.4 modifying certain definitions; modifying state park permit requirements;
1.5 modifying authority to establish secondary units; eliminating liquor service at
1.6 John A. Latsch State Park; providing for establishment of boater waysides;
1.7 modifying watercraft and off-highway motorcycle operation requirements;
1.8 expanding snowmobile grant-in-aid program; modifying state trails; modifying
1.9 Water Law; providing for appeals and enforcement of certain civil penalties;
1.10 providing for taking wild animals to protect public safety; modifying Board
1.11 of Water and Soil Resources membership; modifying local water program;
1.12 modifying Reinvest in Minnesota Resources Law; modifying certain easement
1.13 authority; providing for notice of changes to public waters inventory; modifying
1.14 critical habitat plate eligibility; modifying cost-share program; amending
1.15 Minnesota Statutes 2008, sections 84.105; 84.66, subdivision 2; 84.793,
1.16 subdivision 1; 84.83, subdivision 3; 84.92, subdivision 8; 85.015, subdivisions
1.17 13, 14; 85.053, subdivision 3; 85.054, by adding subdivisions; 86A.05, by
1.18 adding a subdivision; 86A.08, subdivision 1; 86A.09, subdivision 1; 86B.311,
1.19 by adding a subdivision; 97A.321; 103B.101, subdivisions 1, 2; 103B.3355;
1.20 103B.3369, subdivision 5; 103C.501, subdivisions 2, 4, 5, 6; 103F.505;
1.21 103F.511, subdivisions 5, 8a, by adding a subdivision; 103F.515, subdivisions 1,
1.22 2, 4, 5, 6; 103F.521, subdivision 1; 103F.525; 103F.526; 103F.531; 103F.535,
1.23 subdivision 5; 103G.201; 168.1296, subdivision 1; proposing coding for new law
1.24 in Minnesota Statutes, chapter 97B; repealing Minnesota Statutes 2008, sections
1.25 85.0505, subdivision 2; 103B.101, subdivision 11; 103F.511, subdivision
1.26 4; 103F.521, subdivision 2; Minnesota Rules, parts 8400.3130; 8400.3160;
1.27 8400.3200; 8400.3230; 8400.3330; 8400.3360; 8400.3390; 8400.3500;
1.28 8400.3530, subparts 1, 2, 2a; 8400.3560.

1.29 May 18, 2009

1.30 The Honorable Margaret Anderson Kelliher
1.31 Speaker of the House of Representatives

1.32 The Honorable James P. Metzen
1.33 President of the Senate

1.34 We, the undersigned conferees for H. F. No. 1237 report that we have agreed upon
1.35 the items in dispute and recommend as follows:

1.36 That the Senate recede from its amendments and that H. F. No. 1237 be further
1.37 amended as follows:

1.38 Delete everything after the enacting clause and insert:

2.1 "ARTICLE 1

2.2 NATURAL RESOURCE POLICY

2.3 Section 1. Minnesota Statutes 2008, section 84.027, subdivision 13, is amended to read:

2.4 Subd. 13. **Game and fish rules.** (a) The commissioner of natural resources may
2.5 adopt rules under sections 97A.0451 to 97A.0459 and this subdivision that are authorized
2.6 under:

2.7 (1) chapters 97A, 97B, and 97C to set open seasons and areas, to close seasons and
2.8 areas, to select hunters for areas, to provide for tagging and registration of game and fish, to
2.9 prohibit or allow taking of wild animals to protect a species, to prevent or control wildlife
2.10 disease, to open or close bodies of water or portions of bodies of water for night bow
2.11 fishing, and to prohibit or allow importation, transportation, or possession of a wild animal;

2.12 (2) sections 84.093, 84.15, and 84.152 to set seasons for harvesting wild ginseng
2.13 roots and wild rice and to restrict or prohibit harvesting in designated areas; and

2.14 (3) section 84D.12 to designate prohibited invasive species, regulated invasive
2.15 species, unregulated nonnative species, and infested waters.

2.16 (b) If conditions exist that do not allow the commissioner to comply with sections
2.17 97A.0451 to 97A.0459, the commissioner may adopt a rule under this subdivision
2.18 by submitting the rule to the attorney general for review under section 97A.0455,
2.19 publishing a notice in the State Register and filing the rule with the secretary of state and
2.20 the Legislative Coordinating Commission, and complying with section 97A.0459, and
2.21 including a statement of the emergency conditions and a copy of the rule in the notice. The
2.22 emergency conditions for opening a water body or portion of a water body for night bow
2.23 fishing under this section may include the need to temporarily open the area to evaluate
2.24 compatibility of the activity on that body of water prior to permanent rulemaking. The
2.25 notice may be published after it is received from the attorney general or five business days
2.26 after it is submitted to the attorney general, whichever is earlier.

2.27 (c) Rules adopted under paragraph (b) are effective upon publishing in the State
2.28 Register and may be effective up to seven days before publishing and filing under
2.29 paragraph (b), if:

2.30 (1) the commissioner of natural resources determines that an emergency exists;

2.31 (2) the attorney general approves the rule; and

2.32 (3) for a rule that affects more than three counties the commissioner publishes the
2.33 rule once in a legal newspaper published in Minneapolis, St. Paul, and Duluth, or for a
2.34 rule that affects three or fewer counties the commissioner publishes the rule once in a legal
2.35 newspaper in each of the affected counties.

3.1 (d) Except as provided in paragraph (e), a rule published under paragraph (c), clause
3.2 (3), may not be effective earlier than seven days after publication.

3.3 (e) A rule published under paragraph (c), clause (3), may be effective the day the
3.4 rule is published if the commissioner gives notice and holds a public hearing on the rule
3.5 within 15 days before publication.

3.6 (f) The commissioner shall attempt to notify persons or groups of persons affected
3.7 by rules adopted under paragraphs (b) and (c) by public announcements, posting, and
3.8 other appropriate means as determined by the commissioner.

3.9 (g) Notwithstanding section 97A.0458, a rule adopted under this subdivision is
3.10 effective for the period stated in the notice but not longer than 18 months after the rule is
3.11 adopted.

3.12 Sec. 2. Minnesota Statutes 2008, section 84.105, is amended to read:

3.13 **84.105 WILD RICE SEASON.**

3.14 Ripe wild rice may be harvested from ~~July~~ August 15 to September 30.

3.15 Sec. 3. Minnesota Statutes 2008, section 84.66, subdivision 2, is amended to read:

3.16 Subd. 2. **Definitions.** For the purpose of this section, the following terms have
3.17 the meanings given:

3.18 (1) "forest land" has the meaning given under section 89.001, subdivision 4;

3.19 (2) "forest resources" has the meaning given under section 89.001, subdivision 8;

3.20 (3) "guidelines" has the meaning given under section 89A.01, subdivision 8;

3.21 (4) "riparian land" has the meaning given under section 103F.511, subdivision ~~8a~~
3.22 8b; and

3.23 (5) "working forest land" means land that provides a broad range of goods and
3.24 services, including forest products, recreation, fish and wildlife habitat, clean air and
3.25 water, and carbon sequestration.

3.26 Sec. 4. **[84.774] OFF-HIGHWAY VEHICLE CRIMINAL PENALTIES.**

3.27 (a) Except as provided in paragraph (b), a person who violates a provision of
3.28 sections 84.773; 84.777; 84.788 to 84.795; 84.798 to 84.804; 84.90; or 84.922 to 84.928 or
3.29 rules of the commissioner relating to off-highway vehicle use is guilty of a misdemeanor.

3.30 (b) A person is guilty of a gross misdemeanor if the person violates section 84.773,
3.31 subdivision 2, clause (2), and the person recklessly upsets the natural and ecological
3.32 balance of a wetland or public waters wetland.

4.1 (c) A person is prohibited from operating an off-highway vehicle for a period of
4.2 one year if the person is:

4.3 (1) convicted of a gross misdemeanor under paragraph (b);

4.4 (2) convicted of or subject to a final order under section 84.775 for a violation of
4.5 the prohibition on the intentional operation on unfrozen public water, in a state park, in
4.6 a scientific and natural area, or in a wildlife management area under section 84.773,
4.7 subdivision 1, clause (3);

4.8 (3) convicted of or is subject to a final order under section 84.775 for a violation of
4.9 the prohibition on the willful, wanton, or reckless disregard for the safety of persons or
4.10 property under section 84.773, subdivision 2, clause (1); or

4.11 (4) convicted of or subject to a final order under section 84.775 for a violation of
4.12 the prohibition on carelessly upsetting the natural and ecological balance of a wetland or
4.13 public waters wetland under section 84.773, subdivision 2, clause (2).

4.14 The commissioner shall notify the person of the time period during which the person
4.15 is prohibited from operating an off-highway vehicle.

4.16 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to crimes
4.17 committed on or after that date.

4.18 **Sec. 5. [84.7741] OFF-HIGHWAY VEHICLE FORFEITURE.**

4.19 Subdivision 1. **Definitions.** (a) As used in this section, the following terms have
4.20 the meanings given them.

4.21 (b) "Appropriate agency" means a law enforcement agency that has the authority
4.22 to make an arrest for a violation of a designated offense.

4.23 (c) "Claimant" means an owner of an off-highway vehicle or a person claiming a
4.24 leasehold or security interest in an off-highway vehicle.

4.25 (d) "Designated offense" means a second gross misdemeanor violation under section
4.26 84.774, paragraph (b).

4.27 (e) "Family or household member" means:

4.28 (1) a parent, stepparent, or guardian;

4.29 (2) any of the following persons related by blood, marriage, or adoption: brother,
4.30 sister, stepbrother, stepsister, first cousin, aunt, uncle, nephew, niece, grandparent,
4.31 great-grandparent, great-uncle, or great-aunt; or

4.32 (3) persons residing together or persons who regularly associate and communicate
4.33 with one another outside of a workplace setting.

4.34 (f) "Off-highway vehicle" and "vehicle" do not include an off-highway vehicle that
4.35 is stolen or taken in violation of the law.

5.1 (g) "Owner" means a person legally entitled to possession, use, and control of an
5.2 off-highway vehicle, including a lessee of an off-highway vehicle if the lease agreement
5.3 has a term of 180 days or more. There is a rebuttable presumption that a person registered
5.4 as the owner of an off-highway vehicle according to the records of the Department of
5.5 Public Safety or the Department of Natural Resources is the legal owner. For purposes
5.6 of this section, if an off-highway vehicle is owned jointly by two or more people, each
5.7 owner's interest extends to the whole of the vehicle and is not subject to apportionment.

5.8 (h) "Prosecuting authority" means the attorney in the jurisdiction in which the
5.9 designated offense occurred, or a designee, who is responsible for prosecuting violations of
5.10 a designated offense. If a state agency initiated the forfeiture and the attorney responsible
5.11 for prosecuting the designated offense declines to pursue forfeiture, the attorney general's
5.12 office, or its designee, may initiate forfeiture under this section.

5.13 (i) "Security interest" means a bona fide security interest perfected according to
5.14 section 168A.17, subdivision 2, based on a loan or other financing that, if an off-highway
5.15 vehicle is required to be registered under chapter 168, is listed on the vehicle's title.

5.16 Subd. 2. **Seizure.** (a) An off-highway vehicle subject to forfeiture under this
5.17 section may be seized by the appropriate agency upon process issued by any court having
5.18 jurisdiction over the vehicle.

5.19 (b) Property may be seized without process if:

5.20 (1) the seizure is incident to a lawful arrest or a lawful search;

5.21 (2) the vehicle subject to seizure has been the subject of a prior judgment in favor of
5.22 the state in a criminal injunction or forfeiture proceeding under this section; or

5.23 (3) the appropriate agency has probable cause to believe that the delay occasioned by
5.24 the necessity to obtain process would result in the removal or destruction of the vehicle.

5.25 If property is seized without process under this clause, the prosecuting authority must
5.26 institute a forfeiture action under this section as soon as is reasonably possible by serving
5.27 a notice of seizure and intent to forfeit at the address of the owner as listed in the records
5.28 of the Department of Public Safety or Department of Natural Resources.

5.29 Subd. 3. **Right to possession vests immediately; custody.** All right, title, and
5.30 interest in an off-highway vehicle subject to forfeiture under this section vests in the
5.31 appropriate agency upon commission of the conduct resulting in the designated offense
5.32 giving rise to the forfeiture. Any vehicle seized under this section is not subject to
5.33 replevin, but is deemed to be in the custody of the appropriate agency subject to the orders
5.34 and decrees of the court having jurisdiction over the forfeiture proceedings. When an
5.35 off-highway vehicle is seized under this section, the appropriate agency may:

5.36 (1) place the vehicle under seal;

- 6.1 (2) remove the vehicle to a place designated by the agency;
- 6.2 (3) place a disabling device on the vehicle; and
- 6.3 (4) take other steps reasonable and necessary to secure the vehicle and prevent waste.

6.4 Subd. 4. **Bond by owner for possession.** If the owner of an off-highway vehicle
6.5 that has been seized under this section seeks possession of the vehicle before the forfeiture
6.6 action is determined, the owner may, subject to the approval of the appropriate agency,
6.7 give security or post bond payable to the appropriate agency in an amount equal to the
6.8 retail value of the seized vehicle. On posting the security or bond, the seized vehicle may
6.9 be returned to the owner. The forfeiture action must proceed against the security as if it
6.10 were the seized vehicle.

6.11 Subd. 5. **Evidence.** Certified copies of court records and off-highway vehicle and
6.12 driver's records concerning prior incidents are admissible as substantive evidence where
6.13 necessary to prove the commission of a designated offense.

6.14 Subd. 6. **Vehicle subject to forfeiture.** An off-highway vehicle is subject to
6.15 forfeiture under this section if it was used in the commission of a designated offense.

6.16 Subd. 7. **Presumptions; limitations on vehicle forfeiture.** (a) An off-highway
6.17 vehicle is presumed subject to forfeiture under this section if the driver:

- 6.18 (1) is convicted of the designated offense upon which the forfeiture is based; or
- 6.19 (2) fails to appear for a scheduled court appearance with respect to the designated
6.20 offense charged and fails to voluntarily surrender within 48 hours after the time required
6.21 for appearance.

6.22 (b) An off-highway vehicle encumbered by a security interest perfected according
6.23 to section 168A.17, subdivision 2, or subject to a lease that has a term of 180 days or
6.24 more, is subject to the interest of the secured party or lessor unless the party or lessor had
6.25 knowledge of or consented to the act upon which the forfeiture is based. However, when
6.26 the proceeds of the sale of a seized vehicle do not equal or exceed the outstanding loan
6.27 balance, the appropriate agency shall remit all proceeds of the sale to the secured party
6.28 after deducting the agency's costs for the seizure, tow, storage, forfeiture, and sale of the
6.29 vehicle. If the sale of the vehicle is conducted in a commercially reasonable manner
6.30 consistent with section 336.9-610, the agency is not liable to the secured party for any
6.31 amount owed on the loan in excess of the sale proceeds. The validity and amount of a
6.32 nonperfected security interest must be established by its holder by clear and convincing
6.33 evidence.

6.34 (c) Notwithstanding paragraph (b), the secured party's or lessor's interest in an
6.35 off-highway vehicle is not subject to forfeiture based solely on the secured party's or

7.1 lessor's knowledge of the act or omission upon which the forfeiture is based if the secured
7.2 party or lessor demonstrates by clear and convincing evidence that the party or lessor took
7.3 reasonable steps to terminate use of the vehicle by the offender.

7.4 (d) An off-highway vehicle is not subject to forfeiture under this section if its owner
7.5 can demonstrate by clear and convincing evidence that the owner did not have actual
7.6 or constructive knowledge that the vehicle would be used or operated in any manner
7.7 contrary to law or that the owner took reasonable steps to prevent use of the vehicle by
7.8 the offender. If the offender is a family or household member of the owner and has three
7.9 or more prior off-highway vehicle convictions, the owner is presumed to know of any
7.10 vehicle use by the offender that is contrary to law.

7.11 Subd. 8. **Administrative forfeiture procedure.** (a) An off-highway vehicle used to
7.12 commit a designated offense is subject to administrative forfeiture under this subdivision.

7.13 (b) When an off-highway vehicle is seized under subdivision 2, or within a
7.14 reasonable time after seizure, the appropriate agency shall serve the driver or operator
7.15 of the vehicle with a notice of the seizure and intent to forfeit the vehicle. Additionally,
7.16 when an off-highway vehicle is seized under subdivision 2, or within a reasonable time
7.17 after that, all persons known to have an ownership, possessory, or security interest in the
7.18 vehicle must be notified of the seizure and the intent to forfeit the vehicle. For those
7.19 vehicles required to be registered under chapter 168, the notification to a person known to
7.20 have a security interest in the vehicle is required only if the vehicle is registered under
7.21 chapter 168 and the interest is listed on the vehicle's title. Notice mailed by certified mail
7.22 to the address shown in Department of Public Safety records is sufficient notice to the
7.23 registered owner of the vehicle. For off-highway vehicles not required to be registered
7.24 under chapter 168, notice mailed by certified mail to the address shown in the applicable
7.25 filing or registration for the vehicle is sufficient notice to a person known to have an
7.26 ownership, possessory, or security interest in the vehicle. Otherwise, notice may be given
7.27 in the manner provided by law for service of a summons in a civil action.

7.28 (c) The notice must be in writing and contain:

7.29 (1) a description of the vehicle seized;

7.30 (2) the date of the seizure; and

7.31 (3) notice of the right to obtain judicial review of the forfeiture and of the procedure
7.32 for obtaining that judicial review, printed in English, Hmong, and Spanish. Substantially,
7.33 the following language must appear conspicuously: "IF YOU DO NOT DEMAND
7.34 JUDICIAL REVIEW EXACTLY AS PRESCRIBED IN MINNESOTA STATUTES,
7.35 SECTION 84.7741, SUBDIVISION 8, YOU LOSE THE RIGHT TO A JUDICIAL
7.36 DETERMINATION OF THIS FORFEITURE AND YOU LOSE ANY RIGHT YOU

8.1 MAY HAVE TO THE ABOVE-DESCRIBED PROPERTY. YOU MAY NOT HAVE TO
8.2 PAY THE FILING FEE FOR THE DEMAND IF DETERMINED YOU ARE UNABLE
8.3 TO AFFORD THE FEE. IF THE PROPERTY IS WORTH \$7,500 OR LESS, YOU MAY
8.4 FILE YOUR CLAIM IN CONCILIATION COURT. YOU DO NOT HAVE TO PAY
8.5 THE CONCILIATION COURT FILING FEE IF THE PROPERTY IS WORTH LESS
8.6 THAN \$500."

8.7 (d) Within 30 days following service of a notice of seizure and forfeiture under this
8.8 subdivision, a claimant may file a demand for a judicial determination of the forfeiture.
8.9 The demand must be in the form of a civil complaint and must be filed with the court
8.10 administrator in the county in which the seizure occurred, together with proof of service of
8.11 a copy of the complaint on the prosecuting authority having jurisdiction over the forfeiture
8.12 and the standard filing fee for civil actions unless the petitioner has the right to sue in
8.13 forma pauperis under section 563.01. If the value of the seized property is \$7,500 or less,
8.14 the claimant may file an action in conciliation court for recovery of the seized vehicle. A
8.15 copy of the conciliation court statement of claim must be served personally or by mail on
8.16 the prosecuting authority having jurisdiction over the forfeiture within 30 days following
8.17 service of the notice of seizure and forfeiture under this subdivision. If the value of the
8.18 seized property is less than \$500, the claimant does not have to pay the conciliation court
8.19 filing fee. No responsive pleading is required of the prosecuting authority and no court
8.20 fees may be charged for the prosecuting authority's appearance in the matter. Pleadings,
8.21 filings, and methods of service are governed by the Rules of Civil Procedure.

8.22 (e) The complaint must be captioned in the name of the claimant as plaintiff and
8.23 the seized vehicle as defendant and must state with specificity the grounds on which the
8.24 claimant alleges the vehicle was improperly seized, the claimant's interest in the vehicle
8.25 seized, and any affirmative defenses the claimant may have. Notwithstanding any law to
8.26 the contrary, an action for the return of an off-highway vehicle seized under this section
8.27 may not be maintained by or on behalf of any person who has been served with a notice of
8.28 seizure and forfeiture unless the person has complied with this subdivision.

8.29 (f) If the claimant makes a timely demand for a judicial determination under this
8.30 subdivision, the forfeiture proceedings must be conducted according to subdivision 9.

8.31 Subd. 9. **Judicial forfeiture procedure.** (a) This subdivision governs judicial
8.32 determinations of the forfeiture of an off-highway vehicle used to commit a designated
8.33 offense. An action for forfeiture is a civil in rem action and is independent of any criminal
8.34 prosecution. All proceedings are governed by the Rules of Civil Procedure.

8.35 (b) If no demand for judicial determination of the forfeiture is pending, the
8.36 prosecuting authority may, in the name of the jurisdiction pursuing the forfeiture, file a

9.1 separate complaint against the vehicle, describing it, specifying that it was used in the
9.2 commission of a designated offense, and specifying the time and place of its unlawful use.

9.3 (c) The prosecuting authority may file an answer to a properly served demand
9.4 for judicial determination, including an affirmative counterclaim for forfeiture. The
9.5 prosecuting authority is not required to file an answer.

9.6 (d) A judicial determination under this subdivision must not precede adjudication in
9.7 the criminal prosecution of the designated offense without the consent of the prosecuting
9.8 authority. The district court administrator shall schedule the hearing as soon as practicable
9.9 after adjudication in the criminal prosecution. The district court administrator shall
9.10 establish procedures to ensure efficient compliance with this subdivision. The hearing is
9.11 to the court without a jury.

9.12 (e) There is a presumption that an off-highway vehicle seized under this section is
9.13 subject to forfeiture if the prosecuting authority establishes that the vehicle was used in
9.14 the commission of a designated offense. A claimant bears the burden of proving any
9.15 affirmative defense raised.

9.16 (f) If the forfeiture is based on the commission of a designated offense and the person
9.17 charged with the designated offense appears in court as required and is not convicted of
9.18 the offense, the court shall order the property returned to the person legally entitled to it
9.19 upon that person's compliance with the redemption requirements of subdivision 12.

9.20 (g) If the lawful ownership of the vehicle used in the commission of a designated
9.21 offense can be determined and the owner makes the demonstration required under
9.22 subdivision 7, paragraph (d), the vehicle must be returned immediately upon the owner's
9.23 compliance with the redemption requirements of subdivision 12.

9.24 (h) If the court orders the return of a seized vehicle under this subdivision, it must
9.25 order that filing fees be reimbursed to the person who filed the demand for judicial
9.26 determination. In addition, the court may order sanctions under section 549.211. Any
9.27 reimbursement fees or sanctions must be paid from other forfeiture proceeds of the law
9.28 enforcement agency and prosecuting authority involved and in the same proportion as
9.29 distributed under subdivision 10, paragraph (b).

9.30 Subd. 10. **Disposition of forfeited vehicle.** (a) If the vehicle is administratively
9.31 forfeited under subdivision 8, or if the court finds under subdivision 9 that the vehicle is
9.32 subject to forfeiture under subdivisions 6 and 7, the appropriate agency shall:

9.33 (1) sell the vehicle and distribute the proceeds under paragraph (b); or

9.34 (2) keep the vehicle for official use. If the agency keeps a forfeited off-highway
9.35 vehicle for official use, the agency shall make reasonable efforts to ensure that the

10.1 off-highway vehicle is available for use by the agency's officers who participate in
10.2 off-highway vehicle enforcement or education programs.

10.3 (b) The proceeds from the sale of forfeited vehicles, after payment of seizure,
10.4 towing, storage, forfeiture, and sale expenses and satisfaction of valid liens against the
10.5 property, must be distributed as follows:

10.6 (1) 70 percent of the proceeds must be forwarded to the appropriate agency for
10.7 deposit as a supplement to the state or local agency's operating fund or similar fund for use
10.8 in purchasing equipment for off-highway vehicle enforcement, training, and education; and

10.9 (2) 30 percent of the money or proceeds must be forwarded to the prosecuting
10.10 authority that handled the forfeiture for deposit as a supplement to its operating fund or
10.11 similar fund for prosecutorial purposes.

10.12 Subd. 11. **Sale of forfeited vehicle by secured party.** (a) A financial institution
10.13 with a valid security interest in or a valid lease covering a forfeited off-highway vehicle
10.14 may choose to dispose of the vehicle under this subdivision, in lieu of the appropriate
10.15 agency disposing of the vehicle under subdivision 10. A financial institution wishing to
10.16 dispose of an off-highway vehicle under this subdivision shall notify the appropriate
10.17 agency of its intent, in writing, within 30 days after receiving notice of the seizure and
10.18 forfeiture. The appropriate agency shall release the vehicle to the financial institution or
10.19 its agent after the financial institution presents proof of its valid security agreement or of
10.20 its lease agreement and the financial institution agrees not to sell the vehicle to a family or
10.21 household member of the violator, unless the violator is not convicted of the offense on
10.22 which the forfeiture is based. The financial institution shall dispose of the vehicle in a
10.23 commercially reasonable manner as defined in section 336.9-610.

10.24 (b) After disposing of the forfeited vehicle, the financial institution shall reimburse
10.25 the appropriate agency for its seizure, storage, and forfeiture costs. The financial
10.26 institution may then apply the proceeds of the sale to its storage costs, to its sale
10.27 expenses, and to satisfy the lien or the lease on the vehicle. If any proceeds remain, the
10.28 financial institution shall forward the proceeds to the state treasury, which shall credit the
10.29 appropriate fund as specified in subdivision 10.

10.30 Subd. 12. **Redemption requirements.** (a) If an off-highway vehicle is seized by a
10.31 peace officer for a designated offense, the seized vehicle must be released only:

10.32 (1) to the registered owner, a person authorized by the registered owner, a lienholder
10.33 of record, or a person who has purchased the vehicle from the registered owner who
10.34 provides proof of ownership of the vehicle;

10.35 (2) if the vehicle is subject to a rental or lease agreement, to a renter or lessee who
10.36 provides a copy of the rental or lease agreement; or

11.1 (3) to an agent of a towing company authorized by a registered owner if the owner
11.2 provides proof of ownership of the vehicle.

11.3 (b) The proof of ownership or, if applicable, the copy of the rental or lease agreement
11.4 required under paragraph (a) must be provided to the law enforcement agency seizing the
11.5 vehicle or to a person or entity designated by the law enforcement agency to receive
11.6 the information.

11.7 (c) No law enforcement agency, local unit of government, or state agency is
11.8 responsible or financially liable for any storage fees incurred due to a seizure under this
11.9 section.

11.10 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to crimes
11.11 committed on or after that date.

11.12 Sec. 6. Minnesota Statutes 2008, section 84.793, subdivision 1, is amended to read:

11.13 Subdivision 1. **Prohibitions on youthful operators.** (a) After January 1, 1995, a
11.14 person less than 16 years of age operating an off-highway motorcycle on public lands
11.15 or waters must possess a valid off-highway motorcycle safety certificate issued by the
11.16 commissioner.

11.17 (b) Except for operation on public road rights-of-way that is permitted under section
11.18 84.795, subdivision 1, a driver's license issued by the state or another state is required to
11.19 operate an off-highway motorcycle along or on a public road right-of-way.

11.20 (c) A person under 12 years of age may not:

11.21 (1) make a direct crossing of a public road right-of-way;

11.22 (2) operate an off-highway motorcycle on a public road right-of-way in the state; or

11.23 (3) operate an off-highway motorcycle on public lands or waters unless accompanied
11.24 ~~on another off-highway motorcycle~~ by a person 18 years of age or older or participating in
11.25 an event for which the commissioner has issued a special use permit.

11.26 (d) Except for public road rights-of-way of interstate highways, a person less than 16
11.27 years of age may make a direct crossing of a public road right-of-way of a trunk, county
11.28 state-aid, or county highway only if that person is accompanied ~~on another off-highway~~
11.29 ~~motorcycle~~ by a person 18 years of age or older who holds a valid driver's license.

11.30 (e) A person less than 16 years of age may operate an off-highway motorcycle on
11.31 public road rights-of-way in accordance with section 84.795, subdivision 1, paragraph
11.32 (a), only if that person is accompanied ~~on another off-highway motorcycle~~ by a person 18
11.33 years of age or older who holds a valid driver's license.

11.34 Sec. 7. Minnesota Statutes 2008, section 84.83, subdivision 3, is amended to read:

12.1 Subd. 3. **Purposes for the account.** The money deposited in the account and
12.2 interest earned on that money may be expended only as appropriated by law for the
12.3 following purposes:

12.4 (1) for a grant-in-aid program to counties and municipalities for construction and
12.5 maintenance of snowmobile trails, including maintenance of trails on lands and waters of
12.6 Voyageurs National Park; on Lake of the Woods; on Rainy Lake, ~~and~~; on the following
12.7 lakes in St. Louis County: Burntside, Crane, Little Long, Mud, Pelican, Shagawa, and
12.8 Vermilion; and on the following lakes in Cook County: Devil Track and Hungry Jack;

12.9 (2) for acquisition, development, and maintenance of state recreational snowmobile
12.10 trails;

12.11 (3) for snowmobile safety programs; and

12.12 (4) for the administration and enforcement of sections 84.81 to 84.91 and
12.13 appropriated grants to local law enforcement agencies.

12.14 Sec. 8. Minnesota Statutes 2008, section 84.92, subdivision 8, is amended to read:

12.15 Subd. 8. **All-terrain vehicle or vehicle.** "All-terrain vehicle" or "vehicle" means a
12.16 motorized flotation-tired vehicle of not less than three low pressure tires, but not more
12.17 than six tires, that is limited in engine displacement of less than ~~800~~ 960 cubic centimeters
12.18 and includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

12.19 Sec. 9. Minnesota Statutes 2008, section 84.928, subdivision 1a, is amended to read:

12.20 Subd. 1a. **Crossing a public road right-of-way.** (a) An all-terrain vehicle may
12.21 make a direct crossing of a public road right-of-way provided:

12.22 (1) the crossing is made at an angle of approximately 90 degrees to the direction of
12.23 the road and at a place where no obstruction prevents a quick and safe crossing;

12.24 (2) the vehicle is brought to a complete stop before crossing the shoulder or
12.25 main-traveled way of the road;

12.26 (3) the driver yields the right-of-way to all oncoming traffic that constitutes an
12.27 immediate hazard;

12.28 (4) in crossing a divided road, the crossing is made only at an intersection of the
12.29 road with another public road; and

12.30 (5) if the crossing is made between the hours of one-half hour after sunset to
12.31 one-half hour before sunrise or in conditions of reduced visibility, only if both front and
12.32 rear lights are on.

12.33 (b) An all-terrain vehicle may be operated upon a bridge, other than a bridge that is
12.34 part of the main-traveled lanes of an interstate highway, or roadway shoulder or inside

13.1 bank of a public road right-of-way when required for the purpose of avoiding obstructions
13.2 to travel or environmentally sensitive areas when no other method of avoidance is
13.3 possible; provided the all-terrain vehicle is operated in the extreme right-hand lane, the
13.4 entrance to the roadway is made within 100 feet of the bridge ~~or~~ obstacle, or sensitive
13.5 area, and the crossing is made without undue delay.

13.6 (c) A person shall not operate an all-terrain vehicle upon a public street or highway
13.7 unless the vehicle is equipped with at least one headlight and one taillight, each of
13.8 minimum candlepower as prescribed by rules of the commissioner, and with brakes
13.9 conforming to standards prescribed by rule of the commissioner, and all of which are
13.10 subject to the approval of the commissioner of public safety.

13.11 (d) An all-terrain vehicle may be operated upon a public road right-of-way other
13.12 than as provided by paragraph (b) in an emergency during the period of time when and at
13.13 locations where the condition of the roadway renders travel by automobile impractical.

13.14 (e) Chapters 169 and 169A apply to the operation of all-terrain vehicles upon streets
13.15 and highways, except for those provisions relating to required equipment and except those
13.16 provisions which by their nature have no application.

13.17 (f) A sled, trailer, or other device being towed by an all-terrain vehicle must be
13.18 equipped with reflective materials as required by rule of the commissioner.

13.19 (g) A driver's license is not required to operate an all-terrain vehicle along or on a
13.20 public road right-of-way if the right-of-way encompasses a trail administered by the
13.21 commissioner and designated for all-terrain vehicle use or multiple use.

13.22 (h) A road authority as defined in section 160.02, subdivision 25, may by permit
13.23 designate corridor access trails on public road rights-of-way for purposes of accessing
13.24 established all-terrain vehicle trails. A driver's license is not required to operate an
13.25 all-terrain vehicle on a designated corridor access trail.

13.26 Sec. 10. Minnesota Statutes 2008, section 85.015, subdivision 2, is amended to read:

13.27 Subd. 2. **Casey Jones Trail, Murray, Redwood, ~~and~~ Pipestone, and Rock**
13.28 **Counties.** (a) The trail shall originate in Lake Shetek State Park in Murray County
13.29 and include the six-mile loop between Currie in Murray County and Lake Shetek State
13.30 Park. From there, the first half of the trail shall trail southwesterly to Slayton in Murray
13.31 County; thence westerly to the point of intersection with the most easterly terminus of
13.32 the state-owned abandoned railroad right-of-way, commonly known as the Casey Jones
13.33 unit; thence westerly along said Casey Jones unit to Pipestone in Pipestone County; thence
13.34 southwesterly to Split Rock Creek State Park in Pipestone County; thence southeasterly
13.35 to Blue Mounds State Park in Rock County; thence southerly to Luverne and Schoneman

14.1 Park in Rock County, and there terminate. The second half of the trail shall commence
14.2 in Lake Shetek State Park in Murray County and trail northeasterly to Walnut Grove in
14.3 Redwood County; thence northeasterly to Redwood Falls in Redwood County to join with
14.4 the Minnesota River State Trail.

14.5 (b) The trail shall be developed as a multiuse, multiseasonal, dual treadway trail.
14.6 Nothing herein shall abrogate the purpose for which the Casey Jones unit was originally
14.7 established, and the use thereof shall be concurrent.

14.8 Sec. 11. Minnesota Statutes 2008, section 85.015, is amended by adding a subdivision
14.9 to read:

14.10 Subd. 26. **Des Moines River Valley Trail, Jackson, Cottonwood, and Murray**
14.11 **Counties.** The trail shall originate in Jackson County at the Minnesota-Iowa border and
14.12 connect with the Dickinson Trail in Mini-Wakan State Park in Iowa. To the greatest extent
14.13 possible, the trail shall follow the Des Moines River Valley, extending northwesterly
14.14 through Jackson County to Kilen Woods State Park, through Cottonwood County, and into
14.15 Murray County. The trail shall terminate at Casey Jones Trail in Murray County.

14.16 Sec. 12. Minnesota Statutes 2008, section 85.053, subdivision 3, is amended to read:

14.17 Subd. 3. ~~Second-vehicle~~ Multiple-vehicle permits. The commissioner shall
14.18 prescribe and issue ~~second-vehicle~~ multiple-vehicle state park permits for persons who
14.19 own more than one motor vehicle and who request ~~a second~~ the permit for ~~the second~~
14.20 ~~vehicle~~ additional vehicles on a form prescribed by the commissioner. ~~The commissioner~~
14.21 ~~may issue an applicant only one second-vehicle permit.~~

14.22 Sec. 13. Minnesota Statutes 2008, section 85.054, is amended by adding a subdivision
14.23 to read:

14.24 Subd. 15. **John A. Latsch State Park.** A state park permit is not required and a fee
14.25 may not be charged for motor vehicle entry or parking at the parking lot located adjacent
14.26 to John Latsch Road and Trunk Highway 61 at John A. Latsch State Park.

14.27 Sec. 14. Minnesota Statutes 2008, section 85.054, is amended by adding a subdivision
14.28 to read:

14.29 Subd. 16. **Greenleaf Lake State Recreation Area.** A state park permit is not
14.30 required and a fee may not be charged for motor vehicle entry or parking at Greenleaf
14.31 Lake State Recreation Area.

15.1 Sec. 15. Minnesota Statutes 2008, section 85.054, is amended by adding a subdivision
15.2 to read:

15.3 Subd. 17. **School-sanctioned activities.** A state park permit is not required and a fee
15.4 may not be charged for vehicles transporting K-12 students engaged in school-sanctioned
15.5 activities at state parks.

15.6 Sec. 16. Minnesota Statutes 2008, section 85.055, subdivision 1, is amended to read:

15.7 Subdivision 1. **Fees.** The fee for state park permits for:

- 15.8 (1) an annual use of state parks is \$25;
- 15.9 (2) a second or subsequent vehicle state park permit is \$18;
- 15.10 (3) a state park permit valid for one day is \$5;
- 15.11 (4) a daily vehicle state park permit for groups is \$3;
- 15.12 (5) an annual permit for motorcycles is \$20;
- 15.13 (6) an employee's state park permit is without charge; and
- 15.14 (7) a state park permit for disabled persons under section 85.053, subdivision 7,
15.15 clauses (1) and (2), is \$12.

15.16 The fees specified in this subdivision include any sales tax required by state law.

15.17 Sec. 17. Minnesota Statutes 2008, section 86A.05, is amended by adding a subdivision
15.18 to read:

15.19 Subd. 15. **State boater wayside.** (a) Boater waysides may be established to provide
15.20 for public use.

15.21 (b) No unit shall be authorized as a state boater wayside unless its proposed location
15.22 substantially satisfies the following criteria:

- 15.23 (1) contains resources that are desirable for use by boaters;
- 15.24 (2) is accessible by persons traveling by boat, canoe, or kayak; and
- 15.25 (3) may be near, associated with, or located within a unit of the outdoor recreation
15.26 system under this section.

15.27 (c) State boater waysides shall be administered by the commissioner of natural
15.28 resources in a manner that is consistent with the purpose of this subdivision. Facilities
15.29 for sanitation, picnicking, overnight mooring, camping, fishing, and swimming may be
15.30 provided when the commissioner determines that these activities are justifiable and
15.31 compatible with the resources and the natural environment.

15.32 Sec. 18. Minnesota Statutes 2008, section 86A.08, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

16.29 Sec. 19. Minnesota Statutes 2008, section 86A.09, subdivision 1, is amended to read:

16.30 Subdivision 1. **Master plan required.** No construction of new facilities or other
16.31 development of an authorized unit, other than repairs and maintenance, shall commence
16.32 until the managing agency has prepared and submitted to the commissioner of natural
16.33 resources and the commissioner has reviewed, pursuant to this section, a master plan for
16.34 administration of the unit in conformity with this section. No master plan is required for

17.1 wildlife management areas that do not have resident managers, for water access sites, for
17.2 aquatic management areas, ~~or~~ for rest areas, or for boater waysides.

17.3 Sec. 20. Minnesota Statutes 2008, section 86B.311, is amended by adding a subdivision
17.4 to read:

17.5 Subd. 6. **Law enforcement watercraft displaying emergency lights.** When
17.6 approaching and passing a law enforcement watercraft with its emergency lights
17.7 activated, the operator of a watercraft must safely move the watercraft away from the law
17.8 enforcement watercraft and maintain a slow-no wake speed while within 150 feet of
17.9 the law enforcement watercraft.

17.10 Sec. 21. Minnesota Statutes 2008, section 97A.321, is amended to read:

17.11 **97A.321 DOGS PURSUING OR KILLING BIG GAME.**

17.12 Subdivision 1. **Owner responsibility; penalty amount.** The owner of a dog that
17.13 pursues but does not kill a big game animal is subject to a civil penalty of \$100 for each
17.14 violation. The owner of a dog that kills a big game animal is subject to a civil penalty of
17.15 \$500 for each violation.

17.16 Subd. 2. **Appeals.** Civil penalties under this section may be appealed according to
17.17 procedures in section 116.072, subdivision 6, if the person requests a hearing by notifying
17.18 the commissioner in writing within 15 days after receipt of the citation. If a hearing
17.19 is not requested within the 15-day period, the civil penalty becomes a final order not
17.20 subject to further review.

17.21 Subd. 3. **Enforcement.** Civil penalties under this section may be enforced according
17.22 to section 116.072, subdivisions 9 and 10.

17.23 Subd. 4. **Payment of penalty.** Penalty amounts shall be remitted to the
17.24 commissioner within 30 days of issuance of the penalty notice and shall be deposited in
17.25 the game and fish fund.

17.26 Sec. 22. **[97B.657] TAKING WILD ANIMALS TO PROTECT PUBLIC SAFETY.**

17.27 A licensed peace officer may, at any time, take any protected wild animal that is
17.28 posing an immediate threat to public safety. A peace officer who destroys a protected wild
17.29 animal under this section must protect all evidence and report the taking to a conservation
17.30 officer as soon as practicable, but no later than 48 hours after the animal is destroyed.

17.31 Sec. 23. Minnesota Statutes 2008, section 103B.101, subdivision 1, is amended to read:

18.1 Subdivision 1. **Membership.** The Board of Water and Soil Resources is composed
18.2 of ~~12~~ 15 appointed members knowledgeable of water and soil problems and conditions
18.3 within the state and five ex officio members.

18.4 Sec. 24. Minnesota Statutes 2008, section 103B.101, subdivision 2, is amended to read:

18.5 Subd. 2. **Voting members.** (a) The members are:

18.6 (1) three county commissioners;

18.7 (2) three soil and water conservation district supervisors;

18.8 (3) three watershed district or watershed management organization representatives;

18.9 (4) three citizens who are not employed by, or the appointed or elected officials of,
18.10 a governmental office, board, or agency;

18.11 (5) one township officer;

18.12 (6) two elected city officials, one of whom must be from a city located in the
18.13 metropolitan area, as defined under section 473.121, subdivision 2;

18.14 ~~(5)~~ (7) the commissioner of agriculture;

18.15 ~~(6)~~ (8) the commissioner of health;

18.16 ~~(7)~~ (9) the commissioner of natural resources;

18.17 ~~(8)~~ (10) the commissioner of the Pollution Control Agency; and

18.18 ~~(9)~~ (11) the director of the University of Minnesota Extension Service.

18.19 (b) Members in paragraph (a), clauses (1) to ~~(4)~~ (6), must be distributed across
18.20 the state with at least ~~three~~ four members but not more than ~~five~~ six members from the
18.21 metropolitan area, as defined by section 473.121, subdivision 2; and one from each of the
18.22 current soil and water conservation administrative regions.

18.23 (c) Members in paragraph (a), clauses (1) to ~~(4)~~ (6), are appointed by the governor.

18.24 In making the appointments, the governor may consider persons recommended by
18.25 the Association of Minnesota Counties, the Minnesota Association of Townships, the
18.26 League of Minnesota Cities, the Minnesota Association of Soil and Water Conservation
18.27 Districts, and the Minnesota Association of Watershed Districts. The list submitted by an
18.28 association must contain at least three nominees for each position to be filled.

18.29 (d) The membership terms, compensation, removal of members and filling of
18.30 vacancies on the board for members in paragraph (a), clauses (1) to ~~(4)~~ (6), are as provided
18.31 in section 15.0575.

18.32 Sec. 25. Minnesota Statutes 2008, section 103B.3355, is amended to read:

18.33 **103B.3355 WETLAND FUNCTIONS FOR DETERMINING PUBLIC**
18.34 **VALUES.**

19.1 (a) The public values of wetlands must be determined based upon the functions of
19.2 wetlands for:

19.3 (1) water quality, including filtering of pollutants to surface and groundwater,
19.4 utilization of nutrients that would otherwise pollute public waters, trapping of sediments,
19.5 shoreline protection, and utilization of the wetland as a recharge area for groundwater;

19.6 (2) floodwater and stormwater retention, including the potential for flooding in
19.7 the watershed, the value of property subject to flooding, and the reduction in potential
19.8 flooding by the wetland;

19.9 (3) public recreation and education, including hunting and fishing areas, wildlife
19.10 viewing areas, and nature areas;

19.11 (4) commercial uses, including wild rice and cranberry growing and harvesting
19.12 and aquaculture;

19.13 (5) fish, wildlife, native plant habitats;

19.14 (6) low-flow augmentation; ~~and~~

19.15 (7) carbon sequestration; and

19.16 (8) other public uses.

19.17 (b) The Board of Water and Soil Resources, in consultation with the commissioners
19.18 of natural resources and agriculture and local government units, shall adopt rules
19.19 establishing:

19.20 (1) scientific methodologies for determining the functions of wetlands; and

19.21 (2) criteria for determining the resulting public values of wetlands.

19.22 (c) The methodologies and criteria established under this section or other
19.23 methodologies and criteria that include the functions in paragraph (a) and are approved
19.24 by the board, in consultation with the commissioners of natural resources and agriculture
19.25 and local government units, must be used to determine the functions and resulting public
19.26 values of wetlands in the state. The functions listed in paragraph (a) are not listed in
19.27 order of priority.

19.28 (d) Public value criteria established or approved by the board under this section do
19.29 not apply in areas subject to local comprehensive wetland protection and management
19.30 plans established under section 103G.2243.

19.31 (e) The Board of Water and Soil Resources, in consultation with the commissioners
19.32 of natural resources and agriculture and local government units, may identify regions of
19.33 the state where preservation, enhancement, restoration, and establishment of wetlands
19.34 would have high public value. The board, in consultation with the commissioners, may
19.35 identify high priority wetland regions using available information relating to the factors

20.1 listed in paragraph (a). The board shall notify local units of government with water
20.2 planning authority of these high priority regions.

20.3 **EFFECTIVE DATE.** This section is effective August 1, 2009, and applies to
20.4 rulemaking that begins after that date.

20.5 Sec. 26. Minnesota Statutes 2008, section 103B.3369, subdivision 5, is amended to
20.6 read:

20.7 Subd. 5. **Financial assistance.** A base grant may be awarded to a county that ~~levies~~
20.8 provides a match utilizing a water implementation tax or other local source. A water
20.9 implementation tax that a county intends to use as a match to the base grant must be levied
20.10 at a rate, ~~which shall be~~ determined by the board. The minimum amount of the water
20.11 implementation tax shall be a tax rate times the adjusted net tax capacity of the county for
20.12 the preceding year. The rate shall be the rate, rounded to the nearest .001 of a percent,
20.13 that, when applied to the adjusted net tax capacity for all counties, raises the amount of
20.14 \$1,500,000. The base grant will be in an amount equal to \$37,500 less the amount raised
20.15 by ~~that levy~~ the local match. If the amount necessary to implement the local water plan for
20.16 the county is less than \$37,500, the amount of the base grant shall be the amount that,
20.17 when added to the ~~levy~~ match amount, equals the amount required to implement the plan.
20.18 For counties where the tax rate generates an amount equal to or greater than \$18,750, the
20.19 base grant shall be in an amount equal to \$18,750.

20.20 Sec. 27. Minnesota Statutes 2008, section 103C.501, subdivision 2, is amended to read:

20.21 Subd. 2. **Request by district board.** ~~(a)~~ A district board requesting funds of the
20.22 state board must submit an application in a form prescribed by the board containing:

- 20.23 (1) a comprehensive plan;
20.24 (2) an annual work plan; and
20.25 (3) an application for cost-sharing funds.

20.26 ~~(b) The comprehensive and annual work plans must be completed as provided in~~
20.27 ~~section 103C.331, subdivision 11. After review of the district's comprehensive plan, the~~
20.28 ~~state board must approve the comprehensive plan with necessary amendments or reject~~
20.29 ~~the plan.~~

20.30 Sec. 28. Minnesota Statutes 2008, section 103C.501, subdivision 4, is amended to read:

20.31 Subd. 4. **Cost-sharing funds.** (a) The state board shall allocate at least 70 percent
20.32 of cost-sharing funds to areas with high priority erosion, sedimentation, or water quality
20.33 problems or water quantity problems due to altered hydrology. The areas must be

21.1 selected based on the statewide priorities established by the state board. The allocated
21.2 funds must be used for conservation practices for high priority problems identified in the
21.3 comprehensive and annual work plans of the districts.

21.4 (b) The remaining cost-sharing funds may be allocated to districts as follows:

21.5 (1) for technical and administrative assistance, not more than 20 percent of the
21.6 funds; and

21.7 (2) for conservation practices for lower priority erosion, sedimentation, or water
21.8 quality problems.

21.9 Sec. 29. Minnesota Statutes 2008, section 103C.501, subdivision 5, is amended to read:

21.10 Subd. 5. **Contracts by districts.** (a) A district board may contract on a cost-share
21.11 basis to furnish financial aid to a land occupier or to a state agency for permanent systems
21.12 for erosion or sedimentation control or water quality ~~improvement~~ improvement or water quantity
21.13 improvements that are consistent with the district's comprehensive and annual work plans.

21.14 (b) The duration of the contract must, at a minimum, be the time required to
21.15 complete the planned systems. A contract must specify that the land occupier is liable for
21.16 monetary damages and penalties in an amount up to 150 percent of the financial assistance
21.17 received from the district, for failure to complete the systems or practices in a timely
21.18 manner or maintain the systems or practices as specified in the contract.

21.19 (c) A contract may provide for cooperation or funding with federal agencies. A land
21.20 occupier or state agency may provide the cost-sharing portion of the contract through
21.21 services in kind.

21.22 (d) The state board or the district board may not furnish any financial aid for
21.23 practices designed only to increase land productivity.

21.24 (e) When a district board determines that long-term maintenance of a system or
21.25 practice is desirable, the board may require that maintenance be made a covenant upon
21.26 the land for the effective life of the practice. A covenant under this subdivision shall be
21.27 construed in the same manner as a conservation restriction under section 84.65.

21.28 Sec. 30. Minnesota Statutes 2008, section 103C.501, subdivision 6, is amended to read:

21.29 Subd. 6. **Policies and rules.** (a) The state board may adopt rules and shall adopt
21.30 ~~rules~~ policies prescribing:

21.31 (1) procedures and criteria for allocating funds for cost-sharing contracts;

21.32 (2) standards and guidelines for cost-sharing contracts;

21.33 (3) the scope and content of district comprehensive plans, plan amendments, and
21.34 annual work plans;

22.1 (4) standards and methods necessary to plan and implement a priority cost-sharing
22.2 program, including guidelines to identify high priority erosion, sedimentation, and water
22.3 quality problems and water quantity problems due to altered hydrology;

22.4 (5) the share of the cost of conservation practices to be paid from cost-sharing
22.5 funds; and

22.6 (6) requirements for districts to document their efforts to identify and contact land
22.7 occupiers with high priority ~~erosion~~ problems.

22.8 (b) The rules may provide that cost-sharing may be used for ~~farmstead~~ windbreaks
22.9 and shelterbelts for the purposes of energy conservation and snow protection.

22.10 Sec. 31. Minnesota Statutes 2008, section 103F.505, is amended to read:

22.11 **103F.505 PURPOSE AND POLICY.**

22.12 It is the purpose of sections 103F.505 to 103F.531 to ~~keep~~ restore certain marginal
22.13 agricultural land ~~out of crop production~~ and protect environmentally sensitive areas to
22.14 protect enhance soil and water quality, minimize damage to flood-prone areas, sequester
22.15 carbon, and support native plant, fish, and wildlife ~~habitat~~ habitats. It is state policy to
22.16 encourage the restoration of wetlands and riparian lands and promote the retirement of
22.17 marginal, highly erodible land, particularly land adjacent to public waters, drainage
22.18 systems, wetlands, and locally designated priority waters, ~~from crop production and to~~
22.19 ~~reestablish a cover of perennial vegetation.~~

22.20 Sec. 32. Minnesota Statutes 2008, section 103F.511, subdivision 5, is amended to read:

22.21 Subd. 5. **Drained wetland.** "Drained wetland" means a former natural wetland that
22.22 has been altered by draining, dredging, filling, leveling, or other manipulation sufficient
22.23 to render the land suitable for agricultural crop production. ~~The alteration must have~~
22.24 ~~occurred before December 23, 1985, and must be a legal alteration as determined by the~~
22.25 ~~commissioner of natural resources.~~

22.26 Sec. 33. Minnesota Statutes 2008, section 103F.511, is amended by adding a
22.27 subdivision to read:

22.28 Subd. 8a. **Reinvest in Minnesota reserve program.** "Reinvest in Minnesota
22.29 reserve program" means the program established under section 103F.515.

22.30 Sec. 34. Minnesota Statutes 2008, section 103F.511, subdivision 8a, is amended to read:

23.1 Subd. ~~8a~~ 8b. **Riparian land.** "Riparian land" means lands adjacent to public
23.2 waters, drainage systems, wetlands, or locally designated priority waters ~~identified in a~~
23.3 ~~comprehensive local water plan, as defined in section 103B.3363, subdivision 3.~~

23.4 Sec. 35. Minnesota Statutes 2008, section 103F.515, subdivision 1, is amended to read:

23.5 Subdivision 1. **Establishment of program.** The board, in consultation with the
23.6 commissioner of agriculture and the commissioner of natural resources, shall establish
23.7 and administer ~~a conservation~~ the reinvest in Minnesota reserve program. The board
23.8 shall implement sections 103F.505 to 103F.531. Selection of land for the ~~conservation~~
23.9 reinvest in Minnesota reserve program must be based on its enhancement potential for
23.10 fish ~~and~~ wildlife production, and native plant habitats, reducing erosion, and protecting
23.11 water quality.

23.12 Sec. 36. Minnesota Statutes 2008, section 103F.515, subdivision 4, is amended to read:

23.13 Subd. 4. **Nature of property rights acquired.** (a) A conservation easement must
23.14 prohibit:

23.15 (1) alteration of wildlife habitat and other natural features, unless specifically
23.16 approved by the board;

23.17 (2) agricultural crop production and livestock grazing, unless specifically approved
23.18 by the board for ~~wildlife~~ conservation management purposes or extreme drought; and

23.19 ~~(3) grazing of livestock except, for agreements entered before the effective date of~~
23.20 ~~Laws 1990, chapter 391, grazing of livestock may be allowed only if approved by the~~
23.21 ~~board after consultation with the commissioner of natural resources, in the case of severe~~
23.22 ~~drought, or a local emergency declared under section 12.29; and~~

23.23 ~~(4)~~ (3) spraying with chemicals or mowing, except:

23.24 (i) as necessary to comply with noxious weed control laws or;

23.25 (ii) for emergency control of pests necessary to protect public health; or

23.26 (iii) as approved by the board for conservation management purposes.

23.27 (b) A conservation easement is subject to the terms of the agreement provided in
23.28 subdivision 5.

23.29 (c) A conservation easement must allow repairs, improvements, and inspections
23.30 necessary to maintain public drainage systems provided the easement area is restored to
23.31 the condition required by the terms of the conservation easement.

23.32 (d) Notwithstanding paragraph (a), the board must permit the harvest of native
23.33 grasses for use in seed production or bioenergy on wellhead protection lands eligible
23.34 under subdivision 2, paragraph (d).

24.1 Sec. 37. Minnesota Statutes 2008, section 103F.515, subdivision 4, is amended to read:

24.2 Subd. 4. **Nature of property rights acquired.** (a) A conservation easement must
24.3 prohibit:

24.4 (1) alteration of wildlife habitat and other natural features, unless specifically
24.5 approved by the board;

24.6 (2) agricultural crop production and livestock grazing, unless specifically approved
24.7 by the board for ~~wildlife~~ conservation management purposes or extreme drought; and

24.8 (3) ~~grazing of livestock except, for agreements entered before the effective date of~~
24.9 ~~Laws 1990, chapter 391, grazing of livestock may be allowed only if approved by the~~
24.10 ~~board after consultation with the commissioner of natural resources, in the case of severe~~
24.11 ~~drought, or a local emergency declared under section 12.29; and~~

24.12 ~~(4) spraying with chemicals or mowing, except as necessary to comply with noxious~~
24.13 ~~weed control laws or, for emergency control of pests necessary to protect public health, or~~
24.14 as approved by the board for conservation management purposes.

24.15 (b) A conservation easement is subject to the terms of the agreement provided in
24.16 subdivision 5.

24.17 (c) A conservation easement must allow repairs, improvements, and inspections
24.18 necessary to maintain public drainage systems provided the easement area is restored to
24.19 the condition required by the terms of the conservation easement.

24.20 Sec. 38. Minnesota Statutes 2008, section 103F.515, subdivision 5, is amended to read:

24.21 Subd. 5. **Agreements by landowner.** The board may enroll eligible land in the
24.22 ~~conservation~~ reinvest in Minnesota reserve program by signing an agreement in recordable
24.23 form with a landowner in which the landowner agrees:

24.24 (1) to convey to the state a conservation easement that is not subject to any prior
24.25 title, lien, or encumbrance;

24.26 (2) to seed the land subject to the conservation easement, as specified in the
24.27 agreement, to establish and maintain perennial cover of either a grass-legume mixture or
24.28 native grasses for the term of the easement, at seeding rates determined by the board; or
24.29 to plant trees or carry out other long-term capital improvements approved by the board
24.30 for soil and water conservation or wildlife management;

24.31 (3) to convey to the state a permanent easement for the wetland restoration;

24.32 (4) that other land supporting natural vegetation owned or leased as part of the
24.33 same farm operation at the time of application, if it supports natural vegetation ~~or~~ and
24.34 has not been used in agricultural crop production, will not be converted to agricultural
24.35 crop production or pasture; and

25.1 (5) that the easement duration may be lengthened through mutual agreement with
25.2 the board in consultation with the commissioners of agriculture and natural resources
25.3 if they determine that the changes effectuate the purpose of the program or facilitate
25.4 its administration.

25.5 Sec. 39. Minnesota Statutes 2008, section 103F.515, subdivision 6, is amended to read:

25.6 Subd. 6. **Payments for conservation easements and establishment of cover**
25.7 **conservation practices.** (a) The board ~~must make the following~~ shall establish rates
25.8 for payments to the landowner for the conservation easement and agreement related
25.9 practices. The board shall consider market factors, including the township average
25.10 equalized estimated market value of property as established by the commissioner of
25.11 revenue at the time of easement application.

25.12 ~~(1) to establish the perennial cover or other improvements required by the agreement;~~

25.13 ~~(i) except as provided in items (ii) and (iii), up to 75 percent of the total eligible cost~~
25.14 ~~not to exceed \$125 per acre for limited duration easements and 100 percent of the total~~
25.15 ~~eligible cost not to exceed \$150 per acre for perpetual easements;~~

25.16 ~~(ii) for native species restoration, 75 percent of the total eligible cost not to exceed~~
25.17 ~~\$200 per acre for limited duration easements and 100 percent of the total eligible cost not~~
25.18 ~~to exceed \$300 per acre for perpetual easements; and~~

25.19 ~~(iii) 100 percent of the total eligible cost of wetland restoration not to exceed \$600~~
25.20 ~~per acre;~~

25.21 ~~(2) for the cost of planting trees required by the agreement, up to 75 percent of the~~
25.22 ~~total eligible cost not to exceed \$250 per acre for limited duration easements, and 100~~
25.23 ~~percent of the total eligible cost not to exceed \$400 per acre for perpetual easements;~~

25.24 ~~(3) for a permanent easement, 70 percent of the township average equalized~~
25.25 ~~estimated market value of agricultural property as established by the commissioner of~~
25.26 ~~revenue at the time of easement application;~~

25.27 ~~(4) for an easement of limited duration, 90 percent of the present value of the~~
25.28 ~~average of the accepted bids for the federal conservation reserve program, as contained in~~
25.29 ~~Public Law 99-198, in the relevant geographic area and on bids accepted at the time of~~
25.30 ~~easement application; or~~

25.31 ~~(5) an alternative payment system for easements based on cash rent or a similar~~
25.32 ~~system as may be determined by the board.~~

25.33 ~~(b) For hillside pasture conservation easements, the payments to the landowner in~~
25.34 ~~paragraph (a) for the conservation easement and agreement must be reduced to reflect the~~
25.35 ~~value of similar property.~~

26.1 ~~(e)~~ (b) The board may establish a payment system for flowage easements acquired
26.2 under this section.

26.3 ~~(d)~~ (c) For wetland restoration projects involving more than one conservation
26.4 easement, state payments for restoration costs may exceed the limits set ~~forth in this section~~
26.5 by the board for an individual easement provided the total payment for the restoration
26.6 project does not exceed the amount payable for the total number of acres involved.

26.7 ~~(e)~~ (d) The board may use available nonstate funds to exceed the payment limits
26.8 in this section.

26.9 Sec. 40. Minnesota Statutes 2008, section 103F.521, subdivision 1, is amended to read:

26.10 Subdivision 1. **Cooperation.** In implementing sections 103F.505 to 103F.531, the
26.11 board must share information and cooperate with the Department of Agriculture, the
26.12 Department of Natural Resources, the Pollution Control Agency, the United States Fish
26.13 and Wildlife Service, ~~the Agricultural Stabilization and Conservation Service and Soil~~
26.14 ~~Conservation Service~~ of the United States Department of Agriculture, the Minnesota
26.15 Extension Service, the University of Minnesota, county boards, soil and water conservation
26.16 districts, watershed districts, and interested private organizations and individuals.

26.17 Sec. 41. Minnesota Statutes 2008, section 103F.525, is amended to read:

26.18 **103F.525 SUPPLEMENTAL PAYMENTS ON FEDERAL AND STATE**
26.19 **CONSERVATION PROGRAMS.**

26.20 The board may supplement payments made under federal land retirement programs
26.21 to the extent of available appropriations ~~other than bond proceeds~~. The supplemental
26.22 payments must be used to establish perennial cover on land enrolled or increase payments
26.23 for land enrollment in programs approved by the board, ~~including the federal conservation~~
26.24 ~~reserve program and federal and state water bank program~~.

26.25 Sec. 42. Minnesota Statutes 2008, section 103F.526, is amended to read:

26.26 **103F.526 FOOD PLOTS ~~IN WINDBREAKS~~.**

26.27 The board, ~~in cooperation with the commissioner of natural resources~~, may authorize
26.28 wildlife food plots on land ~~with windbreaks~~ enrolled in a conservation easement under
26.29 section 103F.515.

26.30 Sec. 43. Minnesota Statutes 2008, section 103F.531, is amended to read:

26.31 **103F.531 RULEMAKING.**

27.1 The board may adopt rules or policy to implement sections 103F.505 to 103F.531.
27.2 ~~The rules must include standards for tree planting so that planting does not conflict with~~
27.3 ~~existing electrical lines, telephone lines, rights-of-way, or drainage ditches.~~

27.4 Sec. 44. Minnesota Statutes 2008, section 103F.535, subdivision 5, is amended to read:

27.5 Subd. 5. **Release and alteration of conservation easements.** Conservation
27.6 easements ~~existing under this section, as of April 30, 1992,~~ may be altered, released,
27.7 or terminated by the board of ~~Water and Soil Resources~~ after consultation with the
27.8 commissioners of agriculture and natural resources. The board may alter, release, or
27.9 terminate a conservation easement only if the board determines that the public interest and
27.10 general welfare are better served by the alteration, release, or termination.

27.11 Sec. 45. Minnesota Statutes 2008, section 103G.201, is amended to read:

27.12 **103G.201 PUBLIC WATERS INVENTORY.**

27.13 (a) The commissioner shall ~~prepare~~ maintain a public waters inventory map of each
27.14 county that shows the waters of this state that are designated as public waters under the
27.15 public waters inventory and classification procedures prescribed under Laws 1979, chapter
27.16 199, and shall provide access to a copy of the maps and lists. ~~The~~ As county public waters
27.17 inventory map for each county must be filed with maps and lists are revised according to
27.18 this section, the commissioner shall send a notification or a copy of the maps and lists
27.19 to the auditor of ~~the~~ each affected county.

27.20 (b) The commissioner is authorized to revise the list of public waters established
27.21 under Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously
27.22 identified as public waters wetlands under Laws 1979, chapter 199, as public waters or as
27.23 wetlands under section 103G.005, subdivision 19. The commissioner may only reclassify
27.24 public waters wetlands as public waters if:

27.25 (1) they are assigned a shoreland management classification by the commissioner
27.26 under sections 103F.201 to 103F.221;

27.27 (2) they are classified as lacustrine wetlands or deepwater habitats according to
27.28 Classification of Wetlands and Deepwater Habitats of the United States (Cowardin,
27.29 et al., 1979 edition); or

27.30 (3) the state or federal government has become titleholder to any of the beds or
27.31 shores of the public waters wetlands, subsequent to the preparation of the public waters
27.32 inventory map filed with the auditor of the county, pursuant to paragraph (a), and the
27.33 responsible state or federal agency declares that the water is necessary for the purposes
27.34 of the public ownership.

28.1 (c) The commissioner must provide notice of the reclassification to the local
28.2 government unit, the county board, the watershed district, if one exists for the area, and
28.3 the soil and water conservation district. Within 60 days of receiving notice from the
28.4 commissioner, a party required to receive the notice may provide a resolution stating
28.5 objections to the reclassification. If the commissioner receives an objection from a party
28.6 required to receive the notice, the reclassification is not effective. If the commissioner does
28.7 not receive an objection from a party required to receive the notice, the reclassification
28.8 of a wetland under paragraph (b) is effective 60 days after the notice is received by all
28.9 of the parties.

28.10 (d) The commissioner shall give priority to the reclassification of public waters
28.11 wetlands that are or have the potential to be affected by public works projects.

28.12 (e) The commissioner may revise the public waters inventory map and list of each
28.13 county:

28.14 (1) to reflect the changes authorized in paragraph (b); and

28.15 (2) as needed, to:

28.16 (i) correct errors in the original inventory;

28.17 (ii) add or subtract trout stream tributaries within sections that contain a designated
28.18 trout stream following written notice to the landowner;

28.19 (iii) add depleted quarries, and sand and gravel pits, when the body of water exceeds
28.20 50 acres and the shoreland has been zoned for residential development; and

28.21 (iv) add or subtract public waters that have been created or eliminated as a
28.22 requirement of a permit authorized by the commissioner under section 103G.245.

28.23 **Sec. 46. CONSUMPTIVE USE OF WATER.**

28.24 Pursuant to Minnesota Statutes, section 103G.265, subdivision 3, the legislature
28.25 approves of the consumptive use of water under a permit of more than 2,000,000 gallons
28.26 per day average in a 30-day period in St. Louis County, in connection with snowmaking,
28.27 subject to the commissioner of natural resources making a determination that the water
28.28 remaining in the basin of origin will be adequate to meet the basin's need for water and
28.29 approval by the commissioner of natural resources of all applicable permits.

28.30 **Sec. 47. PLANNING AND DEVELOPMENT.**

28.31 The commissioner of natural resources shall work with Friends of the Casey Jones
28.32 Trail in planning and developing the extension of the Casey Jones Trail.

28.33 **Sec. 48. TRAIL PLANNING AND DEVELOPMENT.**

29.1 The commissioner of natural resources shall work with Friends of the Jackson
 29.2 County Trails in planning and developing the Des Moines River Valley Trail.

29.3 Sec. 49. **WILD RICE HARVEST AUTHORITY.**

29.4 Notwithstanding Minnesota Statutes, section 84.15, subdivision 1, until December
 29.5 31, 2009, the commissioner of natural resources may, by posting, restrict or prohibit the
 29.6 harvesting of wild rice on public waters based on the stage of ripeness of the wild rice
 29.7 stands in the waters.

29.8 Sec. 50. **REVISOR'S INSTRUCTION.**

29.9 (a) The revisor of statutes shall change the term "conservation reserve program" to
 29.10 "reinvest in Minnesota reserve program" where it appears in Minnesota Statutes, sections
 29.11 84.95, subdivision 2; 92.70, subdivision 1; and 103H.105.

29.12 (b) In each section of Minnesota Statutes referred to in column A, the revisor of
 29.13 statutes shall delete the reference in column B and insert the reference in column C.

29.14	<u>Column A</u>	<u>Column B</u>	<u>Column C</u>
29.15	<u>84.777</u>	<u>84.805</u>	<u>84.804</u>
29.16	<u>84.777</u>	<u>84.929</u>	<u>84.928</u>
29.17	<u>84.787, subd. 1</u>	<u>84.796</u>	<u>84.795</u>
29.18	<u>84.788, subd. 9</u>	<u>84.796</u>	<u>84.795</u>
29.19	<u>84.791, subd. 4</u>	<u>84.796</u>	<u>84.795</u>
29.20	<u>84.794, subd. 2</u>	<u>84.796</u>	<u>84.795</u>
29.21	<u>84.795, subd. 8</u>	<u>84.796</u>	<u>84.795</u>
29.22	<u>84.797, subd. 1</u>	<u>84.805</u>	<u>84.804</u>
29.23	<u>84.798, subd. 8</u>	<u>84.805</u>	<u>84.804</u>
29.24	<u>84.804, subd. 6</u>	<u>84.805</u>	<u>84.804</u>
29.25	<u>84.92, subd. 1</u>	<u>84.929</u>	<u>84.928</u>
29.26	<u>84.922, subd. 9</u>	<u>84.929</u>	<u>84.928</u>
29.27	<u>84.925, subd. 3</u>	<u>84.929</u>	<u>84.928</u>
29.28	<u>84.9256, subd. 4</u>	<u>84.929</u>	<u>84.928</u>
29.29	<u>84.927, subd. 2</u>	<u>84.929</u>	<u>84.928</u>

31.1 (2) prevent release of nonindigenous or exotic species into public waters without
31.2 approval of the commissioner;

31.3 (3) protect against release of disease pathogens to public waters;

31.4 (4) protect existing natural aquatic habitats and the wildlife dependent on them; and

31.5 (5) protect private aquatic life from unauthorized taking or harvest.

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

31.8 (c) The commissioner of natural resources shall establish license and other fees as
31.9 provided in section 16A.1285, subdivision 2, that would make aquaculture licensing
31.10 and enforcement self-sustaining. Notwithstanding section 16A.1283, the commissioner
31.11 may, by written order published in the State Register, establish the fees required by this
31.12 section. The fees are not subject to the rulemaking provisions of chapter 14, and section
31.13 14.386 does not apply. The commissioner shall develop best management practices for
31.14 aquaculture to ensure the long-term sustainability of aquaculture and wetlands used for
31.15 aquaculture, including, but not limited to, fish farming in man-made ponds.

31.16 Sec. 3. Minnesota Statutes 2008, section 17.4988, subdivision 3, is amended to read:

31.17 Subd. 3. **Inspection and additional fees.** Notwithstanding section 16A.1283, the
31.18 commissioner may, by written order published in the State Register, establish fees for the
31.19 services listed in clauses (1) to (3) and the additional fee required under subdivision 2,
31.20 paragraph (a). The fees must be set in an amount that does not recover significantly more
31.21 or less than the cost of providing the service. The fees are not subject to the rulemaking
31.22 provisions of chapter 14 and section 14.386 does not apply. The services covered under
31.23 this provision include:

31.24 (1) initial inspection of each water to be licensed;

31.25 (2) fish health inspection and certification, including initial tissue sample collection,
31.26 basic fish health assessment, viral pathogen testing, and bacteriological testing; and

31.27 (3) initial inspection for containment and quarantine facility inspections.

31.28 Sec. 4. **[84.0874] ELECTRONIC LICENSING SYSTEM DATA.**

31.29 The following data created, collected, stored, or maintained by the department for
31.30 purposes of obtaining a noncommercial game and fish license, cross-country ski pass,
31.31 horse trail pass, or snowmobile trail sticker; registering a recreational motor vehicle; or
31.32 any other electronic licensing transaction are private data on individuals as defined in
31.33 section 13.02, subdivision 12: name, addresses, driver's license number, and date of
31.34 birth. The data may be disclosed for law enforcement purposes. The data, other than the

32.1 driver's license number, may be disclosed to a government entity and for natural resources
32.2 management purposes, including recruitment, retention, and training certification and
32.3 verification.

32.4 **EFFECTIVE DATE.** This section is effective March 1, 2010.

32.5 Sec. 5. Minnesota Statutes 2008, section 84.788, subdivision 11, is amended to read:

32.6 Subd. 11. **Refunds.** The commissioner may issue a refund on a registration, not
32.7 including any issuing fees paid under subdivision 3, paragraph (e), or section 84.027,
32.8 subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12~~
32.9 months 60 days of the original registration, the registration is not used or transferred, and:

32.10 (1) the off-highway motorcycle was registered incorrectly ~~by the commissioner~~
32.11 ~~or the deputy registrar;~~ or

32.12 (2) the off-highway motorcycle was registered twice, once by the dealer and once by
32.13 the customer.

32.14 Sec. 6. Minnesota Statutes 2008, section 84.798, subdivision 10, is amended to read:

32.15 Subd. 10. **Refunds.** The commissioner may issue a refund on a registration, not
32.16 including any issuing fees paid under subdivision 3, paragraph (b), or section 84.027,
32.17 subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12~~
32.18 months 60 days of the original registration ~~and the vehicle was registered incorrectly by~~
32.19 ~~the commissioner or the deputy registrar,~~ the registration is not used or transferred, and:

32.20 (1) the off-road vehicle was registered incorrectly; or

32.21 (2) the off-road vehicle was registered twice, once by the dealer and once by the
32.22 customer.

32.23 Sec. 7. Minnesota Statutes 2008, section 84.82, subdivision 11, is amended to read:

32.24 Subd. 11. **Refunds.** The commissioner may issue a refund on a registration, not
32.25 including any issuing fees paid under subdivision 2, paragraph (e), or section 84.027,
32.26 subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12~~
32.27 months 60 days of the original registration, the registration is not used or transferred, and:

32.28 (1) the snowmobile was registered incorrectly ~~by the commissioner or the deputy~~
32.29 ~~registrar;~~ or

32.30 (2) the snowmobile was registered twice, once by the dealer and once by the
32.31 customer.

32.32 Sec. 8. Minnesota Statutes 2008, section 84.922, subdivision 12, is amended to read:

33.1 Subd. 12. **Refunds.** The commissioner may issue a refund on a registration, not
33.2 including any issuing fees paid under subdivision 2, paragraph (e), or section 84.027,
33.3 subdivision 15, paragraph (a), clause (3), if the refund request is received within ~~12~~
33.4 ~~months~~ 60 days of the original registration, the registration is not used or transferred, and:

33.5 (1) the vehicle was registered incorrectly ~~by the commissioner or the deputy~~
33.6 ~~registrar~~; or

33.7 (2) the vehicle was registered twice, once by the dealer and once by the customer.

33.8 Sec. 9. Minnesota Statutes 2008, section 86B.415, subdivision 11, is amended to read:

33.9 Subd. 11. **Refunds.** The commissioner may issue a refund on a license or title, not
33.10 including any issuing fees paid under subdivision 8 or section 84.027, subdivision 15,
33.11 paragraph (a), clause (3), or 86B.870, subdivision 1, paragraph (b), if the refund request
33.12 is received within ~~12 months~~ 60 days of the original license or title, the license or title
33.13 is not used or transferred, and:

33.14 (1) the watercraft was licensed or titled incorrectly ~~by the commissioner or the~~
33.15 ~~deputy registrar~~;

33.16 (2) the customer was incorrectly charged a title fee; or

33.17 (3) the watercraft was licensed or titled twice, once by the dealer and once by the
33.18 customer.

33.19 Sec. 10. Minnesota Statutes 2008, section 97A.015, is amended by adding a
33.20 subdivision to read:

33.21 Subd. 3b. **Bow fishing.** "Bow fishing" means taking rough fish by archery where
33.22 the arrows are tethered or controlled by an attached line.

33.23 Sec. 11. Minnesota Statutes 2008, section 97A.051, subdivision 2, is amended to read:

33.24 Subd. 2. **Summary of fish and game laws.** (a) The commissioner shall prepare a
33.25 summary of the hunting and fishing laws and rules and deliver a sufficient supply to
33.26 ~~county auditors~~ license vendors to furnish one copy to each person obtaining a hunting,
33.27 fishing, or trapping license.

33.28 (b) At the beginning of the summary, under the heading "Trespass," the
33.29 commissioner shall summarize the trespass provisions under sections 97B.001 to 97B.945,
33.30 state that conservation officers and peace officers must enforce the trespass laws, and
33.31 state the penalties for trespassing.

34.1 (c) In the summary the commissioner shall, under the heading "Duty to Render Aid,"
34.2 summarize the requirements under section 609.662 and state the penalties for failure to
34.3 render aid to a person injured by gunshot.

34.4 Sec. 12. Minnesota Statutes 2008, section 97A.075, subdivision 1, is amended to read:

34.5 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this
34.6 subdivision, "deer license" means a license issued under section 97A.475, subdivisions 2,
34.7 clauses (5), (6), (7), ~~(11)~~, (13), (14), and (15), ~~(16)~~, and ~~(17)~~, and 3, clauses (2), (3), (4),
34.8 ~~(9)~~ (10), (11), and (12), ~~and (13)~~, and licenses issued under section 97B.301, subdivision 4.

34.9 (b) \$2 from each annual deer license and \$2 annually from the lifetime fish and
34.10 wildlife trust fund, established in section 97A.4742, for each license issued under section
34.11 97A.473, subdivision 4, shall be credited to the deer management account and shall be
34.12 used for deer habitat improvement or deer management programs.

34.13 (c) \$1 from each annual deer license and each bear license and \$1 annually from
34.14 the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license
34.15 issued under section 97A.473, subdivision 4, shall be credited to the deer and bear
34.16 management account and shall be used for deer and bear management programs, including
34.17 a computerized licensing system.

34.18 (d) Fifty cents from each deer license is credited to the emergency deer feeding
34.19 and wild cervidae health management account and is appropriated for emergency deer
34.20 feeding and wild cervidae health management. Money appropriated for emergency
34.21 deer feeding and wild cervidae health management is available until expended. When
34.22 the unencumbered balance in the appropriation for emergency deer feeding and wild
34.23 cervidae health management at the end of a fiscal year exceeds \$2,500,000 for the first
34.24 time, \$750,000 is canceled to the unappropriated balance of the game and fish fund.
34.25 The commissioner must inform the legislative chairs of the natural resources finance
34.26 committees every two years on how the money for emergency deer feeding and wild
34.27 cervidae health management has been spent.

34.28 Thereafter, when the unencumbered balance in the appropriation for emergency deer
34.29 feeding and wild cervidae health management exceeds \$2,500,000 at the end of a fiscal
34.30 year, the unencumbered balance in excess of \$2,500,000 is canceled and available for deer
34.31 and bear management programs and computerized licensing.

34.32 Sec. 13. Minnesota Statutes 2008, section 97A.075, subdivision 5, is amended to read:

34.33 Subd. 5. **Turkey account.** (a) \$4.50 from each turkey license sold, except youth
34.34 licenses under section 97A.475, subdivision 2, clause (4), and subdivision 3, clause (7),

35.1 must be credited to the wild turkey management account. Money in the account may be
35.2 used only for:

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

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

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

35.9 (4) trapping and transplantation of wild turkeys; and

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

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

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

35.16 (2) any permanent personnel costs.

35.17 Sec. 14. Minnesota Statutes 2008, section 97A.095, subdivision 2, is amended to read:

35.18 Subd. 2. **Waterfowl feeding and resting areas.** The commissioner may, by rule,
35.19 designate any part of a lake as a migratory feeding and resting area. Before designation,
35.20 the commissioner must receive a petition signed by at least ten local resident licensed
35.21 hunters describing the area of a lake that is a substantial feeding or resting area for
35.22 migratory waterfowl, and find that the statements in the petition are correct, and that
35.23 adequate, free public access to the lake exists near the designated area. The commissioner
35.24 shall post the area as a migratory waterfowl feeding and resting area. Except as authorized
35.25 in rules adopted by the commissioner, a person may not enter a posted migratory waterfowl
35.26 feeding and resting area, during a period when hunting of migratory waterfowl is allowed,
35.27 with watercraft or aircraft propelled by a motor, other than an electric motor ~~of less than~~
35.28 ~~30 pounds thrust~~ with battery power of 12 volts or less. The commissioner may, by rule,
35.29 further restrict the use of electric motors in migratory waterfowl feeding and resting areas.

35.30 Sec. 15. Minnesota Statutes 2008, section 97A.137, is amended by adding a
35.31 subdivision to read:

35.32 Subd. 4. **Exemption from certain local ordinances.** (a) Except as provided in
35.33 paragraphs (c) and (d), wildlife management areas that are established according to section
35.34 86A.05, subdivision 8; designated under section 97A.133 or 97A.145; and 160 contiguous

36.1 acres or larger are exempt from local ordinances that limit the taking of game and fish or
36.2 vegetation management in the unit as authorized by state law.

36.3 (b) Except as provided in paragraphs (c) and (d), wildlife management areas that
36.4 are established according to section 86A.05, subdivision 8; designated under section
36.5 97A.133 or 97A.145; and at least 40 contiguous acres and less than 160 contiguous acres
36.6 are exempt from local ordinances that:

36.7 (1) restrict trapping;

36.8 (2) restrict the discharge of archery equipment;

36.9 (3) restrict the discharge of shotguns with shot sizes of F or .22 inch diameter or
36.10 smaller shot;

36.11 (4) restrict noise;

36.12 (5) require dogs on a leash; or

36.13 (6) would in any manner restrict the management of vegetation in the unit as
36.14 authorized by state law.

36.15 Sec. 16. Minnesota Statutes 2008, section 97A.137, is amended by adding a
36.16 subdivision to read:

36.17 Subd. 5. **Portable stands.** Prior to the Saturday on or nearest September 16, a
36.18 portable stand may be left overnight in a wildlife management area by a person with a
36.19 valid bear license who is hunting within 100 yards of a bear bait site that is legally tagged
36.20 and registered as prescribed under section 97B.425. Any person leaving a portable stand
36.21 overnight under this subdivision must affix the person's name and address to the stand in
36.22 such a manner that it can be read from the ground.

36.23 Sec. 17. Minnesota Statutes 2008, section 97A.331, subdivision 2, is amended to read:

36.24 Subd. 2. **Shining.** A person that violates section 97B.081, subdivision 1, relating to
36.25 the use of an artificial light to locate wild animals ~~while in possession of a firearm, bow, or~~
36.26 ~~other implement capable of killing big game~~ is guilty of a gross misdemeanor.

36.27 Sec. 18. Minnesota Statutes 2008, section 97A.405, subdivision 4, is amended to read:

36.28 Subd. 4. **Replacement licenses.** (a) The commissioner may permit licensed deer
36.29 hunters to change zone, license, or season options. The commissioner may issue a
36.30 replacement license if the applicant submits the original deer license and unused tags that
36.31 are being replaced and the applicant pays any increase in cost between the original and
36.32 the replacement license. A refund of the difference in fees may be issued when a person
36.33 changes from a regular deer license to a youth deer license. ~~When a person submits both~~

37.1 ~~an archery and a firearms license for replacement, the commissioner may apply the value~~
37.2 ~~of both licenses towards the replacement license fee.~~

37.3 (b) A replacement license may be issued only if the applicant has not used any
37.4 tag from the original license or licenses and meets the conditions of paragraph (c). The
37.5 original license or licenses and all unused tags for the licenses being replaced must be
37.6 submitted to the issuing agent at the time the replacement license is issued.

37.7 (c) A replacement license may be issued under the following conditions, or as
37.8 otherwise prescribed by rule of the commissioner:

37.9 (1) when the season for the license being surrendered has not yet opened; or

37.10 (2) when the person is ~~upgrading from a regular firearms or archery deer license to~~
37.11 ~~an all season deer license;~~

37.12 ~~(3) when the person is upgrading from a regular firearms license to a multizone~~
37.13 ~~deer license; or~~

37.14 ~~(4) when the person is changing from a regular firearms deer license to a youth~~
37.15 ~~deer license.~~

37.16 (d) Notwithstanding section 97A.411, subdivision 3, a replacement license is valid
37.17 immediately upon issuance if the license being surrendered is valid at that time.

37.18 Sec. 19. Minnesota Statutes 2008, section 97A.421, subdivision 1, is amended to read:

37.19 Subdivision 1. **General.** (a) The annual license of a person convicted of a violation
37.20 of the game and fish laws relating to the license or wild animals covered by the license
37.21 is void when:

37.22 (1) a second conviction occurs within three years under a license to trap fur-bearing
37.23 animals, take small game or to take fish by angling or spearing;

37.24 (2) a third conviction occurs within one year under a minnow dealer's license;

37.25 (3) a second conviction occurs within three years for violations of section 97A.425
37.26 that do not involve falsifications or intentional omissions of information required to be
37.27 recorded, or attempts to conceal unlawful acts within the records;

37.28 (4) two or more misdemeanor convictions occur within a three-year period under a
37.29 private fish hatchery license;

37.30 (5) the conviction occurs under a license not described in clause (1), (2), or (4) or is
37.31 for a violation of section 97A.425 not described in clause (3); or

37.32 (6) the conviction is related to assisting a person in the illegal taking, transportation,
37.33 or possession of wild animals, when acting as a hunting or angling guide.

37.34 (b) Except for big game licenses and as otherwise provided in this section, for one
37.35 year after the conviction the person may not obtain the kind of license or take wild

38.1 animals under a lifetime license, issued under section 97A.473 or 97A.474, relating to
38.2 the game and fish law violation.

38.3 Sec. 20. Minnesota Statutes 2008, section 97A.441, subdivision 7, is amended to read:

38.4 Subd. 7. **Owners or tenants of agricultural land.** (a) The commissioner may
38.5 issue, without a fee, a license to take an antlerless deer to a resident who is an owner or
38.6 tenant, or a nonresident who is an owner, of at least 80 acres of agricultural land, as
38.7 defined in section 97B.001, in deer permit areas that have deer archery licenses to take
38.8 additional deer under section 97B.301, subdivision 4. A person may receive only one
38.9 license per year under this subdivision. For properties with co-owners or cotenants, only
38.10 one co-owner or cotenant may receive a license under this subdivision per year. The
38.11 license issued under this subdivision is restricted to land leased for agricultural purposes
38.12 or owned by the holder of the license within the permit area where the qualifying land
38.13 is located. The holder of the license may transfer the license to the holder's spouse or
38.14 dependent. Notwithstanding sections 97A.415, subdivision 1, and 97B.301, subdivision
38.15 2, the holder of the license may purchase an additional license for taking deer and may
38.16 take an additional deer under that license.

38.17 (b) A person who obtains a license under paragraph (a) must allow public deer
38.18 hunting on their land during that deer hunting season, with the exception of the first
38.19 Saturday and Sunday during the deer hunting season applicable to the license issued under
38.20 section 97A.475, subdivision 2, ~~clauses (4) and (13)~~ clause (5).

38.21 Sec. 21. Minnesota Statutes 2008, section 97A.445, subdivision 1, is amended to read:

38.22 Subdivision 1. **Angling; Take a Kid Fishing Weekends.** A resident ~~over age 18~~ age
38.23 16 years or older may take fish by angling without an angling or fish house license during
38.24 one three-day consecutive period of the open water angling season and one three-day
38.25 consecutive period of the ice angling season designated by rule of the commissioner
38.26 if accompanied by a child who is under age 16. The commissioner shall publicize the
38.27 three-day periods as "Take a Kid Fishing Weekend" for the open water angling season and
38.28 "Take a Kid Ice Fishing Weekend" for the ice angling season.

38.29 Sec. 22. Minnesota Statutes 2008, section 97A.445, is amended by adding a
38.30 subdivision to read:

38.31 Subd. 1a. **Angling in a state park.** A resident may take fish by angling without
38.32 an angling license when shore fishing or wading on state-owned land within a state park.
38.33 When angling from a boat or float, this subdivision applies only to those water bodies

39.1 completely encompassed within the statutory boundary of the state park. The exemption
39.2 from an angling license does not apply to waters where a trout stamp is required.

39.3 Sec. 23. Minnesota Statutes 2008, section 97A.451, subdivision 2, is amended to read:

39.4 Subd. 2. **Residents under age 16; fishing.** (a) A resident under the age of 16 years
39.5 may take fish without a license.

39.6 (b) A resident under the age of 16 may net ciscoes and whitefish for personal
39.7 consumption without the license required under section 97A.475, subdivision 13. A
39.8 resident netting ciscoes and whitefish under this paragraph must follow all other applicable
39.9 requirements for netting ciscoes and whitefish for personal consumption.

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

39.11 Sec. 24. Minnesota Statutes 2008, section 97A.451, is amended by adding a
39.12 subdivision to read:

39.13 Subd. 8. **Residents 90 years of age or older; fishing.** A resident age 90 or older
39.14 may take fish without a license.

39.15 Sec. 25. Minnesota Statutes 2008, section 97A.465, subdivision 1b, is amended to read:

39.16 Subd. 1b. **Residents discharged from active service.** (a) A resident who has served
39.17 at any time during the preceding 24 months in federal active service, as defined in section
39.18 190.05, subdivision 5c, outside the United States as a member of the National Guard, or as
39.19 a reserve component or active duty member of the United States armed forces and has
39.20 been discharged from active service may take small game and fish without a license if the
39.21 resident possesses official military discharge papers. The resident must obtain the seals,
39.22 tags, and coupons required of a licensee, which must be furnished without charge.

39.23 (b) The commissioner shall issue, without fee, a deer license, valid for a deer of
39.24 either sex, to a resident who has served at any time during the preceding 24 months in
39.25 federal active service, as defined in section 190.05, subdivision 5c, outside the United
39.26 States as a member of the National Guard, or as a reserve component or active duty
39.27 member of the United States armed forces and has been discharged from active service.
39.28 Eligibility under this paragraph is limited to one license per resident.

39.29 Sec. 26. Minnesota Statutes 2008, section 97A.473, subdivision 1, is amended to read:

39.30 Subdivision 1. **Resident lifetime licenses authorized.** (a) The commissioner may
39.31 issue a lifetime angling license, a lifetime spearing license, a lifetime angling and spearing
39.32 license, a lifetime small game hunting license, a lifetime firearm or archery deer hunting

40.1 license, ~~or~~ a lifetime sporting license or a lifetime sporting with spearing option license to
40.2 a person who is a resident of the state for at least one year or who is under age 21 and the
40.3 child of a person who is a resident of the state for at least one year. The license fees paid
40.4 for a lifetime license are nonrefundable.

40.5 (b) The commissioner may require the holder of a lifetime license issued under this
40.6 section to notify the department each year that the license is used, by:

- 40.7 (1) telephone or Internet notification, as specified by the commissioner;
40.8 (2) the purchase of stamps for the license; or
40.9 (3) registration and tag issuance, in the case of the resident lifetime deer license.

40.10 Sec. 27. Minnesota Statutes 2008, section 97A.473, is amended by adding a
40.11 subdivision to read:

40.12 Subd. 2a. Lifetime spearing license; fee. (a) A resident lifetime spearing license
40.13 authorizes a person to take fish by spearing in the state. The license authorizes those
40.14 activities authorized by the annual resident spearing license.

40.15 (b) The fees for a resident lifetime spearing license are:

- 40.16 (1) age 3 and under, \$258;
40.17 (2) age 4 to age 15, \$320;
40.18 (3) age 16 to age 50, \$372; and
40.19 (4) age 51 and over, \$173.

40.20 Sec. 28. Minnesota Statutes 2008, section 97A.473, is amended by adding a
40.21 subdivision to read:

40.22 Subd. 2b. Lifetime angling and spearing license; fee. (a) A resident lifetime
40.23 angling and spearing license authorizes a person to take fish by angling or spearing in the
40.24 state. The license authorizes those activities authorized by the annual resident angling
40.25 and spearing licenses.

40.26 (b) The fees for a resident lifetime angling and spearing license are:

- 40.27 (1) age 3 and under, \$485;
40.28 (2) age 4 to age 15, \$620;
40.29 (3) age 16 to age 50, \$755; and
40.30 (4) age 51 and over, \$376.

40.31 Sec. 29. Minnesota Statutes 2008, section 97A.473, is amended by adding a
40.32 subdivision to read:

41.1 Subd. 5a. Lifetime sporting with spearing option license; fee. (a) A resident
41.2 lifetime sporting with spearing option license authorizes a person to take fish by angling
41.3 or spearing and hunt and trap small game in the state. The license authorizes those
41.4 activities authorized by the annual resident angling, spearing, resident small game hunting,
41.5 and resident trapping licenses. The license does not include a trout and salmon stamp
41.6 validation, a turkey stamp validation, a walleye stamp validation, or any other hunting
41.7 stamps required by law.

41.8 (b) The fees for a resident lifetime sporting with spearing option license are:

41.9 (1) age 3 and under, \$615;

41.10 (2) age 4 to age 15, \$800;

41.11 (3) age 16 to age 50, \$985; and

41.12 (4) age 51 and over, \$586.

41.13 Sec. 30. Minnesota Statutes 2008, section 97A.4742, subdivision 1, is amended to read:

41.14 Subdivision 1. **Establishment; purpose.** The lifetime fish and wildlife trust fund
41.15 is established as a fund in the state treasury. All money received from the issuance of
41.16 lifetime angling, spearing, angling and spearing, small game hunting, deer hunting, ~~and~~
41.17 sporting, and sporting with spearing option licenses and earnings on the fund shall be
41.18 credited to the lifetime fish and wildlife trust fund.

41.19 Sec. 31. Minnesota Statutes 2008, section 97A.475, subdivision 2, is amended to read:

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

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

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

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

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

41.26 (5) for persons age 18 or over to take deer with firearms during the regular firearms
41.27 season, \$26;

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

41.29 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
41.30 season, \$26;

41.31 (8) to take moose, for a party of not more than six persons, \$310;

41.32 (9) to take bear, \$38;

41.33 (10) to take elk, for a party of not more than two persons, \$250;

41.34 (11) ~~multizone license to take antlered deer in more than one zone, \$52;~~

- 42.1 ~~(12)~~ to take Canada geese during a special season, \$4;
42.2 ~~(13) all season license to take three deer throughout the state in any open deer~~
42.3 ~~season, except as restricted under section 97B.305, \$78;~~
42.4 ~~(14)~~ (12) to take prairie chickens, \$20;
42.5 ~~(15)~~ (13) for persons under age 18 to take deer with firearms during the regular
42.6 firearms season, \$13;
42.7 ~~(16)~~ (14) for persons under age 18 to take deer by archery, \$13; and
42.8 ~~(17)~~ (15) for persons under age 18 to take deer by muzzleloader during the
42.9 muzzleloader season, \$13.

42.10 Sec. 32. Minnesota Statutes 2008, section 97A.475, subdivision 3, is amended to read:

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

- 42.13 (1) for persons age 18 or over to take small game, \$73;
42.14 (2) for persons age 18 or over to take deer with firearms during the regular firearms
42.15 season, \$135;
42.16 (3) for persons age 18 or over to take deer by archery, \$135;
42.17 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
42.18 season, \$135;
42.19 (5) to take bear, \$195;
42.20 (6) for persons age 18 and older to take turkey, \$78;
42.21 (7) for persons under age 18 to take turkey, \$12;
42.22 (8) to take raccoon or bobcat, \$155;
42.23 ~~(9) multizone license to take antlered deer in more than one zone, \$270;~~
42.24 ~~(10)~~ to take Canada geese during a special season, \$4;
42.25 ~~(11)~~ (10) for persons under age 18 to take deer with firearms during the regular
42.26 firearms season in any open season option or time period, \$13;
42.27 ~~(12)~~ (11) for persons under age 18 to take deer by archery, \$13; and
42.28 ~~(13)~~ (12) for persons under age 18 to take deer during the muzzleloader season, \$13.
42.29 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under
42.30 paragraph (a), clauses (1) to ~~(9)~~ (8). An additional commission may not be assessed
42.31 on this surcharge.

42.32 Sec. 33. Minnesota Statutes 2008, section 97A.475, subdivision 7, is amended to read:

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

- 43.1 (1) to take fish by angling, \$37.50;
- 43.2 (2) to take fish by angling limited to seven consecutive days selected by the licensee,
- 43.3 \$26.50;
- 43.4 (3) to take fish by angling for a 72-hour period selected by the licensee, \$22;
- 43.5 (4) to take fish by angling for a combined license for a family for one or both parents
- 43.6 and dependent children under the age of 16, \$50.50;
- 43.7 (5) to take fish by angling for a 24-hour period selected by the licensee, \$8.50; ~~and~~
- 43.8 (6) to take fish by angling for a combined license for a married couple, limited to 14
- 43.9 consecutive days selected by one of the licensees, \$38.50; and
- 43.10 (7) to take fish by spearing from a dark house, \$37.50.
- 43.11 (b) A \$2 surcharge shall be added to all nonresident fishing licenses, except licenses
- 43.12 issued under paragraph (a), clause (5). An additional commission may not be assessed
- 43.13 on this surcharge.

43.14 Sec. 34. Minnesota Statutes 2008, section 97A.475, subdivision 11, is amended to read:

43.15 Subd. 11. **Fish houses ~~and~~, dark houses, and shelters; residents.** Fees for the

43.16 following licenses are:

- 43.17 (1) annual for a fish house ~~or~~, dark house, or shelter that is not rented, \$11.50;
- 43.18 (2) annual for a fish house ~~or~~, dark house, or shelter that is rented, \$26;
- 43.19 (3) three-year for a fish house ~~or~~, dark house, or shelter that is not rented, \$34.50; and
- 43.20 (4) three-year for a fish house ~~or~~, dark house, or shelter that is rented, \$78.

43.21 Sec. 35. Minnesota Statutes 2008, section 97A.475, subdivision 12, is amended to read:

43.22 Subd. 12. **Fish houses, dark houses, and shelters; nonresident.** Fees for fish

43.23 house, dark house, and shelter licenses for a nonresident are:

- 43.24 (1) annual, \$33;
- 43.25 (2) seven consecutive days, \$19; and
- 43.26 (3) three-year, \$99.

43.27 Sec. 36. Minnesota Statutes 2008, section 97A.475, subdivision 29, is amended to read:

43.28 Subd. 29. **Private fish hatcheries.** The fees for the following licenses to be issued

43.29 to residents and nonresidents are:

- 43.30 (1) for a private fish hatchery, with annual sales under \$200, \$70;
- 43.31 (2) for a private fish hatchery, with annual sales of \$200 or more, \$210 for the base
- 43.32 license. The commissioner must establish an additional fee based on the acreage of the
- 43.33 operation. Notwithstanding section 16A.1283, the commissioner may, by written order

44.1 published in the State Register, establish the additional fee required by this subdivision.
44.2 The fee is not subject to the rulemaking provisions of chapter 14 and section 14.386
44.3 does not apply; and

44.4 (3) to take sucker eggs from public waters for a private fish hatchery, \$400, plus
44.5 \$6 for each quart in excess of 100 quarts.

44.6 Sec. 37. Minnesota Statutes 2008, section 97A.525, subdivision 1, is amended to read:

44.7 Subdivision 1. **Residents Generally.** A resident person may transport wild animals
44.8 ~~within the state~~ by common carrier without being in the vehicle if the resident person
44.9 has the license required to take the animals and they are shipped to the ~~resident.~~ The
44.10 ~~wild animals that may be transported by common carrier are:~~ person or to a licensed
44.11 taxidermist, tanner, or fur buyer.

44.12 ~~(1) deer, bear, elk, and moose;~~

44.13 ~~(2) undressed game birds; and~~

44.14 ~~(3) fish.~~

44.15 Sec. 38. Minnesota Statutes 2008, section 97B.035, subdivision 2, is amended to read:

44.16 Subd. 2. **Possession of crossbows.** A person may not possess a crossbow ~~outdoors~~
44.17 ~~or~~ in a motor vehicle during the open season for any game, unless the crossbow is ~~unstrung,~~
44.18 ~~and in a case or in a closed trunk of a motor vehicle~~ not armed with a bolt or arrow.

44.19 Sec. 39. Minnesota Statutes 2008, section 97B.045, subdivision 2, is amended to read:

44.20 Subd. 2. **Exception for disabled persons.** The restrictions in subdivision 1 do
44.21 not apply to a disabled person if:

44.22 (1) the person possesses a permit under section 97B.055, subdivision 3; and

44.23 ~~(2) the person is participating in a hunt sponsored by a nonprofit organization under a~~
44.24 ~~permit from the commissioner or is hunting on property owned or leased by the person; and~~

44.25 ~~(3)~~ (2) the firearm is not loaded in the chamber until the vehicle is stationary, or is a
44.26 hinge action firearm with the action open until the vehicle is stationary.

44.27 Sec. 40. Minnesota Statutes 2008, section 97B.045, is amended by adding a
44.28 subdivision to read:

44.29 Subd. 3. **Exceptions; hunting and shooting ranges.** (a) Notwithstanding
44.30 provisions to the contrary under this chapter, a person may transport an unloaded, uncased
44.31 firearm, excluding a pistol as defined in paragraph (b), in a motor vehicle while at a
44.32 shooting range, as defined under section 87A.01, subdivision 3, where the person has

45.1 received permission from the lawful owner or possessor to discharge firearms; lawfully
45.2 hunting on private or public land; or travelling to or from a site the person intends to hunt
45.3 lawfully that day or has hunted lawfully that day, unless:

45.4 (1) within Anoka, Hennepin, or Ramsey county;

45.5 (2) within an area where the discharge of a firearm has been prohibited under section
45.6 471.633;

45.7 (3) within the boundaries of a home rule charter or statutory city with a population
45.8 of 2,500 or more;

45.9 (4) on school grounds; or

45.10 (5) otherwise restricted under section 97A.091, 97B.081, or 97B.086.

45.11 (b) For the purposes of this section, a "pistol" includes a weapon designed to be fired
45.12 by the use of a single hand and with an overall length less than 26 inches, or having a
45.13 barrel or barrels of a length less than 18 inches in the case of a shotgun or having a barrel
45.14 of a length less than 16 inches in the case of a rifle:

45.15 (1) from which may be fired or ejected one or more solid projectiles by means
45.16 of a cartridge or shell or by the action of an explosive or the igniting of flammable or
45.17 explosive substances; or

45.18 (2) for which the propelling force is a spring, elastic band, carbon dioxide, air or
45.19 other gas, or vapor.

45.20 Pistol does not include a device firing or ejecting a shot measuring .18 of an inch, or less,
45.21 in diameter and commonly known as a "BB gun," a scuba gun, a stud gun, or nail gun
45.22 used in the construction industry or children's pop guns or toys.

45.23 Sec. 41. Minnesota Statutes 2008, section 97B.051, is amended to read:

45.24 **97B.051 TRANSPORTATION OF ARCHERY BOWS.**

45.25 Except as specified under section 97B.055, subdivision 2, a person may not transport
45.26 an archery bow in a motor vehicle unless the bow is: not armed with a bolt or arrow.

45.27 ~~(1) unstrung;~~

45.28 ~~(2) completely contained in a case; or~~

45.29 ~~(3) in the closed trunk or rear-most enclosed portion of a motor vehicle that is not~~
45.30 ~~accessible from the passenger compartment.~~

45.31 Sec. 42. Minnesota Statutes 2008, section 97B.055, subdivision 3, is amended to read:

45.32 Subd. 3. **Hunting from vehicle by disabled hunters.** (a) The commissioner may
45.33 issue a special permit, without a fee, to discharge a firearm or bow and arrow from a
45.34 stationary motor vehicle to a person who obtains the required licenses and who has a

46.1 permanent physical disability that is more substantial than discomfort from walking. The
46.2 permit recipient must be:

46.3 (1) unable to step from a vehicle without aid of a wheelchair, crutches, braces, or
46.4 other mechanical support or prosthetic device; or

46.5 (2) unable to walk any distance because of a permanent lung, heart, or other internal
46.6 disease that requires the person to use supplemental oxygen to assist breathing.

46.7 (b) The permanent physical disability must be established by medical evidence
46.8 verified in writing by a licensed physician or chiropractor. The commissioner may
46.9 request additional information from the physician or chiropractor if needed to verify the
46.10 applicant's eligibility for the permit. Notwithstanding section 97A.418, the commissioner
46.11 may, in consultation with appropriate advocacy groups, establish reasonable minimum
46.12 standards for permits to be issued under this section. In addition to providing the medical
46.13 evidence of a permanent disability, the applicant must possess a valid disability parking
46.14 certificate authorized by section 169.345 or license plates issued under section 168.021.

46.15 (c) A person issued a special permit under this subdivision and hunting deer may
46.16 take a deer of either sex, except in those antlerless permit areas and seasons where no
46.17 antlerless permits are offered. This subdivision does not authorize another member of a
46.18 party to take an antlerless deer under section 97B.301, subdivision 3.

46.19 (d) A permit issued under this subdivision is valid for five years.

46.20 (e) The commissioner may deny, modify, suspend, or revoke a permit issued under
46.21 this section for cause, including a violation of the game and fish laws or rules.

46.22 (f) A person who knowingly makes a false application or assists another in making a
46.23 false application for a permit under this section is guilty of a misdemeanor. A physician or
46.24 chiropractor who fraudulently certifies to the commissioner that a person is permanently
46.25 disabled as described in this section is guilty of a misdemeanor.

46.26 (g) Notwithstanding paragraph (d), the commissioner may issue a permit valid for
46.27 the entire life of the applicant if the commissioner determines that there is no chance
46.28 that an applicant will become ineligible for a permit under this section and the applicant
46.29 requests a lifetime permit.

46.30 Sec. 43. Minnesota Statutes 2008, section 97B.081, is amended to read:

46.31 **97B.081 USING ARTIFICIAL LIGHTS TO LOCATE ANIMALS.**

46.32 Subdivision 1. ~~With firearms and bows~~ implements to take wild animals. (a)
46.33 Except as provided in subdivision 3, a person may not cast the rays of a spotlight,
46.34 headlight, or other artificial light on a highway, or in a field, woodland, or forest, to spot,
46.35 locate, or take a wild animal, ~~except while taking raccoons in accordance with section~~

47.1 ~~97B.621, subdivision 3, or tending traps in accordance with section 97B.931, while~~
47.2 ~~having in possession, either individually or as one of a group of persons, a firearm, bow,~~
47.3 ~~or other implement that could be used to ~~kill~~ take big game, small game, or unprotected~~
47.4 ~~wild animals.~~

47.5 ~~(b) This subdivision does not apply to a firearm that is:~~

47.6 ~~(1) unloaded;~~

47.7 ~~(2) in a gun case expressly made to contain a firearm that fully encloses the firearm~~
47.8 ~~by being zipped, snapped, buckled, tied, or otherwise fastened without any portion of~~
47.9 ~~the firearm exposed; and~~

47.10 ~~(3) in the closed trunk of a motor vehicle.~~

47.11 ~~(c) This subdivision does not apply to a bow that is:~~

47.12 ~~(1) completely encased or unstrung; and~~

47.13 ~~(2) in the closed trunk of a motor vehicle.~~

47.14 ~~(d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm~~
47.15 ~~or bow must be placed in the rearmost location of the vehicle.~~

47.16 ~~(e) This subdivision does not apply to persons taking raccoons under section~~
47.17 ~~97B.621, subdivision 3.~~

47.18 ~~(f) This subdivision does not apply to a person hunting fox or coyote from January 1~~
47.19 ~~to March 15 while using a handheld artificial light, provided that the person:~~

47.20 ~~(1) is on foot;~~

47.21 ~~(2) is using a shotgun;~~

47.22 ~~(3) is not within a public road right-of-way;~~

47.23 ~~(4) is using a handheld or electronic calling device; and~~

47.24 ~~(5) is not within 200 feet of a motor vehicle.~~

47.25 **Subd. 2. Without firearms implements to take wild animals.** (a) ~~Between the~~
47.26 ~~hours of 10:00 p.m. and 6:00 a.m. from September 1 to December 31, Except as provided~~
47.27 ~~in subdivision 3, from two hours after sunset until sunrise, a person may not cast the rays~~
47.28 ~~of a spotlight, headlight, or other artificial light on a highway, or in a field, woodland,~~
47.29 ~~or forest to spot, or locate, or take a wild animal ~~except to take raccoons under section~~~~
47.30 ~~97B.621, subdivision 3, or to tend traps under section 97B.931.~~

47.31 ~~(b) Between one-half hour after sunset until sunrise, Except as provided in~~
47.32 ~~subdivision 3, a person may not cast the rays of a spotlight, headlight, or other artificial~~
47.33 ~~light to spot, locate, or take a wild animal on fenced, agricultural land containing~~
47.34 ~~livestock, as defined in section 17A.03, subdivision 5, or poultry that is marked with signs~~
47.35 ~~prohibiting the shining of lights. The signs must:~~

48.1 ~~(1) display reflectorized letters that are at least two inches in height and state "no~~
48.2 ~~shining" or similar terms; and~~

48.3 ~~(2) be placed at intervals of 1,000 feet or less along the boundary of the area.~~

48.4 ~~(c) It is not a violation of paragraph (a) or (b) for a person to carry out any~~
48.5 ~~agricultural, occupational, or recreational practice, including snowmobiling that is not~~
48.6 ~~related to spotting, locating, or taking a wild animal.~~

48.7 ~~(d) Between the hours of 6:00 p.m. and 6:00 a.m. (c) Except as provided in~~
48.8 ~~subdivision 3, a person may not project a spotlight or handheld cast an artificial light onto~~
48.9 ~~residential property or building sites from a moving motor vehicle being operated on~~
48.10 ~~land, except for the following purposes:~~

48.11 ~~(1) safety;~~

48.12 ~~(2) emergency response;~~

48.13 ~~(3) normal vehicle operations; or~~

48.14 ~~(4) performing an occupational duty.~~

48.15 (d) Except as provided in subdivision 3, a person may not at any time cast the rays of
48.16 a spotlight, headlight, or other artificial light onto property posted with signs prohibiting
48.17 the shining of lights onto the property. When signs are posted, the signs shall display
48.18 letters that are at least two inches in height and state "no shining" or similar terms and
48.19 shall be placed at intervals of 500 feet or less along the boundary of the property.

48.20 Subd. 3. **Exceptions.** (a) It is not a violation of this section for a person to:

48.21 (1) cast the rays of a spotlight, headlight, or other artificial light to take raccoons
48.22 according to section 97B.621, subdivision 3, or tend traps according to section 97B.931;

48.23 (2) hunt fox or coyote from January 1 to March 15 while using a handheld artificial
48.24 light, provided that the person is:

48.25 (i) on foot;

48.26 (ii) using a shotgun;

48.27 (iii) not within a public road right-of-way;

48.28 (iv) using a handheld or electronic calling device; and

48.29 (v) not within 200 feet of a motor vehicle; or

48.30 (3) cast the rays of a handheld artificial light to retrieve wounded or dead big game
48.31 animals, provided that the person is:

48.32 (i) on foot; and

48.33 (ii) not in possession of a firearm or bow.

48.34 (b) It is not a violation of subdivision 2 for a person to cast the rays of a spotlight,
48.35 headlight, or other artificial light to:

- 49.1 (1) carry out any agricultural, safety, emergency response, normal vehicle operation,
49.2 or occupational-related activities that do not involve taking wild animals; or
49.3 (2) carry out outdoor recreation as defined in section 97B.001 that is not related to
49.4 spotting, locating, or taking a wild animal.

49.5 Sec. 44. Minnesota Statutes 2008, section 97B.086, is amended to read:

49.6 **97B.086 POSSESSION OF NIGHT VISION EQUIPMENT.**

49.7 (a) A person may not possess night vision ~~goggle~~ equipment while taking wild
49.8 animals or while having in possession, either individually or as one of a group of persons,
49.9 a firearm, bow, or other implement that could be used to take wild animals.

49.10 (b) This section does not apply to a firearm that is:

49.11 (1) unloaded;

49.12 (2) in a gun case expressly made to contain a firearm that fully encloses the firearm
49.13 by being zipped, snapped, buckled, tied, or otherwise fastened without any portion of
49.14 the firearm exposed; and

49.15 (3) in the closed trunk of a motor vehicle.

49.16 (c) This section does not apply to a bow that is:

49.17 (1) completely encased or unstrung; and

49.18 (2) in the closed trunk of a motor vehicle.

49.19 (d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm
49.20 or bow must be placed in the rearmost location of the vehicle.

49.21 (e) This section does not apply to night vision ~~goggle~~ equipment possessed by peace
49.22 officers or military personnel while exercising their duties.

49.23 Sec. 45. Minnesota Statutes 2008, section 97B.111, subdivision 1, is amended to read:

49.24 Subdivision 1. **Establishment; requirements.** The commissioner may establish
49.25 criteria, special seasons, and limits for persons who have a physical disability to take big
49.26 game and small game with firearms and by archery in designated areas. A person hunting
49.27 under this section who has a physical disability must have a verified statement of the
49.28 disability by a licensed physician and must be participating in a program for physically
49.29 disabled hunters sponsored by a nonprofit organization that is permitted under subdivision
49.30 2. Notwithstanding section 97B.055, subdivision 3, the commissioner may authorize hunt
49.31 participants to shoot from a stationary motor vehicle. A license is not required for a person
49.32 to assist a physically disabled person hunting during a special season under this section.

49.33 Sec. 46. Minnesota Statutes 2008, section 97B.328, subdivision 3, is amended to read:

50.1 Subd. 3. **Definition.** For purposes of this section, "bait or feed" includes grains,
50.2 fruits, vegetables, nuts, hay, or other food that is capable of attracting or enticing deer
50.3 and that has been placed by a person. Liquid scents, salt, and minerals,~~and bird feeders~~
50.4 ~~containing grains or nuts that are at least six feet above the ground~~ are not bait or feed.
50.5 Food that has not been placed by a person and resulting from normal or accepted farming,
50.6 forest management, wildlife food plantings, orchard management, or other similar land
50.7 management activities is not bait or feed.

50.8 Sec. 47. Minnesota Statutes 2008, section 97B.651, is amended to read:

50.9 **97B.651 UNPROTECTED MAMMALS AND BIRDS.**

50.10 Subdivision 1. Taking unprotected mammals and birds. Mammals that are
50.11 unprotected wild animals and unprotected birds may be taken at any time and in any
50.12 manner, except with artificial lights, or by using a motor vehicle in violation of section
50.13 97B.091. Poison may not be used to take unprotected mammals or unprotected birds
50.14 unless the safety of humans and domestic livestock is ensured. Unprotected mammals and
50.15 unprotected birds may be possessed, bought, sold, or transported in any quantity, except
50.16 importation or exportation is restricted as provided in subdivision 2.

50.17 Subd. 2. Importing and exporting live coyotes. A person may not export a live
50.18 coyote out of the state or import a live coyote into the state unless authorized under a
50.19 permit from the commissioner.

50.20 Sec. 48. Minnesota Statutes 2008, section 97B.811, subdivision 2, is amended to read:

50.21 Subd. 2. **Hours for placing decoys.** Except as provided in subdivisions 3 and 4, a
50.22 person may not place decoys in public waters or on public lands more than ~~one hour~~ two
50.23 hours before lawful shooting hours for waterfowl.

50.24 Sec. 49. Minnesota Statutes 2008, section 97B.811, subdivision 3, is amended to read:

50.25 Subd. 3. **Restrictions on leaving decoys unattended.** During the open season for
50.26 waterfowl, a person may not leave decoys in public waters between sunset and ~~one hour~~
50.27 two hours before lawful shooting hours or leave decoys unattended during other times for
50.28 more than ~~four~~ three consecutive hours unless:

50.29 (1) the decoys are in waters adjacent to private land under the control of the hunter;
50.30 and

50.31 (2) there is not natural vegetation growing in water sufficient to partially conceal
50.32 a hunter.

51.1 Sec. 50. Minnesota Statutes 2008, section 97B.931, subdivision 1, is amended to read:

51.2 Subdivision 1. **Restrictions.** A person may not tend a trap set for wild animals
51.3 between 10:00 p.m. and 5:00 a.m. Between 5:00 a.m. and 10:00 p.m. a person on foot
51.4 may use a portable artificial light to tend traps. While using a light in the field, the person
51.5 may not possess or use a firearm other than a handgun or rifle capable of firing only
51.6 rimfire cartridges of .17 or .22 caliber including .22 magnum.

51.7 Sec. 51. Minnesota Statutes 2008, section 97C.081, subdivision 2, is amended to read:

51.8 Subd. 2. **Contests without a permit.** A person may conduct a fishing contest
51.9 without a permit from the commissioner provided:

51.10 (1) the following criteria are met:

51.11 (i) there are ~~30 participants~~ 25 boats or less for open water contests and 150
51.12 participants or less for ice fishing contests;

51.13 (ii) the entry fee is \$25 per person or less;

51.14 (iii) the total prize value is \$25,000 or less; and

51.15 (iv) the contest is not limited to trout species only;

51.16 (2) the following criteria are met:

51.17 (i) the contest is not limited to specifically named waters; and

51.18 (ii) the contest is not limited to trout species only; ~~or~~

51.19 (3) all the contest participants are age 18 years or under;

51.20 (4) the contest is limited to rough fish; or

51.21 (5) the total prize value is \$500 or less.

51.22 Sec. 52. Minnesota Statutes 2008, section 97C.081, subdivision 3, is amended to read:

51.23 Subd. 3. **Contests requiring a permit.** (a) A person must have a permit from the
51.24 commissioner to conduct a fishing contest that does not meet the criteria in subdivision
51.25 2. The commissioner shall charge a fee for the permit that recovers the costs of issuing
51.26 the permit and of monitoring the activities allowed by the permit. ~~The commissioner~~
51.27 ~~may waive the fee under this subdivision for a charitable organization.~~ Notwithstanding
51.28 section 16A.1283, the commissioner may, by written order published in the State Register,
51.29 establish contest permit fees. The fees are not subject to the rulemaking provisions of
51.30 chapter 14 and section 14.386 does not apply.

51.31 (b) If entry fees are over \$25 per person, or total prizes are valued at more than
51.32 \$25,000, and if the applicant has either:

51.33 (1) not previously conducted a fishing contest requiring a permit under this
51.34 subdivision; or

52.1 (2) ever failed to make required prize awards in a fishing contest conducted by
52.2 the applicant, the commissioner may require the applicant to furnish the commissioner
52.3 evidence of financial responsibility in the form of a surety bond or bank letter of credit in
52.4 the amount of \$25,000.

52.5 (c) The permit fee for any individual contest may not exceed the following amounts:

52.6 (1) ~~\$120~~ \$60 for an open water contest not exceeding ~~100 participants~~ 50 boats and
52.7 without off-site weigh-in;

52.8 (2) ~~\$400~~ \$200 for an open water contest with more than ~~100 participants~~ 50 boats
52.9 and without off-site weigh-in;

52.10 (3) ~~\$500~~ \$250 for an open water contest not exceeding ~~100 participants~~ 50 boats
52.11 with off-site weigh-in;

52.12 (4) ~~\$1,000~~ \$500 for an open water contest with more than ~~100 participants~~ 50 boats
52.13 with off-site weigh-in; or

52.14 (5) \$120 for an ice fishing contest with more than 150 participants.

52.15 Sec. 53. Minnesota Statutes 2008, section 97C.081, subdivision 4, is amended to read:

52.16 Subd. 4. **Restrictions.** (a) The commissioner may by rule establish restrictions on
52.17 fishing contests to protect fish and fish habitat, to restrict activities during high use periods,
52.18 to restrict activities that affect research or management work, to restrict the number of
52.19 boats, and for the safety of contest participants.

52.20 (b) By March 1, 2011, the commissioner shall develop a best practices certification
52.21 program for fishing contest organizers to ensure the proper handling and release of fish.

52.22 Sec. 54. Minnesota Statutes 2008, section 97C.081, subdivision 6, is amended to read:

52.23 Subd. 6. **Permit application process.** (a) Beginning August 1 each year, the
52.24 commissioner shall accept permit applications for fishing contests to be held in the
52.25 following year.

52.26 (b) If the number of permit applications received by the commissioner from August
52.27 1 through the last Friday in September exceeds the limits specified in subdivisions 7 and 8,
52.28 the commissioner shall notify the affected applicants that their requested locations and
52.29 time period are subject to a drawing. After notification, the commissioner shall allow
52.30 the affected applicants a minimum of seven days to change the location or time period
52.31 requested on their applications, provided that the change is not to a location or time period
52.32 for which applications are already at or above the limits specified in subdivisions 7 and 8.

52.33 (c) After the applicants have been given at least seven days to change their
52.34 applications, the commissioner shall conduct a drawing for all locations and time periods

53.1 for which applications exceed limits. First preference in the drawings shall be given
53.2 to applicants for established or traditional fishing contests, and second preference to
53.3 applicants for contests that are not established as traditional fishing contests based on the
53.4 number of times they have been unsuccessful in previous drawings. Except for applicants
53.5 of established or traditional fishing contests, an applicant who is successful in a drawing
53.6 loses all accumulated preference. "Established or traditional fishing contest" means a
53.7 fishing contest that was issued permits in 1999 and 2000 or was issued permits four out of
53.8 five years from 1996 to 2000 for the same lake and time period. Beginning with 2001,
53.9 established or traditional fishing contests must continue to be conducted at least four out
53.10 of five years for the same lake and time period to remain established or traditional.

53.11 (d) The commissioner has until November 7 to approve or deny permit applications
53.12 that are submitted by 4:30 p.m. on the last Friday in September. The commissioner
53.13 may approve a permit application that is received after 4:30 p.m. on the last Friday
53.14 in September if approving the application would not result in exceeding the limits in
53.15 subdivisions 7 and 8.

53.16 (e) The commissioner shall develop an online Web-based fishing contest permit
53.17 application process.

53.18 Sec. 55. Minnesota Statutes 2008, section 97C.081, subdivision 9, is amended to read:

53.19 Subd. 9. **Permit restrictions.** (a) The commissioner may require fishing contest
53.20 permittees to limit prefishing to week days only as a condition of a fishing contest permit.
53.21 The commissioner may require proof from permittees that prefishing restrictions on the
53.22 permit are communicated to fishing contest participants and enforced.

53.23 (b) The commissioner may require permit restrictions on the hours that a permitted
53.24 fishing contest is conducted, including, but not limited to, starting and ending times.

53.25 (c) The commissioner may require permit restrictions on the number of parking
53.26 spaces that may be used on a state-owned public water access site. The commissioner may
53.27 require proof from permittees that parking restrictions on the permit are communicated to
53.28 fishing contest participants and enforced.

53.29 (d) To prevent undue mortality of released fish, the commissioner may require
53.30 restrictions for off-site weigh-ins and live releases on a fishing contest permit or may deny
53.31 permits requesting an off-site weigh-in or live release. The commissioner may allow for
53.32 live release weigh-ins at public accesses.

53.33 (e) A person may not transfer a fishing contest permit to another person.

53.34 (f) Failure to comply with fishing contest permit restrictions may be considered
53.35 grounds for denial of future permit applications.

54.1 Sec. 56. Minnesota Statutes 2008, section 97C.335, is amended to read:

54.2 **97C.335 USE OF ARTIFICIAL LIGHTS TO TAKE FISH PROHIBITED.**

54.3 (a) A person may not use artificial lights to lure or attract fish or to see fish in the
54.4 water while spearing, except that while angling or spearing, a person may:

54.5 (1) affix a lighted artificial bait with hooks attached to the end of a fishing line; or

54.6 (2) use a lighted decoy for spearing.

54.7 ~~Any~~ (b) A battery that is used in lighted fishing lures ~~cannot~~ must not contain ~~any~~
54.8 ~~intentionally introduced~~ mercury.

54.9 (c) The restrictions in paragraph (a) do not apply to bow fishing.

54.10 Sec. 57. Minnesota Statutes 2008, section 97C.345, subdivision 2, is amended to read:

54.11 Subd. 2. **Possession.** (a) Except as specifically authorized, a person may not possess
54.12 a spear, fish trap, net, dip net, seine, or other device capable of taking fish on or near any
54.13 waters. Possession includes personal possession and in a vehicle.

54.14 (b) A person may possess spears, dip nets, ~~bows and arrows~~, and spear guns allowed
54.15 under section 97C.381 on or near waters between sunrise and sunset from May 1 to the
54.16 last Sunday in February, or as otherwise prescribed by the commissioner.

54.17 Sec. 58. **[97C.346] PROHIBITION ON RETURNING CERTAIN NETTED**
54.18 **ROUGH FISH TO WATERS.**

54.19 A person may not release carp or buffalo taken by netting back into the water.

54.20 Sec. 59. Minnesota Statutes 2008, section 97C.355, subdivision 2, is amended to read:

54.21 Subd. 2. **License required.** A person may not leave a dark house ~~or~~₂ fish house, or
54.22 shelter unattended on the ice at any time between midnight and one hour before sunrise
54.23 unless the house or shelter is licensed and has ~~a~~ the license tag attached to the exterior in a
54.24 readily visible location, except as provided in this subdivision. The commissioner must
54.25 issue a tag with a dark house ~~or~~₂ fish house, or shelter license, marked with a number to
54.26 correspond with the license and the year of issue. A dark house ~~or~~₂ fish house, or shelter
54.27 license is not required of a resident on boundary waters where the adjacent state does not
54.28 charge a fee for the same activity.

54.29 Sec. 60. Minnesota Statutes 2008, section 97C.371, is amended by adding a
54.30 subdivision to read:

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

55.1 Sec. 61. Minnesota Statutes 2008, section 97C.375, is amended to read:

55.2 **97C.375 TAKING ROUGH FISH BY SPEARING ~~OR ARCHERY~~.**

55.3 A resident or nonresident may take rough fish by spearing ~~or archery~~ during the
55.4 times, in waters, and in the manner prescribed by the commissioner.

55.5 Sec. 62. **97C.376] BOW FISHING.**

55.6 Subdivision 1. **Season.** The bow fishing season for residents and nonresidents is
55.7 from May 1 to the last Sunday in February at any time of the day.

55.8 Subd. 2. **Possession of bows and arrows.** A person may possess bows and arrows
55.9 for the purposes of bow fishing on or within 100 feet of waters at any time from May 1 to
55.10 the last Sunday in February, subject to local ordinances. A person must take reasonable
55.11 measures to retrieve arrows and wounded fish.

55.12 Subd. 3. **Nighttime restrictions on motors.** From sunset to sunrise, a person bow
55.13 fishing with the assistance of a gasoline-powered motor must use a four-stroke engine
55.14 powered generator. The noise limits for total noise while bow fishing from sunset to
55.15 sunrise shall not exceed a noise level of 65 decibels on the A scale measured at a distance
55.16 of 50 feet from the motorboat or equivalent noise levels at other distances as specified
55.17 by the commissioner in a pass-by test or 67 decibels on the A scale measured at idle in a
55.18 stationary test at least four feet above the water and at least four feet behind the transom
55.19 of the motorboat being tested. The noise levels under section 86B.321 apply to persons
55.20 traveling to and from bow fishing sites from sunset to sunrise.

55.21 Subd. 4. **Nighttime structure and campground setback requirements.** A person
55.22 shall not discharge an arrow while bow fishing within 150 feet of an occupied structure
55.23 or within 300 feet of a campsite from sunset to sunrise.

55.24 Subd. 5. **Prohibition on returning rough fish to waters.** Rough fish taken by bow
55.25 fishing shall not be returned to the water and rough fish may not be left on the banks
55.26 of any water of the state.

55.27 Sec. 63. Minnesota Statutes 2008, section 97C.395, subdivision 1, is amended to read:

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

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

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

56.1 (3) for the winter season for lake trout on all lakes located outside or partially within
56.2 the Boundary Waters Canoe Area, from January 15 to March 31;

56.3 (4) for the winter season for lake trout on all lakes located entirely within the
56.4 Boundary Waters Canoe Area, from January 1 to March 31;

56.5 (5) for brown trout, brook trout, rainbow trout, and splake, between January 1 to
56.6 October 31 as prescribed by the commissioner by rule except as provided in section
56.7 97C.415, subdivision 2;

56.8 ~~(5)~~ (6) for the winter season for brown trout, brook trout, rainbow trout, and splake
56.9 on all lakes, from January 15 to March 31; and

56.10 ~~(6)~~ (7) for salmon, as prescribed by the commissioner by rule.

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

56.13 Sec. 64. Laws 2008, chapter 368, article 2, section 25, the effective date, is amended to
56.14 read:

56.15 **EFFECTIVE DATE.** The amendments to paragraph (a) are effective March 1,
56.16 ~~2009~~ 2010.

56.17 **EFFECTIVE DATE.** This section is effective retroactively from March 1, 2009.

56.18 Sec. 65. **ELK MANAGEMENT PLAN.**

56.19 Within 180 days of the effective date of this section, the commissioner of natural
56.20 resources shall:

56.21 (1) develop an elk management plan consistent with the requirements under
56.22 Minnesota Statutes, section 97B.516;

56.23 (2) present the elk management plan to the Kittson, Marshall, and Roseau County
56.24 Boards; and

56.25 (3) begin implementing the plan.

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

56.27 Sec. 66. **RULEMAKING.**

56.28 (a) The commissioner of natural resources shall adopt or amend rules to establish
56.29 minimum size limits for muskellunge on inland waters consistent with the provisions
56.30 of this section. The commissioner must:

56.31 (1) establish a 48-inch statewide minimum size restriction for muskellunge and
56.32 muskellunge-northern pike hybrids in inland waters, except for the lakes listed in clause

57.1 (2) that are managed specifically for muskellunge-northern pike hybrids in Carver, Dakota,
57.2 Hennepin, Ramsey, Scott, and Washington Counties; and

57.3 (2) establish a 40-inch minimum size restriction for muskellunge-northern pike
57.4 hybrids in the following lakes in Carver, Dakota, Hennepin, Ramsey, Scott, and
57.5 Washington Counties:

57.6	<u>LAKE</u>	<u>COUNTY</u>
57.7	<u>Bryant</u>	<u>Hennepin</u>
57.8	<u>Bush</u>	<u>Hennepin</u>
57.9	<u>Calhoun</u>	<u>Hennepin</u>
57.10	<u>Cedar</u>	<u>Hennepin</u>
57.11	<u>Cedar</u>	<u>Scott</u>
57.12	<u>Clear</u>	<u>Washington</u>
57.13	<u>Crystal</u>	<u>Dakota</u>
57.14	<u>Crystal</u>	<u>Hennepin</u>
57.15	<u>Eagle</u>	<u>Carver</u>
57.16	<u>Elmo</u>	<u>Washington</u>
57.17	<u>Gervais</u>	<u>Ramsey</u>
57.18	<u>Island</u>	<u>Ramsey</u>
57.19	<u>Isles</u>	<u>Hennepin</u>
57.20	<u>Johanna</u>	<u>Ramsey</u>
57.21	<u>Nokomis</u>	<u>Hennepin</u>
57.22	<u>Orchard</u>	<u>Dakota</u>
57.23	<u>Phalen</u>	<u>Ramsey</u>
57.24	<u>Pierson</u>	<u>Carver</u>
57.25	<u>Silver</u>	<u>Ramsey</u>
57.26	<u>Wasserman</u>	<u>Carver</u>
57.27	<u>Weaver</u>	<u>Hennepin</u>

57.28 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
57.29 section 14.388, subdivision 1, clause (3), to adopt the rules. Minnesota Statutes, section
57.30 14.386, does not apply except as provided in Minnesota Statutes, section 14.388.

58.1 Sec. 67. **TEMPORARY WARNING REQUIREMENTS; SHINING WITHOUT**
58.2 **IMPLEMENTS TO TAKE WILD ANIMALS.**

58.3 A violation prior to August 1, 2010, of Minnesota Statutes, section 97B.081,
58.4 subdivision 2, shall not result in a penalty, but is punishable only by a warning.

58.5 Sec. 68. **ZONE 3 DEER SEASON AND RESTRICTIONS; 2009.**

58.6 For the 2009 deer season, notwithstanding rules of the commissioner of natural
58.7 resources under Minnesota Statutes, section 97B.311, paragraph (a), the commissioner
58.8 shall allow a nine-day early A season in Zone 3 beginning the Saturday nearest November
58.9 6 and a nine-day late B season in Zone 3 beginning the Saturday nearest November 20.
58.10 During the last two days of the 2009 early A season in Zone 3, a person may not take
58.11 antlered deer unless the deer has at least four points on one side, or the person has taken an
58.12 antlerless deer prior to taking the antlered deer during the early A season in Zone 3. Party
58.13 hunting for antlered deer under Minnesota Statutes, section 97B.301, subdivision 3, is not
58.14 allowed in the last two days of the 2009 early A season in Zone 3. Zone 3 is defined in
58.15 Minnesota Rules, part 6232.1400, subpart 3.

58.16 Sec. 69. **APPROPRIATION.**

58.17 \$15,000 in fiscal year 2010 is appropriated from the game and fish fund to the
58.18 commissioner for the development of an on-line fishing contest permit application process.
58.19 This is a onetime appropriation.

58.20 Sec. 70. **LET'S GO FISHING; APPROPRIATION.**

58.21 (a) \$150,000 in fiscal year 2010 and \$150,000 in fiscal year 2011 are appropriated
58.22 from the game and fish fund to the commissioner of natural resources for grants to Let's
58.23 Go Fishing of Minnesota to provide community outreach to senior citizens, youth,
58.24 and veterans and for the costs associated with the establishment and recruitment of
58.25 new chapters. The grants must be matched with cash or in-kind contributions from
58.26 nonstate sources. It is a condition of acceptance of grants under this section that Let's Go
58.27 Fishing of Minnesota must submit a work program and annual progress reports in the
58.28 form and manner determined by the commissioner of natural resources to the house of
58.29 representatives and senate committees having budgetary oversight.

58.30 (b) The work program must include measurable outcomes and a plan for measuring
58.31 and evaluating the results. The measurement and evaluation of outcomes must be
58.32 supported with electronic data, including names of volunteers and guests, served in a
58.33 meaningful format with each reimbursement request. For the purposes of this paragraph,
58.34 "measurable outcomes" mean outcomes, indicators, or other performance measures that

59.1 may be quantified or otherwise measured in order to measure the effectiveness of a project
59.2 or program in meeting its intended goal or purpose.

59.3 (c) This appropriation may not be used to reimburse costs for lobbying or fundraising
59.4 activities. Funds may be used, as approved in the work program, to reimburse salaries
59.5 of individuals assigned responsibility for creating fundraising plans to be followed by
59.6 chapters, but not for direct participation by Let's Go Fishing staff in any fundraising
59.7 activity or costs associated with such activity. Administrative costs of delivering the
59.8 program may not exceed 2.5 percent of the grant.

59.9 (d) All reimbursed costs must comply with the Department of Administration's
59.10 Office of Grant Management policies as described in Minnesota Statutes, section 16B.98.
59.11 Written contracts must be developed for all financial-related activity, such as rent, leases,
59.12 sponsorships, manufacturer, agreements, in excess of \$500 as prescribed in state policy.

59.13 (e) The work program must identify capital expenditures and leases over \$2,000 and
59.14 annual reports must describe the use of that capital equipment throughout its useful life.

59.15 (f) The commissioner must approve the work program before making a grant to Let's
59.16 Go Fishing of Minnesota. This is a onetime appropriation.

59.17 Sec. 71. **REPEALER.**

59.18 Minnesota Statutes 2008, sections 97A.525, subdivision 2; 97B.301, subdivisions 7
59.19 and 8; and 97C.405, are repealed.

ARTICLE 3

STATE LAND ADMINISTRATION

59.22 Section 1. Minnesota Statutes 2008, section 84.0273, is amended to read:

59.23 **84.0273 ESTABLISHMENT OF BOUNDARY LINES RELATING TO** 59.24 **CERTAIN STATE LANDHOLDINGS.**

59.25 (a) In order to resolve boundary line issues affecting the ownership interests of the
59.26 state and adjacent landowners, the commissioner of natural resources may, in the name
59.27 of the state upon terms the commissioner deems appropriate, convey, by a boundary line
59.28 agreement, quitclaim deed, or management agreement in such form as the attorney general
59.29 approves, such rights, titles, and interests of the state in state lands for such rights, titles
59.30 and interests in adjacent lands as are necessary for the purpose of establishing boundaries.
59.31 A notice of the proposed conveyance and a brief statement of the reason therefor shall be
59.32 published once in the State Register by the commissioner between 15 and 30 days prior
59.33 to conveyance. The provisions of this ~~section~~ paragraph are not intended to replace or
59.34 supersede laws relating to land exchange or disposal of surplus state property.

60.1 (b) In order to resolve trespass issues affecting the ownership interests of the state
60.2 and adjacent landowners, the commissioner of natural resources, in the name of the state,
60.3 may sell surplus lands not needed for natural resource purposes at private sale to adjoining
60.4 property owners and leaseholders. The conveyance must be by quitclaim in a form
60.5 approved by the attorney general for a consideration not less than the value determined
60.6 according to section 94.10, subdivision 1.

60.7 (c) Paragraph (b) applies to all state-owned lands managed by the commissioner of
60.8 natural resources, except school trust land as defined in section 92.025. For acquired lands,
60.9 the commissioner may sell the surplus lands as provided in paragraph (b) notwithstanding
60.10 the offering to public entities, public sale, and related notice and publication requirements
60.11 of sections 94.09 to 94.165. For consolidated conservation lands, the commissioner may
60.12 sell the surplus lands as provided in paragraph (b) notwithstanding the classification and
60.13 public sale provisions of chapters 84A and 282.

60.14 Sec. 2. **[84.0277] CAMP RIPLEY BUFFER EASEMENTS.**

60.15 Subdivision 1. **Acquisition authorized.** The commissioner may acquire, from
60.16 willing sellers, perpetual conservation easements on behalf of the state and federal
60.17 government consistent with Camp Ripley's Army compatible use buffer project. This
60.18 project is geographically defined as a three-mile zone around Camp Ripley in central
60.19 Minnesota.

60.20 Subd. 2. **Payments; terms.** Notwithstanding sections 84.0272, subdivision 1,
60.21 and 84.0274, subdivision 5, paragraph (b), the commissioner may make payments to a
60.22 landowner under this subdivision to acquire a perpetual conservation easement according
60.23 to subdivision 1. The onetime payment may be based on the following:

60.24 (1) if the easement prohibits the construction of any new buildings or permanent
60.25 structures upon the land, the commissioner may pay 60 percent of the most recent assessed
60.26 market value of the land as determined by the county assessor of the county in which the
60.27 land is located; or

60.28 (2) if the easement prohibits the construction of any new buildings or permanent
60.29 structures upon the land and grants the public the right to access the land for natural
60.30 resource-based outdoor recreation, the commissioner may pay 70 percent of the most
60.31 recent assessed market value of the land as determined by the county assessor of the
60.32 county in which the land is located.

60.33 Sec. 3. Minnesota Statutes 2008, section 85.0115, is amended to read:

60.34 **85.0115 NOTICE OF ADDITIONS AND DELETIONS.**

61.1 (a) The commissioner of natural resources shall publish a notice and description of
61.2 proposed additions to and deletions from legislatively designated boundaries of state parks
61.3 in a legal newspaper of general circulation in each county that is affected, and shall mail a
61.4 copy of such notice and description to the chair of the affected county board or boards
61.5 and to each affected landowner.

61.6 (b) When an addition to a legislatively designated boundary of a state park is
61.7 proposed, the affected county board or boards or an affected city or township board may
61.8 petition the commissioner of natural resources to attend a public hearing to discuss the
61.9 proposed addition. The petition must be signed by the majority of the board members and
61.10 include the time, date, and reason for the hearing, and be submitted to the commissioner
61.11 of natural resources 30 days prior to the public hearing. The commissioner of natural
61.12 resources or the commissioner's designee shall attend the public hearing when petitioned
61.13 under this section.

61.14 Sec. 4. Minnesota Statutes 2008, section 85.015, subdivision 13, is amended to read:

61.15 Subd. 13. **Arrowhead Region Trails, in Cook, Lake, St. Louis, Pine, Carlton,**
61.16 **Koochiching, and Itasca Counties.** (a)(1) The Taconite Trail shall originate at Ely in St.
61.17 Louis County and extend southwesterly to Tower in St. Louis County, thence westerly to
61.18 McCarthy Beach State Park in St. Louis County, thence southwesterly to Grand Rapids in
61.19 Itasca County and there terminate;

61.20 (2) The ~~Northshore~~ C. J. Ramstad/Northshore Trail shall originate in Duluth in
61.21 St. Louis County and extend northeasterly to Two Harbors in Lake County, thence
61.22 northeasterly to Grand Marais in Cook County, thence northeasterly to the international
61.23 boundary in the vicinity of the north shore of Lake Superior, and there terminate;

61.24 (3) The Grand Marais to International Falls Trail shall originate in Grand Marais
61.25 in Cook County and extend northwesterly, outside of the Boundary Waters Canoe Area,
61.26 to Ely in St. Louis County, thence southwesterly along the route of the Taconite Trail to
61.27 Tower in St. Louis County, thence northwesterly through the Pelican Lake area in St.
61.28 Louis County to International Falls in Koochiching County, and there terminate.

61.29 (b) The trails shall be developed primarily for riding and hiking.

61.30 (c) In addition to the authority granted in subdivision 1, lands and interests in lands
61.31 for the Arrowhead Region trails may be acquired by eminent domain. Before acquiring
61.32 any land or interest in land by eminent domain the commissioner of administration shall
61.33 obtain the approval of the governor. The governor shall consult with the Legislative
61.34 Advisory Commission before granting approval. Recommendations of the Legislative

62.1 Advisory Commission shall be advisory only. Failure or refusal of the commission to
62.2 make a recommendation shall be deemed a negative recommendation.

62.3 Sec. 5. Minnesota Statutes 2008, section 103F.321, is amended by adding a subdivision
62.4 to read:

62.5 Subd. 3. **Home-based business; conditional use.** A local unit of government may
62.6 issue a conditional use permit in a wild and scenic river district designated pursuant to
62.7 sections 103F.301 to 103F.351 to a home-based business that:

62.8 (1) is located on property that includes the primary residence of the business owner;

62.9 (2) is conducted within the primary residence or residential accessory structure
62.10 and the residence and accessory structures were constructed prior to the effective date
62.11 of this section;

62.12 (3) does not necessitate creation of additional impervious surface for vehicular
62.13 parking on the property;

62.14 (4) satisfies all other requirements in a conditional use permit issued by the local
62.15 unit of government; and

62.16 (5) satisfies all other state and local requirements applicable to the type of business.

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

62.18 Sec. 6. Minnesota Statutes 2008, section 282.04, subdivision 1, is amended to read:

62.19 Subdivision 1. **Timber sales; land leases and uses.** (a) The county auditor may
62.20 sell timber upon any tract that may be approved by the natural resources commissioner.
62.21 The sale of timber shall be made for cash at not less than the appraised value determined
62.22 by the county board to the highest bidder after not less than one week's published notice
62.23 in an official paper within the county. Any timber offered at the public sale and not sold
62.24 may thereafter be sold at private sale by the county auditor at not less than the appraised
62.25 value thereof, until the time as the county board may withdraw the timber from sale. The
62.26 appraised value of the timber and the forestry practices to be followed in the cutting of
62.27 said timber shall be approved by the commissioner of natural resources.

62.28 (b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be
62.29 made in cash at the time of the timber sale, except in the case of oral or sealed bid auction
62.30 sales, the down payment shall be no less than 15 percent of the appraised value, and the
62.31 balance shall be paid prior to entry. In the case of auction sales that are partitioned and
62.32 sold as a single sale with predetermined cutting blocks, the down payment shall be no less
62.33 than 15 percent of the appraised price of the entire timber sale which may be held until the
62.34 satisfactory completion of the sale or applied in whole or in part to the final cutting block.

63.1 The value of each separate block must be paid in full before any cutting may begin in that
63.2 block. With the permission of the county contract administrator the purchaser may enter
63.3 unpaid blocks and cut necessary timber incidental to developing logging roads as may
63.4 be needed to log other blocks provided that no timber may be removed from an unpaid
63.5 block until separately scaled and paid for. If payment is provided as specified in this
63.6 paragraph as security under paragraph (a) and no cutting has taken place on the contract,
63.7 the county auditor may credit the security provided, less any down payment required for
63.8 an auction sale under this paragraph, to any other contract issued to the contract holder
63.9 by the county under this chapter to which the contract holder requests in writing that it
63.10 be credited, provided the request and transfer is made within the same calendar year as
63.11 the security was received.

63.12 (c) The county board may sell any timber, including biomass, as appraised or scaled.
63.13 Any parcels of land from which timber is to be sold by scale of cut products shall be so
63.14 designated in the published notice of sale under paragraph (a), in which case the notice
63.15 shall contain a description of the parcels, a statement of the estimated quantity of each
63.16 species of timber, and the appraised price of each species of timber for 1,000 feet, per cord
63.17 or per piece, as the case may be. In those cases any bids offered over and above the
63.18 appraised prices shall be by percentage, the percent bid to be added to the appraised price
63.19 of each of the different species of timber advertised on the land. The purchaser of timber
63.20 from the parcels shall pay in cash at the time of sale at the rate bid for all of the timber
63.21 shown in the notice of sale as estimated to be standing on the land, and in addition shall
63.22 pay at the same rate for any additional amounts which the final scale shows to have been
63.23 cut or was available for cutting on the land at the time of sale under the terms of the sale.
63.24 Where the final scale of cut products shows that less timber was cut or was available
63.25 for cutting under terms of the sale than was originally paid for, the excess payment
63.26 shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be
63.27 audited and allowed by the county board as in case of other claims against the county. No
63.28 timber, except hardwood pulpwood, may be removed from the parcels of land or other
63.29 designated landings until scaled by a person or persons designated by the county board
63.30 and approved by the commissioner of natural resources. Landings other than the parcel
63.31 of land from which timber is cut may be designated for scaling by the county board by
63.32 written agreement with the purchaser of the timber. The county board may, by written
63.33 agreement with the purchaser and with a consumer designated by the purchaser when the
63.34 timber is sold by the county auditor, and with the approval of the commissioner of natural
63.35 resources, accept the consumer's scale of cut products delivered at the consumer's landing.
63.36 No timber shall be removed until fully paid for in cash. Small amounts of timber not

64.1 exceeding \$3,000 in appraised valuation may be sold for not less than the full appraised
64.2 value at private sale to individual persons without first publishing notice of sale or calling
64.3 for bids, provided that in case of a sale involving a total appraised value of more than \$200
64.4 the sale shall be made subject to final settlement on the basis of a scale of cut products in
64.5 the manner above provided and not more than two of the sales, directly or indirectly to any
64.6 individual shall be in effect at one time.

64.7 (d) As directed by the county board, the county auditor may lease tax-forfeited land
64.8 to individuals, corporations or organized subdivisions of the state at public or private sale,
64.9 and at the prices and under the terms as the county board may prescribe, for use as cottage
64.10 and camp sites and for agricultural purposes and for the purpose of taking and removing of
64.11 hay, stumpage, sand, gravel, clay, rock, marl, and black dirt from the land, and for garden
64.12 sites and other temporary uses provided that no leases shall be for a period to exceed ten
64.13 years; provided, further that any leases involving a consideration of more than \$12,000 per
64.14 year, except to an organized subdivision of the state shall first be offered at public sale in
64.15 the manner provided herein for sale of timber. Upon the sale of any leased land, it shall
64.16 remain subject to the lease for not to exceed one year from the beginning of the term of the
64.17 lease. Any rent paid by the lessee for the portion of the term cut off by the cancellation
64.18 shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be
64.19 audited and allowed by the county board as in case of other claims against the county.

64.20 (e) As directed by the county board, the county auditor may lease tax-forfeited land
64.21 to individuals, corporations, or organized subdivisions of the state at public or private sale,
64.22 at the prices and under the terms as the county board may prescribe, for the purpose
64.23 of taking and removing for use for road construction and other purposes tax-forfeited
64.24 stockpiled iron-bearing material. The county auditor must determine that the material is
64.25 needed and suitable for use in the construction or maintenance of a road, tailings basin,
64.26 settling basin, dike, dam, bank fill, or other works on public or private property, and
64.27 that the use would be in the best interests of the public. No lease shall exceed ten years.
64.28 The use of a stockpile for these purposes must first be approved by the commissioner of
64.29 natural resources. The request shall be deemed approved unless the requesting county
64.30 is notified to the contrary by the commissioner of natural resources within six months
64.31 after receipt of a request for approval for use of a stockpile. Once use of a stockpile has
64.32 been approved, the county may continue to lease it for these purposes until approval is
64.33 withdrawn by the commissioner of natural resources.

64.34 (f) The county auditor, with the approval of the county board is authorized to grant
64.35 permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores,
64.36 tailings, or waste products from mines or ore milling plants, or to use for facilities needed

65.1 to recover iron-bearing oxides from tailings basins or stockpiles, or for a buffer area needed
65.2 for a mining operation, upon the conditions and for the consideration and for the period
65.3 of time, not exceeding ~~15~~ 25 years, as the county board may determine. The permits,
65.4 licenses, or leases are subject to approval by the commissioner of natural resources.

65.5 (g) Any person who removes any timber from tax-forfeited land before said
65.6 timber has been scaled and fully paid for as provided in this subdivision is guilty of a
65.7 misdemeanor.

65.8 (h) The county auditor may, with the approval of the county board, and without first
65.9 offering at public sale, grant leases, for a term not exceeding 25 years, for the removal
65.10 of peat and for the production or removal of farm-grown closed-loop biomass as defined
65.11 in section 216B.2424, subdivision 1, or short-rotation woody crops from tax-forfeited
65.12 lands upon the terms and conditions as the county board may prescribe. Any lease for
65.13 the removal of peat, farm-grown closed-loop biomass, or short-rotation woody crops
65.14 from tax-forfeited lands must first be reviewed and approved by the commissioner of
65.15 natural resources if the lease covers 320 or more acres. No lease for the removal of
65.16 peat, farm-grown closed-loop biomass, or short-rotation woody crops shall be made by
65.17 the county auditor pursuant to this section without first holding a public hearing on the
65.18 auditor's intention to lease. One printed notice in a legal newspaper in the county at least
65.19 ten days before the hearing, and posted notice in the courthouse at least 20 days before
65.20 the hearing shall be given of the hearing.

65.21 (i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis
65.22 County auditor may, at the discretion of the county board, sell timber to the party who
65.23 bids the highest price for all the several kinds of timber, as provided for sales by the
65.24 commissioner of natural resources under section 90.14. Bids offered over and above the
65.25 appraised price need not be applied proportionately to the appraised price of each of
65.26 the different species of timber.

65.27 (j) In lieu of any payment or deposit required in paragraph (b), as directed by the
65.28 county board and under terms set by the county board, the county auditor may accept an
65.29 irrevocable bank letter of credit in the amount equal to the amount otherwise determined
65.30 in paragraph (b). If an irrevocable bank letter of credit is provided under this paragraph,
65.31 at the written request of the purchaser, the county may periodically allow the bank letter
65.32 of credit to be reduced by an amount proportionate to the value of timber that has been
65.33 harvested and for which the county has received payment. The remaining amount of
65.34 the bank letter of credit after a reduction under this paragraph must not be less than 20
65.35 percent of the value of the timber purchased. If an irrevocable bank letter of credit or
65.36 cash deposit is provided for the down payment required in paragraph (b), and no cutting

66.1 of timber has taken place on the contract for which a letter of credit has been provided,
66.2 the county may allow the transfer of the letter of credit to any other contract issued to the
66.3 contract holder by the county under this chapter to which the contract holder requests in
66.4 writing that it be credited.

66.5 Sec. 7. Laws 1996, chapter 407, section 32, subdivision 3, is amended to read:

66.6 Subd. 3. **Acquisition and management.** The commissioner of natural resources is
66.7 authorized to acquire by gift, lease, or purchase the lands for the Iron Range off-highway
66.8 vehicle recreation area. Any lease with local government units shall be for at least ten
66.9 years and may be paid up front at the request of either party. The commissioner shall
66.10 manage the unit as a state recreation area as provided by Minnesota Statutes, section
66.11 86A.05, subdivision 3. The commissioner or the commissioner's designee in the trails and
66.12 waterways division of the department of natural resources shall develop and manage the
66.13 area for off-highway vehicle recreational use.

66.14 Sec. 8. Laws 2008, chapter 368, article 1, section 21, subdivision 4, is amended to read:

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

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

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

66.21 (3) that part of Government Lot 6 ~~and~~ that part of Government Lot 7, and that part
66.22 of Government Lot 8 of Section 6, Township 107 North, Range 40 West, and that part of
66.23 Government Lot 1 and that part of Government Lot 2 of Section 7, Township 107 North,
66.24 Range 40 West, Murray County, Minnesota, described as follows:

66.25 Commencing at the East Quarter Corner of said Section 6; thence on a bearing based
66.26 on the 1983 Murray County Coordinate System (1996 Adjustment), of South 00 degrees
66.27 ~~22 minutes 05 seconds East 1405.16~~ 17 minutes 23 seconds East 1247.75 feet along the
66.28 east line of said Section 6; thence ~~North 89 degrees 07 minutes 01 second West 1942.39~~
66.29 South 88 degrees 39 minutes 00 seconds West 1942.74 feet; thence South 03 degrees 33
66.30 minutes 00 seconds West 94.92 feet to the northeast corner of Block 5 of FORMAN
66.31 ACRES, according to the recorded plat thereof on file and of record in the Murray County
66.32 Recorder's Office; thence South 14 degrees 34 minutes 00 seconds West 525.30 feet along
66.33 the easterly line of said Block 5 and along the easterly line of the Private Roadway of
66.34 FORMAN ACRES to the southeasterly corner of said Private Roadway and the POINT

67.1 OF BEGINNING; thence North 82 degrees 15 minutes 00 seconds West 796.30 feet along
67.2 the southerly line of said Private Roadway to an angle point on said line and an existing
67.3 1/2 inch diameter rebar; thence South 64 degrees 28 minutes 26 seconds West 100.06
67.4 feet along the southerly line of said Private Roadway to an angle point on said line and
67.5 an existing 1/2 inch diameter rebar; thence South 33 degrees 01 minute 32 seconds West
67.6 279.60 feet along the southerly line of said Private Roadway to an angle point on said line;
67.7 thence South 76 degrees 04 minutes 52 seconds West 766.53 feet along the southerly line
67.8 of said Private Roadway to a 3/4 inch diameter rebar with a plastic cap stamped "MN DNR
67.9 LS 17003" (DNR MON); thence South 16 degrees 24 minutes 50 seconds West 470.40
67.10 feet to a DNR MON; thence South 24 degrees 09 minutes 57 seconds West 262.69 feet to
67.11 a DNR MON; thence South 08 degrees 07 minutes 09 seconds West 332.26 feet to a DNR
67.12 MON; thence North 51 degrees 40 minutes 02 seconds West 341.79 feet to the east line of
67.13 Lot A of Lot 1 of LOT A OF GOV. LOT 8, OF SEC. 6 AND LOT A OF GOV. LOT 1, OF
67.14 SEC 7 TP. 107 RANGE 40, according to the recorded plat thereof on file and of record
67.15 in the Murray County Recorder's Office and a DNR MON; thence South 14 degrees 28
67.16 minutes 55 seconds West 71.98 feet along the east line of said Lot A to the northerly most
67.17 corner of Lot 36 of HUDSON ACRES, according to the record plat thereof on file and of
67.18 record in the Murray County Recorder's Office and an existing steel fence post; thence
67.19 South 51 degrees 37 minutes 05 seconds East 418.97 feet along the northeasterly line of
67.20 said Lot 36 and along the northeasterly line of Lots 35, 34, 33, 32 of HUDSON ACRES to
67.21 an existing 1 inch inside diameter iron pipe marking the easterly most corner of Lot 32
67.22 and the most northerly corner of Lot 31A of HUDSON ACRES; thence South 48 degrees
67.23 33 minutes 10 seconds East 298.26 feet along the northeasterly line of said Lot 31A to an
67.24 existing 1 1/2 inch inside diameter iron pipe marking the easterly most corner thereof and
67.25 the most northerly corner of Lot 31 of HUDSON ACRES; thence South 33 degrees 53
67.26 minutes 30 seconds East 224.96 feet along the northeasterly line of said Lot 31 and along
67.27 the northeasterly line of Lots 30 and 29 of HUDSON ACRES to an existing 1 1/2 inch
67.28 inside diameter iron pipe marking the easterly most corner of said Lot 29 and the most
67.29 northerly corner of Lot 28 of ~~HUDSONS~~ HUDSON ACRES; thence South 45 degrees 23
67.30 minutes 54 seconds East 375.07 feet along the northeasterly line of said Lot 28 and along
67.31 the northeasterly line of Lots 27, 26, 25, 24 of HUDSON ACRES to an existing 1 1/2 inch
67.32 inside diameter iron pipe marking the easterly most corner of said Lot 24 and the most
67.33 northerly corner of Lot 23 of HUDSON ACRES; thence South 64 degrees 39 minutes
67.34 53 seconds East 226.80 feet along the northeasterly line of said Lot 23 and along the
67.35 northeasterly line of Lots 22 and 21 of HUDSON ACRES to an existing 1 1/2 inch inside
67.36 diameter iron pipe marking the easterly most corner of said Lot 21 and the most northerly

68.1 corner of Lot 20 of HUDSON ACRES; thence South 39 degrees 49 minutes 49 seconds
68.2 East 524.75 feet along the northeasterly line of said Lot 20 and along the northeasterly
68.3 line of Lots 19, 18, 17, 16, 15, 14 of HUDSON ACRES to an existing 1 1/2 inch inside
68.4 diameter iron pipe marking the easterly most corner of said Lot 14 and the most northerly
68.5 corner of Lot 13 of HUDSON ACRES; thence South 55 degrees 31 minutes 43 seconds
68.6 East 225.11 feet along the northeasterly line of said Lot 13 and along the northeasterly
68.7 line of Lots 12 and 11 of HUDSON ACRES to an existing 1 1/2 inch inside diameter iron
68.8 pipe marking the easterly most corner of said Lot 11 and the northwest corner of Lot 10
68.9 of HUDSON ACRES; thence South 88 degrees 03 minutes 49 seconds East 224.90 feet
68.10 along the north line of said Lot 10 and along the north line of Lots 9 and 8 of HUDSON
68.11 ACRES to an existing 1 1/2 inch inside diameter iron pipe marking the northeast corner
68.12 of said Lot 8 and the northwest corner of Lot 7 of HUDSON ACRES; thence North 84
68.13 degrees 07 minutes 37 seconds East 525.01 feet along the north line of said Lot 7 and
68.14 along the north line of Lots 6, 5, 4, 3, 2, 1 of HUDSON ACRES to an existing 1 1/2 inch
68.15 inside diameter iron pipe marking the northeast corner of said Lot 1 of HUDSON ACRES;
68.16 thence southeasterly, easterly and northerly along a non-tangential curve concave to the
68.17 north having a radius of 50.00 feet, central angle 138 degrees ~~41 minutes 58 seconds~~ 42
68.18 minutes 00 seconds, a distance of 121.04 feet, chord bears North 63 degrees 30 minutes 12
68.19 seconds East; thence continuing northwesterly and westerly along the previously described
68.20 curve concave to the south having a radius of 50.00 feet, central angle 138 degrees 42
68.21 minutes 00 seconds, a distance of 121.04 feet, chord bears North 75 degrees 11 minutes 47
68.22 seconds West and a DNR MON; thence South 84 degrees 09 minutes 13 seconds West not
68.23 tangent to said curve 520.52 feet to a DNR MON; thence North 88 degrees 07 minutes 40
68.24 seconds West 201.13 feet to a DNR MON; thence North 55 degrees 32 minutes 12 seconds
68.25 West 196.66 feet to a DNR MON; thence North 39 degrees 49 minutes 59 seconds West
68.26 530.34 feet to a DNR MON; thence North 64 degrees 41 minutes 41 seconds West 230.01
68.27 feet to a DNR MON; thence North 45 degrees 23 minutes 00 seconds West 357.33 feet to
68.28 a DNR MON; thence North 33 degrees 53 minutes ~~32~~ 30 seconds West 226.66 feet to a
68.29 DNR MON; thence North 48 degrees 30 minutes 31 seconds West 341.45 feet to a DNR
68.30 MON; thence North 08 degrees 07 minutes 09 seconds East 359.28 feet to a DNR MON;
68.31 thence North 24 degrees 09 minutes ~~58~~ 57 seconds East 257.86 feet to a DNR MON;
68.32 thence North 16 degrees 24 minutes 50 seconds East 483.36 feet to a DNR MON; thence
68.33 North 76 degrees 04 minutes ~~53~~ 52 seconds East 715.53 feet to a DNR MON; thence
68.34 North 33 degrees 01 minute 32 seconds East 282.54 feet to a DNR MON; thence North
68.35 64 degrees 28 minutes ~~25~~ 26 seconds East 84.97 feet to a DNR MON; thence South 82

69.1 degrees 15 minutes 00 seconds East 788.53 feet to a DNR MON; thence North 07 degrees
69.2 45 minutes 07 seconds East 26.00 feet to the point of beginning; containing 7.55 acres.

69.3 Sec. 9. Laws 2008, chapter 368, article 1, section 21, subdivision 5, is amended to read:

69.4 Subd. 5. **[85.012] [Subd. 44a.] Moose Lake State Park, Carlton County.** The
69.5 following areas are deleted from Moose Lake State Park, all in Township 46 North, Range
69.6 19 West, Carlton County:

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

69.9 (2) Parcel B: the West 660.00 feet of the Northwest Quarter of the Southeast Quarter
69.10 of Section 28 lying northerly of a line 75.00 feet northerly of and parallel with the
69.11 centerline of State Trunk Highway 73, and subject to a taking for highway purposes of a
69.12 100.00-foot wide strip for access and also subject to highway and road easements;

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

69.19 (4) Parcel G: that part of Government Lot \pm 2 of Section 28, which lies northerly
69.20 of the westerly extension of the northerly line of the Southwest Quarter of the Northeast
69.21 Quarter of said Section 28, and southerly of the westerly extension of the northerly line of
69.22 the South 660.00 feet of the Northwest Quarter of the Northeast Quarter of said Section 28;

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

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

69.27 (7) Parcel J: that part of the North One-Half of the Southeast Quarter of Section 28,
69.28 described as follows: Commencing at the northwest corner of said North One-Half of the
69.29 Southeast Quarter; thence South 89 degrees 57 minutes 36 seconds East along the north
69.30 line of said North One-Half of the Southeast Quarter a distance of 660.01 feet to the east
69.31 line of the West 660.00 feet of said North One-Half of the Southeast Quarter and the actual
69.32 point of beginning; thence continue South 89 degrees 57 minutes 36 seconds East along
69.33 the north line of said North One-Half of the Southeast Quarter a distance of 657.40 feet to
69.34 the southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 28;
69.35 thence South 00 degrees 19 minutes 17 seconds West, parallel to the west line of said North

70.1 One-Half of the Southeast Quarter a distance of 715.12 feet to the westerly right-of-way
 70.2 of US Interstate Highway 35; thence along said westerly right-of-way of US Interstate
 70.3 Highway 35 a distance of 457.86 feet on a nontangential curve, concave to the southeast,
 70.4 having a radius of 1,054.93 feet, a central angle of 24 degrees 52 minutes 03 seconds, and
 70.5 a chord bearing of South 39 degrees 00 minutes 37 seconds West; thence South 46 degrees
 70.6 44 minutes 11 seconds West along said westerly right-of-way of US Interstate Highway 35
 70.7 a distance of 295.30 feet to the northerly right-of-way of Minnesota Trunk Highway 73;
 70.8 thence 163.55 feet along said northerly right-of-way of Minnesota Trunk Highway 73 on
 70.9 a nontangential curve, concave to the south, having a radius of 1,984.88 feet, a central
 70.10 angle of 4 degrees 43 minutes 16 seconds, and a chord bearing of South 77 degrees 39
 70.11 minutes 40 seconds West to the east line of the West 660.00 feet of said North One-Half of
 70.12 the Southeast Quarter; thence North 00 degrees 19 minutes 17 seconds East a distance of
 70.13 1,305.90 feet, more or less, to the point of beginning and there terminating.

70.14 Sec. 10. **ADDITIONS TO STATE PARKS.**

70.15 **Subdivision 1. [85.012] [Subd. 18.] Fort Snelling State Park, Ramsey, Hennepin**
 70.16 **and Dakota Counties.** The following area is added to Fort Snelling State Park, Hennepin
 70.17 County: that part of Section 20, Township 29 North, Range 23 West, described as follows:
 70.18 From monument number 2, located on the westerly extension of the south boundary
 70.19 of the U.S. Department of the Interior, Bureau of Mines; thence South 89 degrees 52
 70.20 minutes 00 seconds East along said south boundary of the Bureau of Mines, 478.97 feet to
 70.21 reference point 1 on the easterly right-of-line of Trunk Highway No. 55 and the point of
 70.22 beginning; thence South 48 degrees 48 minutes 53 seconds East, 458.74 feet along the
 70.23 easterly right-of-way line of said Trunk Highway No. 55; thence North 23 degrees 48
 70.24 minutes 00 seconds East, 329.00 feet to the south boundary of the Bureau of Mines; thence
 70.25 North 89 degrees 52 minutes 00 seconds West, 478.07 feet along said south boundary of
 70.26 the Bureau of Mines to the point of beginning.

70.27 **Subd. 2. [85.012] [Subd. 42.] Mille Lacs Kathio State Park, Mille Lacs County.**

70.28 The following areas are added to Mille Lacs Kathio State Park, Mille Lacs County:

70.29 (1) Government Lot 4 of the Northwest Quarter of the Northwest Quarter; all
 70.30 in Section 25, Township 42, Range 27, less a tract to highway described as follows:
 70.31 Commencing at a point approximately 270.0 feet East of the southwest corner of
 70.32 Government Lot 4, Section 25, Township 42 North, Range 27 West, Engineers Station
 70.33 71+00; thence North 26 degrees 56 minutes West to the west line of Section 25 at
 70.34 Engineers Station 77+07.4 a distance of 607.4 feet and there terminating. The above
 70.35 describes the center line of an 82.5-foot right-of-way for the reconstruction of County

71.1 State-Aid Highway No. 26 and contains 0.23 acres in addition to the present 66-foot
71.2 right-of-way, Mille Lacs County, Minnesota;
71.3 (2) Government Lot 5, Section 25, Township 42, Range 27;
71.4 (3) that part of Government Lot 1, Section 26, Township 42 North, Range 27
71.5 West, Mille Lacs County, Minnesota, EXCEPT that part of Government Lot 1, Section
71.6 26, Township 42 North, Range 27 West, Mille Lacs County, Minnesota, described as
71.7 follows: Beginning at the northeast corner of said Government Lot 1; thence North 89
71.8 degrees 09 minutes 54 seconds West, bearing based on Mille Lacs County Coordinate
71.9 System, along the north line of said Government Lot 1 a distance of 665.82 feet to a
71.10 3/4 inch iron rod with survey cap stamped "MN DNR LS 16098" (DNR monument);
71.11 thence South 00 degrees 00 minutes 00 seconds West a distance of 241.73 feet to a DNR
71.12 monument; thence continuing South 00 degrees 00 minutes 00 seconds West a distance of
71.13 42.18 feet to a P.K. nail in the centerline of County Road 26; thence southeasterly along
71.14 the centerline of County Road 26 a distance of 860 feet, more or less, to the east line of
71.15 said Government Lot 1; thence North 00 degrees 22 minutes 38 seconds East along the
71.16 east line of said Government Lot 1 a distance of 763 feet, more or less, to the point of
71.17 beginning, containing 6.6 acres, more or less. AND EXCEPT, that part of Government
71.18 Lot 1, Section 26, Township 42 North, Range 27 West, described as follows: Commencing
71.19 at a point where the west line of the Northwest Quarter of the Northwest Quarter, Section
71.20 25, Township 42, Range 27, intersects the meander line of lake commonly known and
71.21 designated as "Warren Lake"; thence North along the west line of said forty a distance
71.22 of 20 rods; thence West at right angles to the meander line of said Warren Lake; thence
71.23 in a southeasterly direction to the point of beginning; and
71.24 (4) Government Lot 2, Section 26, Township 42 North, Range 27 West, Mille Lacs
71.25 County, Minnesota.

71.26 Sec. 11. **DELETIONS FROM STATE PARKS.**

71.27 **Subdivision 1. [85.012] [Subd. 21.] Lake Bemidji State Park, Beltrami County.**
71.28 The following area is deleted from Lake Bemidji State Park, all in Beltrami County: that
71.29 part of Government Lot 5, Section 24, Township 147 North, Range 33 West, Beltrami
71.30 County, Minnesota described as follows: Commencing at the most easterly corner of Lot
71.31 2, Block 1, Shady Cove, according to the recorded plat thereof; thence northeasterly
71.32 along the northeasterly extension of the line between Lots 1 and 2, Block 1 in said plat,
71.33 a distance of 66.00 feet, to the point of beginning of the land to be described; thence
71.34 continuing along last described course a distance of 150.00 feet; thence deflecting to the
71.35 left 90 degrees 00 minutes 00 seconds, a distance of 607.70 feet; thence westerly along a

72.1 line perpendicular to the westerly boundary of said Government Lot 5 to the west line of
72.2 said Government Lot 5; thence South along the westerly boundary of said Government
72.3 Lot 5 to intersect a line 66.00 feet northeasterly of, as measured at a right angle to and
72.4 parallel with the northeasterly line of Block 1, said Shady Cove; thence southeasterly
72.5 along said parallel line to the point of beginning.

72.6 Subd. 2. [85.012] [Subd. 24a.] Great River Bluffs State Park, Winona County.

72.7 The following areas are deleted from Great River Bluffs State Park, Winona County:

72.8 (1) beginning at a point 200 feet West from the southeast corner of Lot 2, Section 26,
72.9 Township 106 North, Range 5 West; thence West on lot line between Lots 2 and 3, 380
72.10 feet; thence North 58 degrees East, 320 feet; thence South 32 degrees East, 205 feet to
72.11 place of beginning, containing 85/100 of an acre, more or less, Winona County, Minnesota;

72.12 (2) commencing at a point 200 feet West from the northeast corner of Lot 3, Section
72.13 26, Township 106 North, Range 5 West; thence South 33 degrees East 300 feet; thence
72.14 South 58 degrees West 290 feet; thence North 32 degrees West, 490 feet to the lot line
72.15 between Lots 2 and 3; thence East 350 feet to the place of beginning, containing 3 acres,
72.16 more or less, Winona County, Minnesota;

72.17 (3) that part of the recorded plat of East Richmond, Winona County, Minnesota,
72.18 lying within Section 27, Township 106 North, Range 5 West, that lies northwesterly of the
72.19 southeasterly line of Jefferson Street, as dedicated in said plat and that lies southwesterly
72.20 of the southwesterly right-of-way line of U.S. Highway No. 61;

72.21 (4) Lots 7 and 8, Block B, of Fern Glen Acres, the same being located upon and
72.22 forming a part of Government Lot 1, Section 35; Lot 9 in Block B of Fern Glen Acres,
72.23 township of Richmond, according to the recorded plat thereof; beginning at the southeast
72.24 corner of Lot 9, Block B, Fern Glen Acres, South 33 degrees East 140 feet; thence South
72.25 70 degrees West 208 feet; thence North 33 degrees West 140 feet to the southwest line of
72.26 Lot 9, Block B, Fern Glen Acres; thence North 57 degrees East on the southwest line of
72.27 Lot 9, Block B, Fern Glen Acres, to place of beginning, all in Government Lot 1, Section
72.28 35, Township 106 North, Range 5 West, containing 3/4 acre more or less;

72.29 (5) that part of Government Lot 1, Section 35, Township 106, Range 5, Winona
72.30 County, Minnesota, which is more particularly bounded and described as follows, to wit:
72.31 Commencing at the southwest corner of Lot 9 of Block "B" of the Plat of Fern Glen Acres;
72.32 thence in a northeasterly direction and along the southerly line of said Lot 9 for a distance
72.33 of 36.0 feet; thence deflect to the right 90 degrees 00 minutes, for a distance of 107.81 feet
72.34 to an iron pipe which marks the point of beginning; thence continue in a southeasterly
72.35 direction along the last described course for a distance of 73.78 feet; thence deflect to
72.36 the left 9 degrees 04 minutes, for a distance of 32.62 feet; thence deflect to the right 90

73.1 degrees 00 minutes, for a distance of 73.23 feet; thence deflect to the right 89 degrees 20
 73.2 minutes, for a distance of 104.04 feet; thence deflect to the right 9 degrees 44 minutes, for
 73.3 a distance of 35.00 feet; thence deflect to the right 90 degrees 00 minutes, for a distance of
 73.4 64.75 feet; thence deflect to the right on a curve (Delta angle 90 degrees 00 minutes, radius
 73.5 20.00 minutes) for an arc distance of 31.42 feet, more or less, to the point of beginning;

73.6 (6) that part of Government Lot 1, Section 35, Township 106, Range 5, Winona
 73.7 County, Minnesota, which is more particularly bounded and described as follows:
 73.8 Commencing at the southwest corner of Lot 9 of Block "B" of Fern Glen Acres; thence in
 73.9 a northeasterly direction along the southerly line of said Lot 9, a distance of 56.00 feet;
 73.10 thence at a deflection angle to the right of 90 degrees 00 minutes a distance of 180.00 feet
 73.11 to an iron pipe monument which marks the point of beginning; thence at a deflection angle
 73.12 to the left of 80 degrees 56 minutes 00 seconds a distance of 113.20 feet to the southerly
 73.13 right-of-way of U.S. Highway No. 61; thence at a deflection angle to the right of 84
 73.14 degrees 18 minutes 00 seconds and southeasterly along the southerly right-of-way line of
 73.15 said U.S. Highway No. 61 a distance of 147.73 feet; thence at a deflection angle to the
 73.16 right of 87 degrees 12 minutes 30 seconds a distance of 193.87 feet; thence at a deflection
 73.17 angle to the right of 88 degrees 45 minutes 30 seconds a distance of 132.18 feet; thence at
 73.18 a deflection angle to the right of 90 degrees 40 minutes 00 seconds a distance of 93.23
 73.19 feet; thence at a deflection angle to the left of 90 degrees 00 minutes 00 seconds a distance
 73.20 of 30.35 feet, more or less, to the point of beginning;

73.21 (7) that part of Government Lot 1, Section 35, Township 106 North, Range 5 West,
 73.22 Winona County, Minnesota, which is more particularly bounded and described as follows:
 73.23 Commencing at the southwest corner of Lot 9 of Block "B" of the Plat of Fern Glen
 73.24 Acres; thence in a northeasterly direction along the southerly line of said Lot 9 a distance
 73.25 of 56.00 feet; thence at a deflection angle to the right of 90 degrees 00 minutes a distance
 73.26 of 180.00 feet; thence at a deflection angle to the left of 9 degrees 04 minutes 00 seconds a
 73.27 distance of 164.29 feet to an iron pipe monument which marks the point of beginning;
 73.28 thence at a deflection angle to the left of 89 degrees 25 minutes 30 seconds a distance
 73.29 of 102.19 feet to the southerly right-of-way line of U.S. Highway No. 61; thence at a
 73.30 deflection angle to the right of 92 degrees 47 minutes 30 seconds and southeasterly along
 73.31 the southerly right-of-way line of said U.S. highway a distance of 85.10 feet; thence at a
 73.32 deflection angle to the right of 87 degrees 12 minutes 30 seconds a distance of 187.89 feet;
 73.33 thence at a deflection angle to the right of 88 degrees 45 minutes 30 seconds a distance of
 73.34 85.02 feet; thence at a deflection angle to the right of 91 degrees 14 minutes 30 seconds a
 73.35 distance of 91.68 feet, more or less, to the point of beginning;

74.1 (8) that part of Government Lots 1 and 2, Section 35, Township 106, Range 5,
 74.2 Winona County, Minnesota, described as follows: Commencing at the southwest corner of
 74.3 Lot 8 of Fern Glen Acres; thence South 33 degrees East 82.5 feet; thence North 57 degrees
 74.4 East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds East 217.66 feet to an iron
 74.5 pipe in place; thence South 42 degrees 04 minutes East 296.1 feet to an iron pipe and the
 74.6 point of beginning; thence South 48 degrees 30 minutes 30 seconds West 107.35 feet to
 74.7 an iron pipe; thence continuing South 48 degrees 30 minutes 30 seconds West 12.11
 74.8 feet; thence South 40 degrees 29 minutes 30 seconds East 100.7 feet; thence North 48
 74.9 degrees 30 minutes 30 seconds East 17.83 feet to an iron pipe; thence continuing North
 74.10 48 degrees 30 minutes 30 seconds East 111.83 feet to an iron pipe; thence continuing
 74.11 North 48 degrees 30 minutes 30 seconds East 70.61 feet to an iron pipe at a point on the
 74.12 southerly boundary line of Minnesota Trunk Highway No. 61 right-of-way; thence along
 74.13 said southerly boundary line a chord distance of 100.7 feet on a bearing North 40 degrees
 74.14 29 minutes 30 seconds West to an iron pipe; thence South 48 degrees 30 minutes 30
 74.15 seconds West 80.54 feet to the point of beginning;

74.16 (9) that part of Government Lots 1 and 2, Section 35, Township 106 North, Range 5
 74.17 West, Winona County, Minnesota, described as follows: Commencing at the southwest
 74.18 corner of Lot 8 of Fern Glen Acres; thence South 33 degrees East 82.5 feet; thence North
 74.19 57 degrees East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds East 217.66
 74.20 feet to an iron pipe in place; thence South 42 degrees 04 minutes East 296.1 feet to an iron
 74.21 pipe; thence South 46 degrees 06 minutes 30 seconds East 101.05 feet to an iron pipe being
 74.22 the point of beginning; thence South 48 degrees 30 minutes 30 seconds West 111.83 feet to
 74.23 an iron pipe; thence continuing South 48 degrees 30 minutes 30 seconds West 17.56 feet;
 74.24 thence South 41 degrees 53 minutes East 192.4 feet; thence North 48 degrees 30 minutes
 74.25 30 seconds East 94.05 feet to an iron pipe; thence continuing North 48 degrees 30 minutes
 74.26 30 seconds East 105.95 feet to an iron pipe at a point on the southerly boundary line of
 74.27 U.S. Highway No. 61 right-of-way; thence along said southerly boundary line a chord
 74.28 distance of 192.4 feet on a bearing of North 41 degrees 53 minutes West to an iron pipe;
 74.29 thence South 48 degrees 30 minutes 30 seconds West 70.61 feet to the point of beginning;

74.30 (10) that part of Government Lot 2, Section 35, Township 106 North, Range 5 West,
 74.31 Winona County, Minnesota described as follows: Commencing at the southwest corner of
 74.32 Lot 8 of Fern Glen Acres; thence South 33 degrees East 82.5 feet; thence North 57 degrees
 74.33 East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds East 217.66 feet to an
 74.34 iron pipe in place; thence South 42 degrees 04 minutes East 296.1 feet; thence South 46
 74.35 degrees 06 minutes 30 seconds East 371.05 feet to an iron pipe, the point of beginning;
 74.36 thence North 48 degrees 30 minutes 30 seconds East 52.45 feet to an iron pipe at a point

75.1 on the southerly boundary line of Minnesota Trunk Highway No. 61 right-of-way; thence
 75.2 along said southerly boundary line a chord distance of 76.80 feet on a bearing of North
 75.3 43 degrees 09 minutes 30 seconds West to an iron pipe; thence South 48 degrees 30
 75.4 minutes 30 seconds West 105.95 feet to an iron pipe; thence continuing South 48 degrees
 75.5 30 minutes 30 seconds West 94.05 feet; thence South 43 degrees 09 minutes 30 seconds
 75.6 East 76.80 feet; thence North 48 degrees 30 minutes 30 seconds East 55.93 feet to an iron
 75.7 pipe; thence continuing North 48 degrees 30 minutes 30 seconds East 91.62 feet to the
 75.8 point of beginning;

75.9 (11) that part of Government Lot 2, Section 35, Township 106 North, Range 5 West,
 75.10 Winona County, Minnesota described as follows: Commencing at the southwest corner of
 75.11 Lot 8 of the Plat of Fern Glen Acres; thence South 33 degrees East 82.5 feet; thence North
 75.12 57 degrees East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds East 217.66
 75.13 feet to an iron pipe; thence South 42 degrees 04 minutes East 296.1 feet to an iron pipe;
 75.14 thence South 46 degrees 06 minutes 30 seconds East 371.05 feet to an iron pipe which is
 75.15 the point of beginning; thence South 48 degrees 30 minutes 30 seconds West and along the
 75.16 south line of the property heretofore conveyed by Deed in Book 237 of Deeds on Page
 75.17 693, for a distance of 147.55 feet; thence South 44 degrees 33 minutes 19 seconds East
 75.18 127.91 feet; thence North 43 degrees 53 minutes 30 seconds East and along the northerly
 75.19 line of the property heretofore conveyed by Deed to Vincent Zanon in Book 252 of Deeds
 75.20 on page 663, for a distance of 200 feet, more or less, to the southerly right-of-way line of
 75.21 U.S. Highway No. 61; thence North 44 degrees 38 minutes 48 seconds West and along
 75.22 said southerly right-of-way line of U.S. Highway No. 61 for a distance of 111.94 feet to an
 75.23 iron pipe in place at the southeast corner of the property heretofore conveyed by Deed in
 75.24 Book 237 of Deeds on page 693; thence South 48 degrees 30 minutes 30 seconds West
 75.25 52.45 feet, more or less, to the point of beginning;

75.26 (12) that part of Government Lot 2, Section 35, Township 106 North, Range 5
 75.27 West, Winona County, Minnesota, described as follows: Commencing at the southwest
 75.28 corner of Lot 8 of the Plat of Fern Glen Acres; thence South 33 degrees East 82.5 feet;
 75.29 thence North 57 degrees East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds
 75.30 East 217.66 feet to an iron pipe; thence South 42 degrees 04 minutes East 296.1 feet to
 75.31 an iron pipe; thence South 46 degrees 06 minutes 30 seconds East 371.05 feet to an iron
 75.32 pipe; thence South 48 degrees 30 minutes 30 seconds West and along the south line of the
 75.33 property heretofore conveyed by Deed in Book 237 of Deeds on page 693, for a distance
 75.34 of 147.55 feet; thence South 44 degrees 33 minutes 19 seconds East 127.91 feet to the
 75.35 point of beginning; thence continuing South 44 degrees 33 minutes 19 seconds East 112
 75.36 feet; thence North 43 degrees 53 minutes 30 seconds East and along the north line of the

76.1 property heretofore conveyed by Deed in Book 240 of Deeds on page 367, for a distance
76.2 of 200 feet to the southerly right-of-way line of U.S. Highway No. 61; thence North 44
76.3 degrees 38 minutes 48 seconds West and along the said southerly right-of-way line of
76.4 U.S. Highway No. 61 for a distance of 112 feet; thence South 43 degrees 53 minutes 30
76.5 seconds West for a distance of 200 feet, more or less, to the point of beginning; and
76.6 (13) that part of Government Lot 2, Section 35, Township 106 North, Range 5 West,
76.7 Winona County, Minnesota, described as follows: Commencing at the southwest corner
76.8 of Lot 8, Block "B" of Fern Glen Acres; thence South 33 degrees East 82.5 feet; thence
76.9 North 57 degrees East 24.4 feet; thence South 43 degrees 47 minutes 30 seconds East
76.10 217.66 feet to an iron pipe; thence South 42 degrees 04 minutes East 296.1 feet to an iron
76.11 pipe; thence South 46 degrees 06 minutes 30 seconds East 599.10 feet to an iron pipe, the
76.12 point of beginning; thence North 43 degrees 53 minutes 30 seconds East 46.54 feet to a
76.13 point on the southerly boundary line of Trunk Highway No. 61 right-of-way; thence along
76.14 said southerly boundary line a chord distance of 73.05 feet, bearing South 46 degrees 00
76.15 minutes East; thence continuing along said southerly boundary line South 43 degrees 33
76.16 minutes West 10.0 feet; thence continuing along said southerly boundary line a chord
76.17 distance of 28.50 feet bearing South 46 degrees 30 minutes East; thence South 45 degrees
76.18 00 minutes West 41.95 feet to an iron pipe in place; thence South 33 degrees 32 minutes
76.19 West 255.0 feet; thence North 43 degrees 30 minutes 22 seconds West 146.84 feet; thence
76.20 North 43 degrees 53 minutes 30 seconds East 184.1 feet to an iron pipe; thence North 43
76.21 degrees 53 minutes 30 seconds East 65.9 feet to the point of beginning.

76.22 **Sec. 12. WIND ENERGY LEASE.**

76.23 By August 30, 2009, the commissioner of natural resources must enter a 30-year
76.24 lease of state land, according to Minnesota Statutes, section 92.502, paragraph (b), with
76.25 the Mountain Iron Economic Development Authority for installation of up to four wind
76.26 turbines and access roads. The land covered by the lease is located in St. Louis County
76.27 and is described as: the South Half of Section 16, Township 59 North, Range 15 West.

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

76.29 **Sec. 13. LAKE VERMILION EASEMENTS.**

76.30 By July 30, 2009, the commissioner of natural resources shall grant easements
76.31 across state land administered by the commissioner to private landowners on Bass Bay on
76.32 the north shore of Lake Vermilion to access Mud Creek Road (County Highway 408).
76.33 Prior to granting an easement under this section, the commissioner shall comply with
76.34 any applicable environmental review requirements in effect on the effective date of this

77.1 section. If the commissioner has already prepared an environmental assessment worksheet
77.2 for a proposed easement to which this section applies, further environmental review is
77.3 not required by this section. A landowner granted an easement under this section shall
77.4 grant a reciprocal easement to the state.

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

77.6 Sec. 14. **VETERANS CEMETERY.**

77.7 The commissioner of natural resources shall work with the commissioner of
77.8 veterans affairs to locate sites throughout the state that would be appropriate for a new
77.9 veterans cemetery.

77.10 Sec. 15. **SIGNS.**

77.11 The commissioner of natural resources shall adopt a suitable marking design to
77.12 mark the C. J. Ramstad/Northshore Trail and shall erect the appropriate signs after the
77.13 commissioner has been assured of the availability of funds from nonstate sources sufficient
77.14 to pay all costs related to designing, erecting, and maintaining the signs.

77.15 **ARTICLE 4**
77.16 **LAND SALES**

77.17 Section 1. Laws 2007, chapter 131, article 2, section 38, is amended to read:

77.18 Sec. 38. **PUBLIC OR PRIVATE SALE OF SURPLUS STATE LAND**
77.19 **BORDERING PUBLIC WATER; WASHINGTON COUNTY.**

77.20 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
77.21 commissioner of natural resources may sell by public or private sale the surplus land
77.22 bordering public water that is described in paragraph (c).

77.23 (b) The conveyance must be in a form approved by the attorney general. The
77.24 attorney general may make necessary changes to the legal description to correct errors
77.25 and ensure accuracy. If sold by private sale, the commissioner may only sell the land to a
77.26 governmental subdivision of the state. If sold by private sale, the conveyance may be for
77.27 less than the value of the land as determined by the commissioner, but the conveyance
77.28 must provide that the land be used for the public and reverts to the state if the governmental
77.29 subdivision fails to provide for public use or abandons the public use of the land.

77.30 (c) The land that may be sold is located in Washington County and is described as
77.31 follows, Parcels A and B containing altogether 31.55 acres, more or less:

77.32 (1) Parcel A: all that part of the North Half of the Southeast Quarter, Section
77.33 30, Township 30 North, Range 20 West, bounded by the following described lines:
77.34 commencing at the east quarter corner of said Section 30; thence on an assumed bearing

78.1 of North 88 degrees 13 minutes 48 seconds West, 399.98 feet on and along the east-west
78.2 quarter line of said Section 30 to the point of beginning; thence North 88 degrees 13
78.3 minutes 48 seconds West, 504.57 feet on and along the said east-west quarter line; thence
78.4 South 17 degrees 54 minutes 26 seconds West, 1377.65 feet to a point on the south 1/16
78.5 line of said Section 30; thence South 88 degrees 10 minutes 45 seconds East, 504.44 feet
78.6 on and along the south 1/16 line of said Section 30; thence North 17 degrees 54 minutes
78.7 26 seconds East, 1378.11 feet to the point of beginning; and

78.8 (2) Parcel B: all that part of the North Half of the Southeast Quarter, Section
78.9 30, Township 30 North, Range 20 West, bounded by the following described lines:
78.10 commencing at the east quarter corner of said Section 30; thence on an assumed bearing
78.11 of North 88 degrees 13 minutes 48 seconds West, 904.55 feet along the east-west quarter
78.12 line of said Section 30 to the point of beginning; thence South 17 degrees 54 minutes 26
78.13 seconds West, 1377.65 feet to a point on the south 1/16 line of said Section 30; thence
78.14 North 88 degrees 10 minutes 45 seconds West, 369.30 feet along said south 1/16 line;
78.15 thence North 42 degrees 24 minutes 47 seconds West, 248.00 feet; thence North 02
78.16 degrees 59 minutes 30 seconds East, 488.11 feet; thence North 47 degrees 41 minutes 19
78.17 seconds East, 944.68 feet to a point on the east-west quarter line of said Section 30;
78.18 thence South 88 degrees 13 minutes 48 seconds East, 236.03 feet along said east-west
78.19 quarter line to the point of beginning.

78.20 (d) The land borders Long Lake and is not contiguous to other state lands. The
78.21 land was donated to the state with the understanding that the land would be used as a
78.22 wildlife sanctuary. The Department of Natural Resources has determined that the land is
78.23 not needed for natural resource purposes.

78.24 Sec. 2. Laws 2008, chapter 368, article 1, section 34, is amended to read:

78.25 Sec. 34. **PRIVATE SALE OF SURPLUS STATE LAND; HENNEPIN**
78.26 **COUNTY.**

78.27 (a) Notwithstanding Minnesota Statutes, sections 94.09 ~~and 94.10~~ to 94.16, the
78.28 commissioner of natural resources ~~may sell by private sale~~ shall sell to the city of Wayzata
78.29 the surplus land that is described in paragraph (c) upon verification that the city has
78.30 acquired the adjacent parcel, currently occupied by a gas station.

78.31 (b) The conveyance must be in a form approved by the attorney general. The
78.32 attorney general may make necessary changes to the legal description to correct errors and
78.33 ensure accuracy. The commissioner may sell the land described in paragraph (c) to the
78.34 city of Wayzata, for less than the value of the land as determined by the commissioner up
78.35 to \$75,000 plus transaction costs, but the conveyance must provide that the land described

79.1 in paragraph (c) be used for ~~the~~ a public road and reverts to the state if the city of Wayzata
79.2 fails to provide for public use of the land as a road or abandons the public use of the land.

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

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

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

79.9 **Sec. 3. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
79.10 **WATER; AITKIN COUNTY.**

79.11 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
79.12 resources may sell by public sale the surplus land bordering public water that is described
79.13 in paragraph (c).

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

79.17 (c) The land that may be sold is located in Aitkin County and is described as:

79.18 (1) parts of Government Lot 3, Section 33, and the Southeast Quarter of the
79.19 Southwest Quarter, Section 28, all in Township 50 North, Range 23 West, Aitkin County,
79.20 Minnesota, described as follows:

79.21 Commencing at the north quarter corner of said Section 33; thence South 88 degrees
79.22 07 minutes 19 seconds West, assumed bearing, along the northerly line of said
79.23 Government Lot 3, a distance of 1020.00 feet to the point of beginning of the tract to
79.24 herein be described; thence North 1 degree 52 minutes 41 seconds West 660.00 feet;
79.25 thence South 88 degrees 07 minutes 19 seconds West 300 feet; thence South 1 degree
79.26 52 minutes 41 seconds East 660.00 feet to the northerly line of said Government Lot
79.27 3; thence South 88 degrees 07 minutes 19 seconds West 15.08 feet to the northwest
79.28 corner of said Government Lot 3; thence South 1 degree 08 minutes 57 seconds East
79.29 326.00 feet, more or less, to the shoreline of Big Sandy Lake Reservoir; thence
79.30 easterly along the said shoreline to a point which bears South 1 degree 52 minutes
79.31 41 seconds East from the point of beginning; thence North 1 degree 52 minutes 41
79.32 seconds West 330.00 feet, more or less, to the point of beginning of the tract to
79.33 herein be described and there terminating, containing 3.89 acres, more or less; and

80.1 (2) those parts of Government Lot 3, Section 33 and the Southeast Quarter of the
80.2 Southwest Quarter, Section 28, all in Township 50 North, Range 23 West, described
80.3 as follows:

80.4 Commencing at the north quarter corner of said Section 33; thence South 88 degrees
80.5 07 minutes 19 seconds West, assumed bearing, along the northerly line of said
80.6 Government Lot 3, a distance of 920.00 feet to the point of beginning of the tract
80.7 to herein be described; thence North 1 degree 52 minutes 41 seconds West 660.00
80.8 feet; thence South 88 degrees 07 minutes 19 seconds West 100.00 feet; thence South
80.9 1 degree 52 minutes 41 seconds East 990.00 feet, more or less, to the shoreline of
80.10 Big Sandy Lake Reservoir; thence easterly along the said shoreline to a point which
80.11 bears South 1 degree 52 minutes 41 seconds East from the point of beginning; thence
80.12 North 1 degree 52 minutes 41 seconds West 341.60 feet, more or less, to the point of
80.13 beginning of the tract to herein be described and there terminating.

80.14 (d) The land borders Big Sandy Lake. The Department of Natural Resources has
80.15 determined that the land is not needed for natural resource purposes.

80.16 Sec. 4. **PRIVATE SALE OF SURPLUS STATE LAND; ANOKA COUNTY.**

80.17 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
80.18 of natural resources may sell by private sale to the city of Ham Lake the surplus land
80.19 that is described in paragraph (c).

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

80.23 (c) The land that may be sold is located in Anoka County and is described as:
80.24 That part of Government Lot 1, Section 20, Township 32 North, Range 23 West,
80.25 described as follows: beginning at the quarter corner on the east line of Section
80.26 20, thence northerly along the east line of said Section 20, a distance of 1,250
80.27 feet; thence westerly and parallel to the east and west quarter line of Section 20, a
80.28 distance of 400 feet; thence southerly and parallel to the east line of Section 20, a
80.29 distance of 750 feet; thence westerly and parallel to the east and west quarter line
80.30 of Section 20, a distance of 750 feet; thence southerly and parallel to the east line
80.31 of Section 20, a distance of 500 feet, to the east and west quarter line of Section
80.32 20; thence easterly along the quarter line a distance of 1,150 feet to the point of
80.33 beginning, containing 20 acres, more or less.

80.34 (d) The city of Ham Lake currently leases the state land for a hiking trail in
80.35 connection with Anoka County's management of adjacent public lands used for a

81.1 county park. The Department of Natural Resources has determined that the state's land
81.2 management interests would best be served if the land was conveyed to the city of Ham
81.3 Lake.

81.4 (e) The city will use the land for the purpose of a public park.

81.5 **Sec. 5. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
81.6 **WATER; BELTRAMI COUNTY.**

81.7 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
81.8 resources may sell by public sale the surplus land bordering public water that is described
81.9 in paragraph (c).

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

81.13 (c) The land that may be sold is located in Beltrami County and is described as:
81.14 Government Lot 7, Section 25, Township 149 North, Range 33 West, containing 22 acres,
81.15 more or less.

81.16 (d) The land borders Bass Lake. The Department of Natural Resources has
81.17 determined that the land is not needed for natural resource purposes.

81.18 **Sec. 6. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
81.19 **WATER; BELTRAMI COUNTY.**

81.20 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
81.21 resources may sell by public sale the surplus land bordering public water that is described
81.22 in paragraph (c).

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

81.26 (c) The land that may be sold is located in Beltrami County and is described as: the
81.27 West Half of the Northwest Quarter, Section 29, Township 147 North, Range 34 West,
81.28 containing 80 acres, more or less.

81.29 (d) The land borders Grant Creek. The Department of Natural Resources has
81.30 determined that the land is not needed for natural resource purposes.

81.31 **Sec. 7. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
81.32 **WATER; CASS COUNTY.**

82.1 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
82.2 resources may sell by public sale the surplus land bordering public water that is described
82.3 in paragraph (c).

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

82.7 (c) The land that may be sold is located in Cass County and is described as: Lot 21
82.8 of Longwood Point, according to the map or plat thereof on file and of record in the Office
82.9 of the County Recorder in and for Cass County, Minnesota, in Section 5, Township 139
82.10 North, Range 26 West, containing 3.03 acres, more or less.

82.11 (d) The land borders Washburn Lake. The Department of Natural Resources has
82.12 determined that the land is not needed for natural resource purposes.

82.13 **Sec. 8. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
82.14 **WATER; CASS COUNTY.**

82.15 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
82.16 resources may sell by public sale the surplus land bordering public water that is described
82.17 in paragraph (c).

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

82.21 (c) The land that may be sold is located in Cass County and is described as:
82.22 Government Lots 5 and 6, Section 3, Township 141 North, Range 27 West, containing
82.23 81.15 acres, more or less.

82.24 (d) The land borders Mable Lake and is not contiguous to other state lands. The
82.25 Department of Natural Resources has determined that the land is not needed for natural
82.26 resource purposes.

82.27 **Sec. 9. PRIVATE SALE OF SURPLUS LAND; CLEARWATER COUNTY.**

82.28 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
82.29 of natural resources may sell by private sale the surplus land that is described in paragraph
82.30 (c).

82.31 (b) The conveyance must be in a form approved by the attorney general. The
82.32 attorney general may make necessary changes to the legal description to correct errors and
82.33 ensure accuracy. The commissioner may sell the land to the White Earth Band of Ojibwe
82.34 for less than the value of the land as determined by the commissioner, but the conveyance
82.35 must provide that the land be used for the public and reverts to the state if the band fails

83.1 to provide for public use or abandons the public use of the land. The conveyance may
83.2 reserve an easement for ingress and egress.

83.3 (c) The land that may be sold is located in Clearwater County and is described as:
83.4 the West 400 feet of the South 750 feet of Government Lot 3, Section 31, Township 145
83.5 North, Range 38 West, containing 6.89 acres, more or less.

83.6 (d) The Department of Natural Resources has determined that the land and building
83.7 are no longer needed for natural resource purposes.

83.8 **Sec. 10. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
83.9 **WATER; CROW WING COUNTY.**

83.10 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
83.11 resources may sell by public sale the surplus land bordering public water that is described
83.12 in paragraph (c).

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

83.16 (c) The land that may be sold is located in Crow Wing County and is described as:

83.17 (1) Government Lot 3, Section 9, Township 136 North, Range 28 West, containing
83.18 39.25 acres, more or less; and

83.19 (2) Government Lot 2, Section 9, Township 136 North, Range 28 West, containing
83.20 25.3 acres, more or less.

83.21 (d) The land borders Shaffer Lake and is not contiguous to other state lands. The
83.22 Department of Natural Resources has determined that the land is not needed for natural
83.23 resource purposes.

83.24 **Sec. 11. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
83.25 **WATER; CROW WING COUNTY.**

83.26 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
83.27 resources may sell by public sale the surplus land bordering public water that is described
83.28 in paragraph (c).

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

83.32 (c) The land that may be sold is located in Crow Wing County and is described
83.33 as: the North 1,000 feet of Government Lot 3, Section 25, Township 136 North, Range
83.34 27 West, excepting that portion which lies North and East of F.A.S #11, containing 32
83.35 acres, more or less.

84.1 (d) The land borders the Pine River. The Department of Natural Resources has
84.2 determined that the land is not needed for natural resource purposes.

84.3 **Sec. 12. CITY OF EAGAN; AUTHORITY TO EXCHANGE LAND; DAKOTA**
84.4 **COUNTY.**

84.5 The portion of land conveyed to the city of Eagan under Laws 1995, chapter 159,
84.6 now described as Parcel No. 10-30601-090-00, Outlot I, Gopher Eagan Industrial Park 2nd
84.7 Addition, may be used for a colocation facility that provides secured space for public and
84.8 private Internet and telecommunications network equipment and servers, notwithstanding
84.9 the provision that the land reverts to the state if it is not used for public park or open space
84.10 purposes. The commissioner of revenue is authorized to issue a state deed that provides
84.11 for the land described above to be used for this purpose. The colocation facility must not
84.12 be used by the municipality to provide voice, video, or Internet access services to the
84.13 residents or businesses located in the city of Eagan. Nothing in this section is intended to
84.14 restrict or limit the city of Eagan from communicating with its residents and businesses
84.15 regarding governmental information and providing for the delivery of electronic services.

84.16 **Sec. 13. PRIVATE SALE OF SURPLUS LAND; FILLMORE COUNTY.**

84.17 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
84.18 of natural resources may sell by private sale the surplus land that is described in paragraph
84.19 (c).

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

84.23 (c) The land that may be sold is located in Fillmore County and is described as:
84.24 That part of the Northwest Quarter of the Northwest Quarter of Section 2, Township
84.25 103 North, Range 10 West, described as follows: commencing at the northeast
84.26 corner of the North Half of the Northwest Quarter of said Section 2; thence on
84.27 an assumed bearing of South 89 degrees 22 minutes 48 seconds West, along the
84.28 north line of said North Half of the Northwest Quarter, 500.09 feet; thence South
84.29 33 degrees 21 minutes 11 seconds West, 1,520.38 feet; thence North 00 degrees
84.30 37 minutes 12 seconds West, 540.85 feet; thence south 89 degrees 22 minutes 48
84.31 seconds West, 630.00 feet to the point of beginning of the land to be described;
84.32 thence North 00 degrees 37 minutes 12 seconds West, 551.74 feet to the center line
84.33 of Goodview Drive; thence North 89 degrees 03 minutes 27 seconds West, along
84.34 said center line 77.26 feet; thence South 89 degrees 52 minutes 18 seconds West,
84.35 along said center line, 162.78 feet; thence South 25 degrees 32 minutes 45 seconds

85.1 West, 82.13 feet; thence South 20 degrees 17 minutes 19 seconds West, 169.57
85.2 feet; thence South 18 degrees 48 minutes 07 seconds West, 143.54 feet; thence
85.3 South 26 degrees 31 minutes 49 seconds West, 211.00 feet; thence North 89 degrees
85.4 22 minutes 48 seconds East, 480.75 feet to the point of beginning. Subject to the
85.5 right-of-way of said Goodview Drive. Containing 4.53 acres, more or less.

85.6 (d) The sale would be to the Eagle Bluff Environmental Learning Center for
85.7 installation of a geothermal heating system for the center's adjacent educational facilities.
85.8 The Department of Natural Resources has determined that the land is not needed for
85.9 natural resource purposes.

85.10 Sec. 14. **PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
85.11 **WATER; HENNEPIN COUNTY.**

85.12 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
85.13 commissioner of natural resources may sell by private sale to the city of St. Louis Park the
85.14 surplus land that is described in paragraph (c).

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

85.21 (c) The land that may be sold is located in Hennepin County and is described as:
85.22 A strip of land 130 feet wide in the Southeast Quarter of the Northwest Quarter of
85.23 Section 20, Township 117 North, Range 21 West, the center line of which strip
85.24 has its beginning at a point on the west boundary of said Southeast Quarter of the
85.25 Northwest Quarter, and 753.8 feet distant from the south boundary line of said
85.26 Southeast Quarter of the Northwest Quarter, and continued thence east on a line
85.27 parallel with the south boundary line of said Southeast Quarter of the Northwest
85.28 Quarter for a distance of 1,012 feet, containing 3.02 acres, more or less.

85.29 (d) The land is adjacent to Minnehaha Creek and adjacent to other lands managed
85.30 by the city of St. Louis Park. The Department of Natural Resources has determined that
85.31 the state's land management interest would best be served if the land were conveyed to
85.32 the city of St. Louis Park.

85.33 Sec. 15. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
85.34 **WATER; HUBBARD COUNTY.**

86.1 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
86.2 resources may sell by public sale the surplus land bordering public water that is described
86.3 in paragraph (c).

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

86.7 (c) The land that may be sold is located in Hubbard County and is described as: those
86.8 parts of Government Lot 4 and the Southwest Quarter of the Southwest Quarter, Section
86.9 16, Township 143 North, Range 34 West, Hubbard County, Minnesota, lying southerly
86.10 and easterly of Minnesota Department of Transportation Right-of-Way Plat Numbered
86.11 29-18 and Minnesota Department of Transportation Right-of-Way Plat Numbered 29-2
86.12 as the same is on file and of record in the Office of the County Recorder for Hubbard
86.13 County, Minnesota, and lying westerly of the East 600 feet of said Government Lot 4,
86.14 containing 14.6 acres, more or less.

86.15 (d) The land borders Lake Paine. The Department of Natural Resources has
86.16 determined that the land is not needed for natural resource purposes.

86.17 **Sec. 16. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
86.18 **WATER; ITASCA COUNTY.**

86.19 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
86.20 resources may sell by public sale the surplus land bordering public water that is described
86.21 in paragraph (c).

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

86.25 (c) The land that may be sold is located in Itasca County and is described as: Lot
86.26 23, Eagle Point Plat, Section 11, Township 59 North, Range 25 West, containing 0.31
86.27 acres, more or less.

86.28 (d) The land borders Eagle Lake and is not contiguous to other state lands. The
86.29 Department of Natural Resources has determined that the land is not needed for natural
86.30 resource purposes.

86.31 **Sec. 17. APPORTIONMENT OF PROCEEDS; TAX-FORFEITED LANDS;**
86.32 **ITASCA COUNTY.**

86.33 Notwithstanding the provisions of Minnesota Statutes, chapter 282, and any other
86.34 law relating to the apportionment of proceeds from the sale of tax-forfeited land, Itasca
86.35 County may deposit proceeds from the sale of tax-forfeited lands into a tax-forfeited

87.1 land replacement trust fund created in Laws 2006, chapter 236, article 1, section 43, as
87.2 amended by Laws 2008, chapter 368, article 1, section 18. The principal and interest from
87.3 these proceeds may be spent only on the purchase of lands to replace the tax-forfeited
87.4 lands sold to Minnesota Steel Industries or for lands better suited for retention by Itasca
87.5 County. Lands purchased with the land replacement fund must:

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

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

87.10 Sec. 18. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
87.11 **WATER; KITTSON COUNTY.**

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

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

87.17 (c) The land to be sold is located in Kittson County and is described as: that certain
87.18 parcel situate in the Southwest Quarter of Section 10; Township 163 North, Range 48
87.19 West, described as follows: beginning at the southeast corner of said Southwest Quarter
87.20 of said Section 10; thence West along the south boundary line of said Southwest Quarter
87.21 a distance of 1,900 feet; thence North and parallel to the east boundary line of said
87.22 Southwest Quarter a distance of 1,050 feet; thence East and parallel to the south boundary
87.23 line of said Southwest Quarter a distance of 750 feet; thence southeasterly in a straight
87.24 line to the point of beginning.

87.25 Sec. 19. **PRIVATE SALE OF SURPLUS STATE LAND; MURRAY COUNTY.**

87.26 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
87.27 of natural resources may sell by private sale to the township of Murray the surplus land
87.28 that is described in paragraph (c).

87.29 (b) The conveyance must be in a form approved by the attorney general and may be
87.30 for consideration less than the appraised value of the land. The attorney general may make
87.31 necessary changes to the legal description to correct errors and ensure accuracy.

87.32 (c) The land to be sold is located in Murray County and is described as: that part of
87.33 Government Lot 6, that part of Government Lot 7, and that part of Government Lot 8 of
87.34 Section 6, Township 107 North, Range 40 West, and that part of Government Lot 1 and
87.35 that part of Government Lot 2 of Section 7, Township 107 North, Range 40 West, Murray

88.1 County, Minnesota, described as follows: Commencing at the east quarter corner of said
88.2 Section 6; thence on a bearing based on the 1983 Murray County Coordinate System (1996
88.3 Adjustment), of South 00 degrees 17 minutes 23 seconds East 1247.75 feet along the east
88.4 line of said Section 6; thence South 88 degrees 39 minutes 00 seconds West 1942.74 feet;
88.5 thence South 03 degrees 33 minutes 00 seconds West 94.92 feet to the northeast corner of
88.6 Block 5 of FORMAN ACRES, according to the recorded plat thereof on file and of record
88.7 in the Murray County Recorder's Office; thence South 14 degrees 34 minutes 00 seconds
88.8 West 525.30 feet along the easterly line of said Block 5 and along the easterly line of the
88.9 private roadway of FORMAN ACRES to the southeasterly corner of said private roadway
88.10 and the POINT OF BEGINNING; thence North 82 degrees 15 minutes 00 seconds West
88.11 796.30 feet along the southerly line of said private roadway to an angle point on said line
88.12 and an existing 1/2 inch diameter rebar; thence South 64 degrees 28 minutes 26 seconds
88.13 West 100.06 feet along the southerly line of said private roadway to an angle point on said
88.14 line and an existing 1/2 inch diameter rebar; thence South 33 degrees 01 minute 32 seconds
88.15 West 279.60 feet along the southerly line of said private roadway to an angle point on said
88.16 line; thence South 76 degrees 04 minutes 52 seconds West 766.53 feet along the southerly
88.17 line of said private roadway to a 3/4 inch diameter rebar with a plastic cap stamped "MN
88.18 DNR LS 17003" (DNR MON); thence South 16 degrees 24 minutes 50 seconds West
88.19 470.40 feet to a DNR MON; thence South 24 degrees 09 minutes 57 seconds West 262.69
88.20 feet to a DNR MON; thence South 08 degrees 07 minutes 09 seconds West 332.26 feet to
88.21 a DNR MON; thence North 51 degrees 40 minutes 02 seconds West 341.79 feet to the east
88.22 line of Lot A of Lot 1 of LOT A OF GOVERNMENT LOT 8, OF SECTION 6 AND LOT
88.23 A OF GOVERNMENT LOT 1, OF SECTION 7, TOWNSHIP 107, RANGE 40, according
88.24 to the recorded plat thereof on file and of record in the Murray County Recorder's Office
88.25 and a DNR MON; thence South 14 degrees 28 minutes 55 seconds West 71.98 feet along
88.26 the east line of said Lot A to the northerly most corner of Lot 36 of HUDSON ACRES,
88.27 according to the record plat thereof on file and of record in the Murray County Recorder's
88.28 Office and an existing steel fence post; thence South 51 degrees 37 minutes 05 seconds
88.29 East 418.97 feet along the northeasterly line of said Lot 36 and along the northeasterly line
88.30 of Lots 35, 34, 33, 32 of HUDSON ACRES to an existing 1-inch inside diameter iron
88.31 pipe marking the easterly most corner of Lot 32 and the most northerly corner of Lot 31A
88.32 of HUDSON ACRES; thence South 48 degrees 33 minutes 10 seconds East 298.26 feet
88.33 along the northeasterly line of said Lot 31A to an existing 1 1/2-inch inside diameter iron
88.34 pipe marking the easterly most corner thereof and the most northerly corner of Lot 31 of
88.35 HUDSON ACRES; thence South 33 degrees 53 minute 30 seconds East 224.96 feet along
88.36 the northeasterly line of said Lot 31 and along the northeasterly line of Lots 30 and 29 of

89.1 HUDSON ACRES to an existing 1 1/2-inch inside diameter iron pipe marking the easterly
 89.2 most corner of said Lot 29 and the most northerly corner of Lot 28 of HUDSON ACRES;
 89.3 thence South 45 degrees 23 minutes 54 seconds East 375.07 feet along the northeasterly
 89.4 line of said Lot 28 and along the northeasterly line of Lots 27, 26, 25, 24 of HUDSON
 89.5 ACRES to an existing 1 1/2-inch inside diameter iron pipe marking the easterly most
 89.6 corner of said Lot 24 and the most northerly corner of Lot 23 of HUDSON ACRES;
 89.7 thence South 64 degrees 39 minutes 53 seconds East 226.80 feet along the northeasterly
 89.8 line of said Lot 23 and along the northeasterly line of Lots 22 and 21 of HUDSON ACRES
 89.9 to an existing 1 1/2-inch inside diameter iron pipe marking the easterly most corner of said
 89.10 Lot 21 and the most northerly corner of Lot 20 of HUDSON ACRES; thence South 39
 89.11 degrees 49 minutes 49 seconds East 524.75 feet along the northeasterly line of said Lot 20
 89.12 and along the northeasterly line of Lots 19, 18, 17, 16, 15, 14 of HUDSON ACRES to
 89.13 an existing 1 1/2-inch inside diameter iron pipe marking the easterly most corner of said
 89.14 Lot 14 and the most northerly corner of Lot 13 of HUDSON ACRES; thence South 55
 89.15 degrees 31 minutes 43 seconds East 225.11 feet along the northeasterly line of said Lot 13
 89.16 and along the northeasterly line of Lots 12 and 11 of HUDSON ACRES to an existing 1
 89.17 1/2-inch inside diameter iron pipe marking the easterly most corner of said Lot 11 and the
 89.18 northwest corner of Lot 10 of HUDSON ACRES; thence South 88 degrees 03 minutes
 89.19 49 seconds East 224.90 feet along the north line of said Lot 10 and along the north line
 89.20 of Lots 9 and 8 of HUDSON ACRES to an existing 1 1/2-inch inside diameter iron pipe
 89.21 marking the northeast corner of said Lot 8 and the northwest corner of Lot 7 of HUDSON
 89.22 ACRES; thence North 84 degrees 07 minutes 37 seconds East 525.01 feet along the north
 89.23 line of said Lot 7 and along the north line of Lots 6, 5, 4, 3, 2, 1 of HUDSON ACRES to
 89.24 an existing 1 1/2-inch inside diameter iron pipe marking the northeast corner of said Lot 1
 89.25 of HUDSON ACRES; thence southeasterly, easterly, and northerly along a nontangential
 89.26 curve concave to the North having a radius of 50.00 feet, central angle 138 degrees 42
 89.27 minutes 00 seconds, a distance of 121.04 feet, chord bears North 63 degrees 30 minutes 12
 89.28 seconds East; thence continuing northwesterly and westerly along the previously described
 89.29 curve concave to the South having a radius of 50.00 feet, central angle 138 degrees 42
 89.30 minutes 00 seconds, a distance of 121.04 feet, chord bears North 75 degrees 11 minutes 47
 89.31 seconds West and a DNR MON; thence South 84 degrees 09 minutes 13 seconds West not
 89.32 tangent to said curve 520.52 feet to a DNR MON; thence North 88 degrees 07 minutes 40
 89.33 seconds West 201.13 feet to a DNR MON; thence North 55 degrees 32 minutes 12 seconds
 89.34 West 196.66 feet to a DNR MON; thence North 39 degrees 49 minutes 59 seconds West
 89.35 530.34 feet to a DNR MON; thence North 64 degrees 41 minutes 41 seconds West 230.01
 89.36 feet to a DNR MON; thence North 45 degrees 23 minutes 00 seconds West 357.33 feet

90.1 to a DNR MON; thence North 33 degrees 53 minutes 30 seconds West 226.66 feet to a
90.2 DNR MON; thence North 48 degrees 30 minutes 31 seconds West 341.45 feet to a DNR
90.3 MON; thence North 08 degrees 07 minutes 09 seconds East 359.28 feet to a DNR MON;
90.4 thence North 24 degrees 09 minutes 57 seconds East 257.86 feet to a DNR MON; thence
90.5 North 16 degrees 24 minutes 50 seconds East 483.36 feet to a DNR MON; thence North
90.6 76 degrees 04 minutes 52 seconds East 715.53 feet to a DNR MON; thence North 33
90.7 degrees 01 minute 32 seconds East 282.54 feet to a DNR MON; thence North 64 degrees
90.8 28 minutes 26 seconds East 84.97 feet to a DNR MON; thence South 82 degrees 15
90.9 minutes 00 seconds East 788.53 feet to a DNR MON; thence North 07 degrees 45 minutes
90.10 07 seconds East 26.00 feet to the point of beginning; containing 7.55 acres.

90.11 (d) The Department of Natural Resources has determined that the state's land
90.12 management interests would best be served if the lands were conveyed to the township
90.13 of Murray.

90.14 **Sec. 20. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**
90.15 **WATER; RED LAKE COUNTY.**

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

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

90.24 (c) The land that may be conveyed is located in Red Lake County and is described as
90.25 follows: all that part of Block 5 which lies North of Block 6 and West of a line which
90.26 is a projection northerly of the west line of Lot 11 of said Block 6, all in Mill Reserve
90.27 Addition, containing approximately 500 feet frontage on the Clearwater River.

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

90.29 **Sec. 21. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
90.30 **WATER; ST. LOUIS COUNTY.**

90.31 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
90.32 resources may sell by public sale the surplus land bordering public water that is described
90.33 in paragraph (c).

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

91.4 (c) The land that may be sold is located in St. Louis County and is described as:
91.5 Government Lot 4, Section 36, Township 58 North, Range 16 West, St. Louis County,
91.6 Minnesota, EXCEPTING therefrom that part platted as SILVER LAKE SHORES
91.7 according to the plat on file and of record in the Office of the Recorder for St. Louis
91.8 County, Minnesota, containing 7.88 acres, more or less.

91.9 (d) The land borders Silver Lake and is not contiguous to other state lands. The
91.10 Department of Natural Resources has determined that the land is not needed for natural
91.11 resource purposes.

91.12 **Sec. 22. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
91.13 **WATER; ST. LOUIS COUNTY.**

91.14 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
91.15 resources may sell by public sale the surplus land bordering public water that is described
91.16 in paragraph (c).

91.17 (b) The conveyance must be in a form approved by the attorney general. The
91.18 attorney general may make necessary changes to the legal description to correct errors
91.19 and ensure accuracy. The commissioner may not sell any part of the land described in
91.20 paragraph (c) that is being used for airport purposes by the city of Eveleth or is proposed
91.21 to be used for airport purposes by the city of Eveleth.

91.22 (c) The land that may be sold is located in St. Louis County and is described as:
91.23 the Northeast Quarter of the Northwest Quarter, Section 16, Township 57 North, Range
91.24 17 West, St. Louis County, Minnesota, except that part of the North 10 feet thereof lying
91.25 East of St. Mary's Lake and also except that part lying East of County State-Aid Highway
91.26 132, containing 26.5 acres, more or less.

91.27 (d) The land borders St. Mary's Lake and is not contiguous to other state lands. The
91.28 Department of Natural Resources has determined that the land is not needed for natural
91.29 resource purposes.

91.30 **Sec. 23. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

91.31 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282,
91.32 or other law to the contrary, St. Louis County shall sell by private sale the tax-forfeited
91.33 land described in paragraph (c) to the nearest private landowner who has owned proximate
91.34 land for at least 70 years.

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

92.3 (c) The land to be sold is located in St. Louis County and is described as: Lots 150
92.4 and 151, NE NA MIK KA TA, town of Breitung, Section 6, Township 62 North, Range
92.5 15 West.

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

92.8 **Sec. 24. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
92.9 **WATER; ST. LOUIS COUNTY.**

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

92.13 (b) The conveyances must be in a form approved by the attorney general. The
92.14 attorney general may make changes to the land description to correct errors and ensure
92.15 accuracy. The conveyances must include any easements or deed restrictions specified in
92.16 paragraph (c).

92.17 (c) The lands to be sold are located in St. Louis County and are described as:

92.18 (1) the East Half of the East Half of the Southwest Quarter of the Southwest Quarter,
92.19 Section 5, Township 50 North, Range 14 West. Conveyance of this land must provide,
92.20 for no consideration, an easement to the state that is 75 feet in width on each side of the
92.21 centerline of East Branch Chester Creek, to provide riparian protection and angler access;

92.22 (2) the East Half of the East Half of the Southeast Quarter of the Southwest Quarter,
92.23 Section 5, Township 50 North, Range 14 West. Conveyance of this land must provide,
92.24 for no consideration, an easement to the state that is 75 feet in width on each side of the
92.25 centerline of East Branch Chester Creek, to provide riparian protection and angler access;

92.26 (3) the West Half of the East Half of the Southeast Quarter of the Southwest Quarter,
92.27 Section 5, Township 50 North, Range 14 West. Conveyance of this land must provide,
92.28 for no consideration, an easement to the state that is 75 feet in width on each side of the
92.29 centerline of East Branch Chester Creek, to provide riparian protection and angler access;

92.30 (4) the West Half of the East Half of the Northwest Quarter of the Southwest Quarter
92.31 and the West Half of the East Half of the Southwest Quarter of the Southwest Quarter,
92.32 Section 4, Township 51 North, Range 17 West;

92.33 (5) all that part or strip lying North of the Savanna River, about 3 to 4 acres of the
92.34 Southeast Quarter of the Northeast Quarter, Section 7, Township 51 North, Range 20 West;

92.35 (6) Government Lot 1, Section 18, Township 53 North, Range 18 West;

93.1 (7) the Southwest Quarter of the Southeast Quarter, Section 34, Township 53 North,
93.2 Range 19 West;

93.3 (8) Lot 2, Jingwak Beach 1st Addition, town of Cotton, Section 20, Township 54
93.4 North, Range 16 West;

93.5 (9) Lot 4, Jingwak Beach 1st Addition, town of Cotton, Section 20, Township 54
93.6 North, Range 16 West;

93.7 (10) Lots 1, 2, 3, and 4, 1st Addition to Strand Lake, Section 20, Township 54
93.8 North, Range 16 West;

93.9 (11) the Southeast Quarter of the Southwest Quarter, Section 1, Township 55 North,
93.10 Range 20 East. Conveyance of this land must provide, for no consideration, an easement
93.11 to the state that is 75 feet in width on each side of the centerline of East Swan River, to
93.12 provide riparian protection and angler access;

93.13 (12) that part of the Northeast Quarter of the Northwest Quarter beginning at the
93.14 intersection of the east line of Highway 4 with the north line of the Northeast Quarter of
93.15 the Northwest Quarter; thence South 500 feet; thence East 350 feet; thence North 500 feet;
93.16 thence West 350 feet to the point of beginning, Section 19, Township 57 North, Range
93.17 15 West. Conveyance of this land must provide, for no consideration, an easement to the
93.18 state that is 75 feet in width on each side of the centerline of the unnamed stream, to
93.19 provide riparian protection and angler access. Where there is less than 75 feet from the
93.20 centerline of the stream channel to the north property line, the easement shall be granted to
93.21 the north property line;

93.22 (13) the West Half of Lot 1, Section 22, Township 58 North, Range 16 West.
93.23 Conveyance of this land must provide, for no consideration, a 33-foot road easement to the
93.24 state for access to Black Lake. The conveyance must include a deed restriction prohibiting
93.25 buildings, structures, tree cutting, removal of vegetation, and shoreland alterations across
93.26 a 75-foot strip from the ordinary high water mark, except a 15-foot strip is allowed for
93.27 lake access and a dock; and

93.28 (14) the South Half of the Northwest Quarter of the Northwest Quarter, except the
93.29 North Half of the Southwest Quarter, Section 32, Township 62 North, Range 18 West.
93.30 Conveyance of this land must provide, for no consideration, an easement to the state
93.31 that is 105 feet in width on each side of the centerline of Rice River, to provide riparian
93.32 protection and angler access.

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

94.1 Sec. 25. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
94.2 **WATER; ST. LOUIS COUNTY.**

94.3 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
94.4 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County
94.5 shall sell by private sale the tax-forfeited land bordering public water that is described in
94.6 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

94.9 (c) The land to be sold is located in St. Louis County and is described as: the
94.10 easterly 200 feet of the Northwest Quarter of the Southeast Quarter, Section 21, Township
94.11 58 North, Range 15 West, except that part North of the St. Louis River.

94.12 (d) The county shall sell the land to the adjoining landowner to remedy an
94.13 inadvertent trespass.

94.14 Sec. 26. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**
94.15 **WATER; ST. LOUIS COUNTY.**

94.16 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision
94.17 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County
94.18 may sell by private sale the tax-forfeited land bordering public water that is described in
94.19 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

94.20 (b) The conveyances must be in a form approved by the attorney general. The
94.21 attorney general may make changes to the land description to correct errors and ensure
94.22 accuracy. The conveyances must include any easements or deed restrictions specified in
94.23 paragraph (c).

94.24 (c) The lands to be sold are located in St. Louis County and are described as:

94.25 (1) an undivided 1369/68040 interest, Lot 8, Section 16, Township 50 North, Range
94.26 17 West;

94.27 (2) an undivided 1470/10080 interest, Lot 5, Section 17, Township 50 North, Range
94.28 17 West;

94.29 (3) an undivided 23/288 interest, Northeast Quarter of the Northeast Quarter, Section
94.30 21, Township 50 North, Range 17 West;

94.31 (4) an undivided 23/288 interest, Northwest Quarter of the Northeast Quarter,
94.32 Section 21, Township 50 North, Range 17 West; and

94.33 (5) that part of Lot 7 beginning at a point 530 feet East of the southwest corner;
94.34 thence North 30 degrees East 208 feet; thence North 55 degrees East 198 feet; thence 10
94.35 feet more or less on the same line to the waters edge; thence South along the waters

95.1 edge to the south boundary line of Lot 7; thence 10 feet West; thence West on the same
95.2 line 198 feet to the point of beginning, Section 5, Township 62 North, Range 16 West.
95.3 The conveyance must include a deed restriction prohibiting buildings, structures, tree
95.4 cutting, removal of vegetation, and shoreland alterations across a 75-foot strip from the
95.5 ordinary high water mark.

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

95.8 **Sec. 27. PUBLIC OR PRIVATE SALE OF TAX-FORFEITED LAND**
95.9 **BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

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

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

95.16 (c) The land to be sold is located in St. Louis County and is described as: Lot 5,
95.17 Block 1, Williams Lakeview, town of Great Scott, Section 34, Township 60 North, Range
95.18 19 West.

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

95.21 **Sec. 28. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
95.22 **WATER; SHERBURNE COUNTY.**

95.23 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
95.24 resources may sell by public sale the surplus land bordering public water that is described
95.25 in paragraph (c).

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

95.29 (c) The land that may be sold is located in Sherburne County and is described as: the
95.30 Northeast Quarter of the Southwest Quarter, Section 16, Township 33 North, Range 27
95.31 West, containing 40 acres, more or less.

95.32 (d) The land borders Elk River and is not contiguous to other state lands. The
95.33 Department of Natural Resources has determined that the land is not needed for natural
95.34 resource purposes.

96.1 Sec. 29. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**
96.2 **TODD COUNTY.**

96.3 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
96.4 commissioner of natural resources may sell by private sale the surplus land that is
96.5 described in paragraph (c). Notwithstanding Minnesota Statutes, section 97A.135,
96.6 subdivision 2a, the surplus land described in paragraph (c) is vacated from the Grey
96.7 Eagle Wildlife Management Area upon sale.

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

96.11 (c) The land that may be sold is located in Todd County and is described as: the
96.12 East 50.00 feet of the South 165.00 feet of Government Lot 3, Section 16, Township 127
96.13 North, Range 33 West, Todd County, Minnesota, containing 0.19 acres, more or less.

96.14 (d) The sale would resolve an unintentional trespass by the adjacent owner. While
96.15 Lot 3 of Section 16, Township 127 North, Range 33 West, borders Bunker Lake, the
96.16 portion of Lot 3 to be sold does not border public waters. The Department of Natural
96.17 Resources has determined that the land is not needed for natural resource purposes.

96.18 Sec. 30. **PRIVATE SALE OF SURPLUS STATE LAND; WASHINGTON**
96.19 **COUNTY.**

96.20 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner
96.21 of natural resources may sell by private sale to Afton Alps the surplus land that is
96.22 described in paragraph (c).

96.23 (b) The conveyance must be in a form approved by the attorney general and may be
96.24 for consideration less than the appraised value of the land. The attorney general may make
96.25 necessary changes to the legal description to correct errors and ensure accuracy.

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

96.27 (1) that part of the Southwest Quarter of the Southeast Quarter of Section 3,
96.28 Township 27, Range 20, Washington County, Minnesota that lies South of the North 800
96.29 feet thereof and North of the following described line: Commencing at a point 800 feet
96.30 South of the northwest corner of said Southwest Quarter of the Southeast Quarter; thence
96.31 154 feet East; thence 228 feet East; thence South 430 feet; thence East 930.58 feet; thence
96.32 North 430 feet, to the point of beginning of the line to be described; thence West to the
96.33 point of commencement and said line there terminating; and

96.34 (2) that part of the North 208 feet of the South 866 feet of the East 208 feet of
96.35 the Southeast Quarter of the Southeast Quarter of Section 3, Township 27, Range 20,

97.1 Washington County, Minnesota that lies northwesterly of the following described line:
97.2 Commencing at the northwest corner of the Southeast Quarter of the Southeast Quarter of
97.3 said Section 3; thence South along the west line of said Southeast Quarter of the Southeast
97.4 Quarter, a distance of 900 feet; thence easterly, at a right angle, a distance of 660 feet, to
97.5 the point of beginning of the line to be described; thence northeasterly to a point on the
97.6 east line of said Southeast Quarter of the Southeast Quarter distant 275 feet South of the
97.7 northeast corner thereof, and said line there terminating.

97.8 (d) The Department of Natural Resources has determined that the state's land
97.9 management interests would best be served if the land were conveyed to the adjacent
97.10 landowner.

97.11 Sec. 31. **EFFECTIVE DATE.**

97.12 Sections 1 to 30 are effective the day following final enactment.

97.13 **ARTICLE 5**
97.14 **FOREST AND TIMBER MANAGEMENT**

97.15 Section 1. **APPRAISED VALUE TIMBER SALES; FISCAL YEARS 2010 AND**
97.16 **2011.**

97.17 (a) During fiscal years 2010 and 2011, the commissioner of natural resources shall
97.18 increase the amount of timber products sold from state lands under permits based solely
97.19 on the appraiser's estimate of the timber volume described in the permit, as provided in
97.20 Minnesota Statutes, section 90.14, paragraph (c).

97.21 (b) The commissioner shall evaluate sales of timber under paragraph (a) and other
97.22 methods used to sell cut forest products from state lands to identify the method, or
97.23 combination of methods, that is most efficient and effective in protecting the fiduciary
97.24 interest of the state, including the permanent school fund.

97.25 (c) By January 15, 2011, the commissioner shall report to the house and senate
97.26 natural resources policy and finance committees and divisions on the findings of the
97.27 evaluation process completed under paragraph (b).

97.28 Sec. 2. **FOREST MANAGEMENT LEASE-PILOT PROJECT.**

97.29 (a) Notwithstanding the permit procedures of Minnesota Statutes, chapter 90, the
97.30 commissioner of natural resources may lease up to 10,000 acres of state-owned forest
97.31 lands for forest management purposes for a term not to exceed 21 years. No person or
97.32 entity may lease more than 3,000 acres. The lease shall provide:

97.33 (1) that the lessee must comply with timber harvesting and forest management
97.34 guidelines developed under Minnesota Statutes, section 89A.05, and landscape-level plans

98.1 under Minnesota Statutes, section 89A.06, that have been adopted by the Minnesota Forest
98.2 Resources Council, and in effect at the time of any management activity; and

98.3 (2) for public access for hunting, fishing, and motorized and nonmotorized recreation
98.4 to the leased land that is the same as would be available under state management.

98.5 (b) For the purposes of this section, the term "state-owned forest lands" may include
98.6 school trust lands as defined in Minnesota Statutes, section 92.025, or university land
98.7 granted to the state by Acts of Congress.

98.8 (c) By December 15, 2009, the commissioner of natural resources shall provide
98.9 a report to the house and senate natural resources policy and finance committees and
98.10 divisions on the pilot project. The report will detail a plan for the implementation of the
98.11 pilot project with a starting date that is no later than July 1, 2010.

98.12 (d) Upon implementation of the pilot project, the commissioner shall provide an
98.13 annual report to the house and senate natural resources policy and finance committees and
98.14 divisions on the progress of the project, including the acres leased, a breakdown of the
98.15 types of forest land, and amounts harvested by species. The report shall include a net
98.16 revenue analysis comparing the lease revenue with the estimated net revenue that would
98.17 be obtained through state management and silvicultural practices cost savings the state
98.18 realizes through leasing.

98.19 (e) Nothing in this section supersedes the duties of the commissioner of natural
98.20 resources to properly manage forest lands under the authority of the commissioner, as
98.21 defined in Minnesota Statutes, section 89.001, subdivision 13."

98.22 Delete the title and insert:

98.23 "A bill for an act

98.24 relating to natural resources; modifying certain definitions; modifying wild rice
98.25 provisions; providing for off-highway vehicle forfeiture; modifying off-highway
98.26 motorcycle, all-terrain vehicle, and watercraft operating provisions; modifying
98.27 state park permit requirements; eliminating liquor service at John A. Latsch
98.28 State Park; modifying cost-share program; modifying commissioner's authority;
98.29 modifying state trails and establishing a new state trail; providing for certain
98.30 public hearings; providing for placement of a veterans cemetery; providing for
98.31 establishment of boater waysides; providing for appeals and enforcement of
98.32 certain civil penalties; modifying Water Law; providing certain exemptions from
98.33 local ordinances; approving consumptive use of water for certain uses; classifying
98.34 data; modifying refund provisions; modifying publication requirements;
98.35 modifying restrictions in migratory feeding and resting areas; modifying game
98.36 and fish laws; modifying wild animal and fish taking, possession, and licensing
98.37 requirements; authorizing certain fees; modifying certain fees and accounts;
98.38 authorizing acquisition of and granting of certain easements; modifying
98.39 management authority for and apportionment of proceeds from the sale of
98.40 tax-forfeited lands; adding to and deleting from certain state parks; authorizing
98.41 public and private sales and exchanges of state land; modifying previously
98.42 enacted land descriptions and sales authorization; requiring wind energy lease;
98.43 requiring increase in appraised estimates for timber sales; requiring forest
98.44 lease pilot project; requiring rulemaking and modifying rulemaking authority;

99.1 providing criminal penalties; appropriating money; amending Minnesota Statutes
99.2 2008, sections 13.7931, by adding a subdivision; 17.4981; 17.4988, subdivision
99.3 3; 84.027, subdivision 13; 84.0273; 84.105; 84.66, subdivision 2; 84.788,
99.4 subdivision 11; 84.793, subdivision 1; 84.798, subdivision 10; 84.82, subdivision
99.5 11; 84.83, subdivision 3; 84.92, subdivision 8; 84.922, subdivision 12; 84.928,
99.6 subdivision 1a; 85.0115; 85.015, subdivisions 2, 13, by adding a subdivision;
99.7 85.053, subdivision 3; 85.054, by adding subdivisions; 85.055, subdivision 1;
99.8 86A.05, by adding a subdivision; 86A.08, subdivision 1; 86A.09, subdivision 1;
99.9 86B.311, by adding a subdivision; 86B.415, subdivision 11; 97A.015, by adding
99.10 a subdivision; 97A.051, subdivision 2; 97A.075, subdivisions 1, 5; 97A.095,
99.11 subdivision 2; 97A.137, by adding subdivisions; 97A.321; 97A.331, subdivision
99.12 2; 97A.405, subdivision 4; 97A.421, subdivision 1; 97A.441, subdivision 7;
99.13 97A.445, subdivision 1, by adding a subdivision; 97A.451, subdivision 2,
99.14 by adding a subdivision; 97A.465, subdivision 1b; 97A.473, subdivision 1,
99.15 by adding subdivisions; 97A.4742, subdivision 1; 97A.475, subdivisions 2,
99.16 3, 7, 11, 12, 29; 97A.525, subdivision 1; 97B.035, subdivision 2; 97B.045,
99.17 subdivision 2, by adding a subdivision; 97B.051; 97B.055, subdivision 3;
99.18 97B.081; 97B.086; 97B.111, subdivision 1; 97B.328, subdivision 3; 97B.651;
99.19 97B.811, subdivisions 2, 3; 97B.931, subdivision 1; 97C.081, subdivisions 2, 3,
99.20 4, 6, 9; 97C.335; 97C.345, subdivision 2; 97C.355, subdivision 2; 97C.371, by
99.21 adding a subdivision; 97C.375; 97C.395, subdivision 1; 103B.101, subdivisions
99.22 1, 2; 103B.3355; 103B.3369, subdivision 5; 103C.501, subdivisions 2, 4, 5, 6;
99.23 103F.321, by adding a subdivision; 103F.505; 103F.511, subdivisions 5, 8a, by
99.24 adding a subdivision; 103F.515, subdivisions 1, 4, 5, 6; 103F.521, subdivision
99.25 1; 103F.525; 103F.526; 103F.531; 103F.535, subdivision 5; 103G.201; 282.04,
99.26 subdivision 1; Laws 1996, chapter 407, section 32, subdivision 3; Laws 2007,
99.27 chapter 131, article 2, section 38; Laws 2008, chapter 368, article 1, sections 21,
99.28 subdivisions 4, 5; 34; article 2, section 25; proposing coding for new law in
99.29 Minnesota Statutes, chapters 84; 97B; 97C; repealing Minnesota Statutes 2008,
99.30 sections 84.796; 84.805; 84.929; 85.0505, subdivision 2; 97A.525, subdivision
99.31 2; 97B.301, subdivisions 7, 8; 97C.405; 103B.101, subdivision 11; 103F.511,
99.32 subdivision 4; 103F.521, subdivision 2; Minnesota Rules, parts 8400.3130;
99.33 8400.3160; 8400.3200; 8400.3230; 8400.3330; 8400.3360; 8400.3390;
99.34 8400.3500; 8400.3530; 8400.3560."

100.1 We request the adoption of this report and repassage of the bill.

100.2 House Conferees: (Signed)

100.3
100.4 Kent Eken David Dill

100.5
100.6 Rick Hansen John Persell

100.7
100.8 Jenifer Loon

100.9 Senate Conferees: (Signed)

100.10
100.11 Satveer Chaudhary Dan Skogen

100.12
100.13 Lisa Fobbe Bill Ingebrigtsen

100.14
100.15 Mee Moua