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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2228

02/13/2012 Authored by Wagenius, Davids and Torkelson

The bill was read for the first time and referred to the Committee on Environment, Energy and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to natural resources; prohibiting commissioner of natural resources from
1.3 purchasing land at more than 20 percent above estimated market value; amending
1.4 Minnesota Statutes 2010, section 84.0272, subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2010, section 84.0272, subdivision 1, is amended to read:

1.7 Subdivision 1. **Acquisition procedure.** When the commissioner of natural
1.8 resources is authorized to acquire lands or interests in lands the procedure set forth in
1.9 this section shall apply. The commissioner of natural resources shall first prepare a fact
1.10 sheet showing the lands to be acquired, the legal authority for their acquisition, and the
1.11 qualities of the land that make it a desirable acquisition. The commissioner of natural
1.12 resources shall ~~cause~~ appraise the lands or contract to have the lands to be appraised. An
1.13 appraiser shall before entering upon the duties of office take and subscribe an oath to
1.14 faithfully and impartially discharge the duties as appraiser according to the best of the
1.15 appraiser's ability and that the appraiser is not interested directly or indirectly in any of the
1.16 lands to be appraised or the timber or improvements thereon or in the sale thereof and
1.17 has entered into no agreement or combination to purchase the same or any part thereof,
1.18 which oath shall be attached to the report of the appraisal. The commissioner of natural
1.19 resources may pay less than the appraised value, but shall not agree to pay more than ~~ten~~
1.20 20 percent above the appraised county assessor's estimated market value, except that if
1.21 ~~the commissioner pays less than the appraised value for a parcel of land, the difference~~
1.22 ~~between the purchase price and the appraised value may be used to apply to purchases at~~
1.23 ~~more than the appraised value. The sum of accumulated differences between appraised~~
1.24 ~~amounts and purchases for more than the appraised amount may not exceed the sum~~

2.1 ~~of accumulated differences between appraised amounts and purchases for less than the~~
2.2 ~~appraised amount~~ unless the commissioner determines that the acquisition is a high
2.3 priority because the land is adjacent to other public land, would conserve a high degree of
2.4 biological diversity, or is otherwise a high priority for the department. The commissioner
2.5 shall document the reason for the determination in writing. New appraisals may be made
2.6 at the discretion of the commissioner of natural resources.