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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 123

01/17/2013 Authored by Quam, Kresha, Woodard, Beard, Benson, M., and others
The bill was read for the first time and referred to the Committee on Transportation Policy

1.1 A bill for an act
1.2 relating to transportation; highways; requiring periodic review of property owned
1.3 or controlled by the department for the purpose of determining surplus; requiring
1.4 a report; amending Minnesota Statutes 2012, section 161.41, subdivision 1, by
1.5 adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2012, section 161.41, subdivision 1, is amended to read:
1.8 Subdivision 1. **Commissioner may declare surplus.** The commissioner is
1.9 authorized to declare as surplus any property acquired by the state for highway purposes;
1.10 ~~excluding real estate, which~~ that the commissioner determines ~~to be~~ is no longer needed
1.11 or necessary for state highway purposes.

1.12 Sec. 2. Minnesota Statutes 2012, section 161.41, is amended by adding a subdivision
1.13 to read:

1.14 Subd. 1a. **Periodic review.** (a) The commissioner shall examine all tracts or lots of
1.15 real property belonging to the state and under the control or supervision of the department
1.16 to determine whether any lands or tracts may be declared as surplus. For those lands or
1.17 tracts deemed surplus, the commissioner shall determine whether the property is suitable
1.18 for sale or some other means of disposal.

1.19 (b) The commissioner is authorized to sell or dispose of surplus tracts or lots of real
1.20 property identified under paragraph (a) following the procedures set forth in sections
1.21 161.41 to 161.442.

1.22 (c) The commissioner shall report on its findings under paragraph (a) to the house
1.23 of representatives and senate committees with jurisdiction over transportation policy

2.1 and finance by March 1 of each even-numbered year. The report may be submitted
2.2 electronically, and is subject to section 3.195, subdivision 1.

2.3 (d) For purposes of this subdivision, "surplus" means tracts or lots of real property
2.4 no longer needed or necessary for state highway purposes, or which have not been used
2.5 for state highway purposes for a period of five years.