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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 859

02/06/2017 Authored by Torkelson
The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy

1.1 A bill for an act
1.2 relating to transportation; providing for conveyance of unused or divided lands
1.3 owned or controlled by the Department of Transportation; removing and modifying
1.4 highways on the trunk highway system; authorizing conveyance of certain
1.5 state-owned lands in Koochiching County; amending Minnesota Statutes 2016,
1.6 sections 161.115, subdivision 190; 161.44, subdivisions 5, 6a, by adding a
1.7 subdivision; repealing Minnesota Statutes 2016, section 161.115, subdivision 32.

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

1.9 Section 1. Minnesota Statutes 2016, section 161.115, subdivision 190, is amended to read:

1.10 Subd. 190. Route No. 259. Beginning at a point on Statutory Route No. 100, at or near
1.11 Henderson; thence extending in a general southeasterly direction to a point on Statutory
1.12 Route No. 123, at or near Le Sueur.

1.13 EFFECTIVE DATE. This section is effective the day after the commissioner of
1.14 transportation receives a copy of the agreement between the commissioner of transportation
1.15 and the governing body of Le Sueur County to transfer jurisdiction of Legislative Route
1.16 No. 123 and after the commissioner notifies the revisor of statutes under section 6, paragraph
1.17 (b).

1.18 Sec. 2. Minnesota Statutes 2016, section 161.44, subdivision 5, is amended to read:

1.19 Subd. 5. Conveyance to highest bidder in certain cases. If the larger tract has been
1.20 platted into lots or divided into smaller tracts and the commissioner elects to proceed under
1.21 this subdivision, or if the lands constituted an entire tract and the person from whom the
1.22 lands were acquired and the person's spouse are deceased, or if the offers as provided for
1.23 received are not accepted and the amount of money not tendered within the time prescribed,

2.1 the lands may be sold and conveyed to the owner of the land abutting upon the lands in the  
 2.2 same manner and under the same terms provided under subdivision 2, or the commissioner  
 2.3 may sell the lands to the highest responsible bidder upon three weeks' published notice of  
 2.4 such sale in a newspaper or other periodical of general circulation in the general area where  
 2.5 the lands are located. All bids may be rejected and new bids received upon like advertisement.

2.6 Sec. 3. Minnesota Statutes 2016, section 161.44, subdivision 6a, is amended to read:

2.7 Subd. 6a. **Services of licensed real estate broker.** If the lands ~~remain unsold after being~~  
 2.8 ~~offered for sale to the highest bidder~~ are withdrawn from sale under subdivision 6b, the  
 2.9 commissioner may retain the services of a licensed real estate broker to find a buyer. The  
 2.10 sale price may be negotiated by the broker, but must not be less than 90 percent of the  
 2.11 appraised market value as determined by the commissioner. The broker's fee must be  
 2.12 established by prior agreement between the commissioner and the broker, and must not  
 2.13 exceed ten percent of the sale price for sales of \$10,000 or more. The broker's fee must be  
 2.14 paid to the broker from the proceeds of the sale.

2.15 Sec. 4. Minnesota Statutes 2016, section 161.44, is amended by adding a subdivision to  
 2.16 read:

2.17 Subd. 6b. **Unsold lands.** If lands remain unsold after being offered for sale to the highest  
 2.18 bidder, the commissioner may offer the remaining lands to any person who agrees to pay  
 2.19 the minimum bid established for the public sale. The sale must continue until all eligible  
 2.20 lands have been sold or the commissioner withdraws the remaining lands from sale. The  
 2.21 lands to be sold must be listed on the department's Unsold Property Inventory list.

2.22 Sec. 5. **CONVEYANCE FOR HISTORICAL PURPOSES; MCKINSTRY SURPLUS**  
 2.23 **LANDS.**

2.24 (a) Notwithstanding any other law to the contrary, the commissioner may convey as  
 2.25 provided in Minnesota Statutes, section 161.44, land described in paragraph (b), including  
 2.26 any improvements on the lands, owned in fee by the state for trunk highway purposes, but  
 2.27 no longer needed, to the Minnesota Historical Society for historical purposes. The conveyance  
 2.28 must be without financial consideration. The lands conveyed must become a part of the  
 2.29 state's historic sites program under Minnesota Statutes, chapter 138.

2.30 (b) The lands that may be conveyed are specifically related to the properties of the  
 2.31 McKinstry Mounds and portions of the McKinstry Village site owned by the Department  
 2.32 of Transportation, located along Trunk Highway 11 in Koochiching County.

3.1 Sec. 6. **LEGISLATIVE ROUTE NO. 123 REMOVED.**

3.2 (a) Minnesota Statutes, section 161.115, subdivision 54, is repealed effective the day  
3.3 after the commissioner of transportation receives a copy of the agreement between the  
3.4 commissioner and the governing body of Le Sueur County to transfer jurisdiction of  
3.5 Legislative Route No. 123 and after the commissioner notifies the revisor of statutes under  
3.6 paragraph (b).

3.7 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota  
3.8 Statutes when the commissioner of transportation sends notice to the revisor electronically  
3.9 or in writing that the conditions required to transfer the route have been satisfied.

3.10 Sec. 7. **LEGISLATIVE ROUTE NO. 225 REMOVED.**

3.11 (a) Minnesota Statutes, section 161.115, subdivision 156, is repealed effective the day  
3.12 after the commissioner of transportation receives a copy of the agreement between the  
3.13 commissioner and the governing body of Becker County to transfer jurisdiction of Legislative  
3.14 Route No. 225 and after the commissioner notifies the revisor of statutes under paragraph  
3.15 (b).

3.16 (b) The revisor of statutes shall delete the route identified in paragraph (a) from Minnesota  
3.17 Statutes when the commissioner of transportation sends notice to the revisor electronically  
3.18 or in writing that the conditions required to transfer the route have been satisfied.

3.19 Sec. 8. **LEGISLATIVE ROUTE NO. 101 REMOVED; REPEALER.**

3.20 Minnesota Statutes 2016, section 161.115, subdivision 32, is repealed.

APPENDIX  
Repealed Minnesota Statutes: 17-0393

**161.115 ADDITIONAL TRUNK HIGHWAYS.**

Subd. 32. **Route No. 101.** Beginning at a point on Route No. 1 at or near Faribault, thence extending in a northerly direction to a point on Route No. 50.