

1.1 CONFERENCE COMMITTEE REPORT ON S.F. No. 2651

1.2 A bill for an act

1.3 relating to natural resources; modifying provisions for sale of surplus state  
1.4 land; creating a Minnesota forests for the future program; establishing a  
1.5 revolving account; providing for alternative recording of state forest roads;  
1.6 providing for certain wetland banking credits; modifying provisions related to  
1.7 aquatic farms; providing for expedited exchanges of public land; providing for  
1.8 consultation on certain unallotments; providing for viral hemorrhagic septicemia  
1.9 and wildlife disease control; providing for a voluntary walleye stamp; creating  
1.10 the Lessard-Heritage Enhancement Council; modifying hunting and fishing  
1.11 licensing and taking provisions; modifying certain fund and account provisions;  
1.12 modifying outdoor recreation system provisions; adding to and deleting from  
1.13 state parks, recreation areas, and forests; providing for public and private sales,  
1.14 conveyances, leases, and exchanges of certain state land; requiring reports and  
1.15 studies; appropriating money; amending Minnesota Statutes 2006, sections  
1.16 16B.281, subdivision 3; 16B.282; 16B.283; 16B.284; 16B.287, subdivision 2;  
1.17 17.4985, subdivisions 2, 3, 5; 17.4986, subdivisions 1, 2, 4; 17.4987; 17.4988,  
1.18 subdivision 3; 17.4992, subdivision 2; 17.4993; 84.943, subdivision 5; 84D.03,  
1.19 subdivision 4; 86A.04; 86A.08, subdivision 1; 89.715; 97A.015, subdivisions  
1.20 32a, 41a, by adding subdivisions; 97A.045, subdivisions 7, 11; 97A.055,  
1.21 subdivision 4b; 97A.075, subdivisions 4, 5, by adding a subdivision; 97A.311,  
1.22 subdivision 5; 97A.431, subdivision 2; 97A.433, subdivision 2; 97A.434,  
1.23 subdivision 2; 97A.473, subdivision 2; 97A.474, subdivision 2; 97A.475,  
1.24 subdivision 5, by adding a subdivision; 97A.485, subdivision 6; 97A.535,  
1.25 subdivision 1; 97B.015, subdivision 5; 97B.041; 97B.071; 97B.081; 97B.106,  
1.26 subdivision 1; 97B.211, subdivision 1; 97B.301, subdivisions 1, 2, 4, 6; 97B.621,  
1.27 subdivision 3; 97B.721; 97C.203; 97C.205; 97C.341; 97C.355, subdivisions 4,  
1.28 7a; 97C.401, subdivision 2; 97C.505, subdivision 1; 97C.515, subdivisions 2,  
1.29 4, 5; 97C.821; 325D.55, subdivision 1; Minnesota Statutes 2007 Supplement,  
1.30 sections 17.4984, subdivision 1; 97A.055, subdivision 4; 97A.405, subdivisions  
1.31 2, 4; 97A.441, subdivision 7; 97A.451, subdivision 3; 97A.473, subdivision  
1.32 5; 97A.475, subdivisions 2, 3; 97B.031, subdivision 1; 97B.036; 97B.328;  
1.33 97C.355, subdivision 8; Laws 2005, chapter 161, section 25; Laws 2006,  
1.34 chapter 236, article 1, section 43; proposing coding for new law in Minnesota  
1.35 Statutes, chapters 84; 94; 97A; 97B; 97C; 103G; repealing Minnesota Statutes  
1.36 2006, sections 16B.281, subdivisions 2, 4, 5; 16B.285; 97A.411, subdivision 2;  
1.37 97C.515, subdivision 3; Minnesota Statutes 2007 Supplement, section 97B.301,  
1.38 subdivision 7; Minnesota Rules, parts 6232.0200, subpart 4; 6232.0300, subpart  
1.39 4.

1.40 May 18, 2008

1.41 The Honorable James P. Metzen

2.1 President of the Senate

2.2 The Honorable Margaret Anderson Kelliher  
2.3 Speaker of the House of Representatives

2.4 We, the undersigned conferees for S.F. No. 2651 report that we have agreed upon  
2.5 the items in dispute and recommend as follows:

2.6 That the House recede from its amendments and that S.F. No. 2651 be further  
2.7 amended as follows:

2.8 Delete everything after the enacting clause and insert:

2.9 **"ARTICLE 1**  
2.10 **STATE LANDS**

2.11 Section 1. Minnesota Statutes 2006, section 16B.281, subdivision 3, is amended to read:

2.12 Subd. 3. **Notice to agencies; determination of surplus.** ~~On or before October 1 of~~  
2.13 ~~each year, the commissioner shall review the certifications of heads of each department or~~  
2.14 ~~agency provided for in this section.~~ The commissioner of administration shall send written  
2.15 notice to all state departments, agencies, and the University of Minnesota describing any  
2.16 lands or tracts that may be declared surplus. If a department or agency or the University of  
2.17 Minnesota desires custody of the lands or tracts, it shall submit a written request to the  
2.18 commissioner, no later than four calendar weeks after mailing of the notice, setting forth  
2.19 in detail its reasons for desiring to acquire and its intended use of the land or tract. The  
2.20 commissioner shall then determine whether any of the lands described ~~in the certifications~~  
2.21 ~~of the heads of the departments or agencies~~ should be declared surplus and offered for  
2.22 sale or otherwise disposed of by transferring custodial control to other requesting state  
2.23 departments or agencies or to the Board of Regents of the University of Minnesota for  
2.24 educational purposes, provided however that transfer to the Board of Regents shall not be  
2.25 determinative of tax exemption or immunity. If the commissioner determines that any of  
2.26 the lands are no longer needed for state purposes, the commissioner shall make findings of  
2.27 fact, describe the lands, declare the lands to be surplus state land, and state the reasons for  
2.28 the sale or disposition of the lands, ~~and notify the Executive Council of the determination.~~

2.29 Sec. 2. Minnesota Statutes 2006, section 16B.282, is amended to read:

2.30 **16B.282 SURVEYS, APPRAISALS, AND SALE.**

2.31 Subdivision 1. **Appraisal; notice and offer to public bodies.** (a) Before offering  
2.32 any surplus state-owned lands for sale, the commissioner of administration may survey the  
2.33 lands and, if the value of the lands is estimated to be ~~\$40,000~~ \$50,000 or less, may have

3.1 the lands appraised. The commissioner shall have the lands appraised if the estimated  
3.2 value is in excess of ~~\$40,000~~ \$50,000.

3.3 ~~(b) The appraiser shall, before entering upon the duties of the office, take and~~  
3.4 ~~subscribe an oath that the appraiser will faithfully and impartially discharge the duties~~  
3.5 ~~of appraiser according to the best of the appraiser's ability and that the appraiser is not~~  
3.6 ~~interested, directly or indirectly, in any of the lands to be appraised or the timber or~~  
3.7 ~~improvements on the lands or in the purchase of the lands, timber, or improvements~~  
3.8 ~~and has entered into no agreement or combination to purchase any of the lands, timber,~~  
3.9 ~~or improvements. The oath shall be attached to the appraisal report. Appraisals must~~  
3.10 ~~be made by an appraiser that holds a state appraiser license issued by the Department~~  
3.11 ~~of Commerce. The appraisal must be in conformity with the Uniform Standards of~~  
3.12 ~~Professional Appraisal Practice of the Appraisal Foundation.~~

3.13 (c) Before offering surplus state-owned lands for public sale, the lands shall first be  
3.14 offered to the city, county, town, school district, or other public body corporate or politic  
3.15 in which the lands are situated for public purposes and the lands may be sold for public  
3.16 purposes for not less than the appraised value of the lands. To determine whether a public  
3.17 body desires to purchase the surplus land, the commissioner shall give a written notice to  
3.18 the governing body of each political subdivision whose jurisdictional boundaries include  
3.19 or are adjacent to the surplus land. If a public body desires to purchase the surplus land,  
3.20 it shall submit a written offer to the commissioner no later than two weeks after receipt  
3.21 of notice setting forth in detail its reasons for desiring to acquire and its intended use of  
3.22 the land. In the event that more than one public body tenders an offer, the commissioner  
3.23 shall determine which party shall receive the property and shall submit written findings  
3.24 regarding the decision. If lands are offered for sale for public purposes and if a public  
3.25 body notifies the commissioner of its desire to acquire the lands, the public body may have  
3.26 up to two years from the date of the accepted offer to commence payment for the lands  
3.27 in the manner provided by law.

3.28 Subd. 2. **Public sale requirements.** (a) ~~Lands certified as surplus by the head of~~  
3.29 ~~a department or agency under section 16B.281 shall be offered for public sale by the~~  
3.30 ~~commissioner as provided in this subdivision. After complying with subdivision 1 and,~~  
3.31 ~~before any public sale of surplus state-owned land is made, and at least 30 days before the~~  
3.32 ~~sale, the commissioner of administration shall publish a notice of the sale ~~at least once each~~~~  
3.33 ~~week for four successive weeks in a legal newspaper and also in a newspaper of general~~  
3.34 ~~distribution in the city or county in which the real property to be sold is situated. The notice~~  
3.35 ~~shall specify the time and place at which the sale will commence, a general description of~~

4.1 the lots or tracts to be offered, and a general statement of the terms of sale. ~~Each tract or~~  
4.2 ~~lot shall be sold separately and shall be sold for no less than its appraised value.~~

4.3 (b) Surplus state-owned land shall be sold for no less than the estimated or appraised  
4.4 value. The minimum bid may include expenses incurred by the commissioner in rendering  
4.5 the property saleable, including survey, appraisal, legal, advertising, and other expenses.

4.6 (c) Parcels remaining unsold after the offering may be sold to anyone agreeing to  
4.7 pay the appraised value. The sale shall continue until all parcels are sold or until the  
4.8 commissioner orders a reappraisal or withdraws the remaining parcels from sale.

4.9 ~~(e) Except as provided in section 16B.283, the cost of any survey or appraisal as~~  
4.10 ~~provided in subdivision 1 shall be added to and made a part of the appraised value of the~~  
4.11 ~~lands to be sold, whether to any political subdivision of the state or to a private purchaser~~  
4.12 ~~as provided in this subdivision.~~

4.13 Sec. 3. Minnesota Statutes 2006, section 16B.283, is amended to read:

4.14 **16B.283 TERMS OF PAYMENT.**

4.15 ~~No less than ten percent of the purchase price shall be paid at the time of sale with~~  
4.16 ~~the balance payable according to this section. If the purchase price of any lot or parcel is~~  
4.17 ~~\$5,000 or less, the balance shall be paid within 90 days of the date of sale. If the purchase~~  
4.18 ~~price of any lot or parcel is in excess of \$5,000, the balance shall be paid in equal annual~~  
4.19 ~~installments for no more than five years, at the option of the purchaser, with principal~~  
4.20 ~~and interest payable annually in advance at a rate equal to the rate in effect at the time~~  
4.21 ~~under section 549.09 on the unpaid balance, payable to the state treasury on or before~~  
4.22 ~~June 1 each year. Any installment of principal or interest may be prepaid. The purchaser~~  
4.23 must pay at the time of sale ten percent of the total amount bid and the remainder of the  
4.24 payment is due within 90 days of the sale date. A person who fails to make final payment  
4.25 within 90 days of the sale date is in default. On default, all right, title, and interest of  
4.26 the purchaser or heirs, representatives, or assigns of the purchaser in the premises shall  
4.27 terminate without the state doing any act or thing. A record of the default must be made in  
4.28 the state land records of the commissioner.

4.29 Sec. 4. Minnesota Statutes 2006, section 16B.284, is amended to read:

4.30 **16B.284 ~~CONTRACT FOR DEED AND QUITCLAIM DEED.~~**

4.31 ~~In the event a purchaser elects to purchase surplus real property on an installment~~  
4.32 ~~basis, the commissioner shall enter into a contract for deed with the purchaser, in which~~  
4.33 ~~shall be set forth the description of the real property sold and the price of the property,~~  
4.34 ~~the consideration paid and to be paid for the property, the rate of interest, and time and~~

5.1 ~~terms of payment. The contract for deed shall be made assignable and shall further set~~  
5.2 ~~forth that in case of the nonpayment of the annual principal or interest payment due by the~~  
5.3 ~~purchaser, or any person claiming under the purchaser, then the contract for deed, from the~~  
5.4 ~~time of the failure, is entirely void and of no effect and the state may be repossessed of the~~  
5.5 ~~lot or tract and may resell the lot or tract as provided in sections 16B.281 to 16B.287. In~~  
5.6 ~~the event the terms and conditions of a contract for deed are completely fulfilled or if a~~  
5.7 ~~purchaser makes a lump-sum payment for the subject property in lieu of entering into a~~  
5.8 ~~contract for deed, The commissioner of administration shall sign and cause to be issued a~~  
5.9 quitclaim deed on behalf of the state. The quitclaim deed shall be in a form prescribed by  
5.10 the attorney general and shall vest in the purchaser all of the state's interest in the subject  
5.11 property except as provided in section 16B.285 or 16B.286.

5.12 Sec. 5. Minnesota Statutes 2006, section 16B.287, subdivision 2, is amended to read:

5.13 Subd. 2. **Payment of expenses.** A portion of the proceeds from the sale equal in  
5.14 amount to the survey, appraisal, legal, advertising, and other expenses incurred by the  
5.15 commissioner of administration or other state official in rendering the property salable shall  
5.16 be remitted to the account from which the expenses were paid and are appropriated and  
5.17 immediately available for expenditure in the same manner as other money in the account.

5.18 Sec. 6. **[84.66] MINNESOTA FORESTS FOR THE FUTURE PROGRAM.**

5.19 Subdivision 1. Purpose. The Minnesota forests for the future program identifies and  
5.20 protects private, working forest lands for their timber, scenic, recreational, fish and wildlife  
5.21 habitat, threatened and endangered species, and other cultural and environmental values.

5.22 Subd. 2. Definitions. For the purpose of this section, the following terms have  
5.23 the meanings given:

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

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

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

5.27 (4) "riparian land" has the meaning given under section 103F.511, subdivision 8a;

5.28 and

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

5.32 Subd. 3. Establishment. The commissioner of natural resources shall establish and  
5.33 administer a Minnesota forests for the future program. Land selected for inclusion in the  
5.34 program shall be evaluated on the land's potential for:

- 6.1 (1) producing timber and other forest products;
- 6.2 (2) maintaining forest landscapes;
- 6.3 (3) providing public recreation; and
- 6.4 (4) providing ecological, fish and wildlife habitat, and other cultural and
- 6.5 environmental values and values consistent with working forest lands.

6.6 Subd. 4. **Land eligibility.** Land may be placed in the Minnesota forests for the

6.7 future program if it:

6.8 (1) is:

6.9 (i) forest land;

6.10 (ii) desirable land adjacent to forest land, as determined by the commissioner; or

6.11 (iii) beneficial to forest resource protection;

6.12 (2) is at least five acres in size, except for a riparian area or an area providing access

6.13 to state forest land; and

6.14 (3) is not set aside, enrolled, or diverted under another federal or state program,

6.15 unless enrollment in the Minnesota forests for the future program would provide additional

6.16 conservation benefits or a longer enrollment term than under the current federal or state

6.17 program.

6.18 Subd. 5. **Land interests.** The commissioner may acquire permanent interests in

6.19 lands by fee title, easement acquisition, gift, or donation. An acquired easement shall

6.20 require a forestry management plan unless the requirement is waived or modified by

6.21 the commissioner. The plan will guide forest management activities consistent with the

6.22 purposes and terms of the easement and shall incorporate guidelines and other forest

6.23 management practices as determined by the commissioner to provide perpetuation of the

6.24 forest. The plan shall be developed in accordance with the guidelines.

6.25 Subd. 6. **Application.** The commissioner shall accept applications from owners of

6.26 eligible lands at the time, in the form, and containing the information as the commissioner

6.27 may prescribe. If the number of applications exceeds the ability to fund them all, priority

6.28 shall be given to those applications covering lands providing the greatest public benefits

6.29 for timber productivity, public access, and ecological and wildlife values.

6.30 Subd. 7. **Landowner responsibilities.** The commissioner may enroll eligible land

6.31 in the program by signing an easement in recordable form with a landowner in which

6.32 the landowner agrees to:

6.33 (1) convey to the state a permanent easement that is not subject to any prior title,

6.34 lien, or encumbrance; and

7.1 (2) manage the land in a manner consistent with the purposes for which the land was  
7.2 selected for the program and not convert the land to other uses.

7.3 Subd. 8. **Correction of easement boundary lines.** To correct errors in legal  
7.4 descriptions for easements that affect the ownership interests in the state and adjacent  
7.5 landowners, the commissioner may, in the name of the state, convey without consideration,  
7.6 interests of the state necessary to correct legal descriptions of boundaries. The conveyance  
7.7 must be by quitclaim deed or release in a form approved by the attorney general.

7.8 Subd. 9. **Terminating or changing an easement.** The commissioner may terminate  
7.9 an easement, with the consent of the property owner, if the commissioner determines  
7.10 termination to be in the public interest. The commissioner may modify the terms of an  
7.11 easement if the commissioner determines that modification will help implement the  
7.12 Minnesota forests for the future program or facilitate the program's administration.

7.13 Subd. 10. **Payments.** Payments to landowners under the Minnesota forests for  
7.14 the future program shall be made in accordance with law and Department of Natural  
7.15 Resources acquisition policies, procedures, and other funding requirements.

7.16 Subd. 11. **Monitoring, enforcement, and damages.** (a) The commissioner shall  
7.17 establish a long-term program for monitoring and enforcing Minnesota forests for the  
7.18 future easements. The program must require that a financial contribution be made for each  
7.19 easement to cover the costs of managing, monitoring, and enforcing the easement.

7.20 (b) A landowner who violates the terms of an easement under this section or induces,  
7.21 assists, or allows another to do so is liable to the state for damages due to the loss of  
7.22 timber, scenic, recreational, fish and wildlife habitat, threatened and endangered species,  
7.23 and other cultural and environmental values.

7.24 (c) Upon request of the commissioner, the attorney general may commence an action  
7.25 for specific performance, injunctive relief, damages, including attorney's fees, and any  
7.26 other appropriate relief to enforce this section in district court in the county where all or  
7.27 part of the violation is alleged to have been committed or where the landowner resides or  
7.28 has a principal place of business.

7.29 Subd. 12. **Rulemaking exemption.** Easements agreed to under this section are not  
7.30 subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

7.31 **Sec. 7. [84.67] FORESTS FOR THE FUTURE REVOLVING ACCOUNT.**

7.32 A forests for the future revolving account is created in the natural resources fund.  
7.33 Money in the account is appropriated to the commissioner of natural resources for the  
7.34 acquisition of forest lands that meet the eligibility criteria in section 84.66, subdivision 4.

8.1 The commissioner shall sell the lands acquired under this section, subject to an easement  
8.2 as provided in section 84.66. Money received from the sale of forest lands acquired under  
8.3 this section and interest earned on the account shall be deposited into the account. The  
8.4 commissioner must file a report to the house Ways and Means and the senate Finance  
8.5 Committees and the environment and natural resources finance committees or divisions of  
8.6 the senate and house of representatives by October 1 of each year indicating all purchases  
8.7 of forest land using money from this account and sales of forest land for which revenue is  
8.8 deposited into this account.

8.9 Sec. 8. Minnesota Statutes 2006, section 84.943, subdivision 5, is amended to read:

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

8.17 Money in the account is appropriated to the commissioner of natural resources only  
8.18 for the direct acquisition or improvement of land or interests in land as provided in section  
8.19 84.944. To the extent of available appropriations other than bond proceeds, the money  
8.20 matched to the nongame wildlife management account may be used for the management  
8.21 of nongame wildlife projects as specified in section 290.431. Acquisition includes: (1)  
8.22 purchase of land or an interest in land by the commissioner; or (2) acceptance by the  
8.23 commissioner of gifts of land or interests in land as program projects.

8.24 Sec. 9. Minnesota Statutes 2006, section 86A.04, is amended to read:

8.25 **86A.04 COMPOSITION OF SYSTEM.**

8.26 The outdoor recreation system shall consist of all state parks; state recreation areas;  
8.27 state trails established pursuant to sections 84.029, subdivision 2, 85.015, 85.0155, and  
8.28 85.0156; state scientific and natural areas; state wilderness areas; state forests; state  
8.29 wildlife management areas; state aquatic management areas; state water access sites,  
8.30 which include all lands and facilities established by the commissioner of natural resources  
8.31 or the commissioner of transportation to provide public access to water; state wild, scenic,  
8.32 and recreational rivers; state historic sites; state rest areas, which include all facilities  
8.33 established by the commissioner of transportation for the safety, rest, comfort and use  
8.34 of the highway traveler, and shall include all existing facilities designated as rest areas



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

9.4 Sec. 10. Minnesota Statutes 2006, section 86A.08, subdivision 1, is amended to read:

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

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

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

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

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

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

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

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

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

9.33 Sec. 11. Minnesota Statutes 2006, section 89.715, is amended to read:

9.34 **89.715 ALTERNATIVE RECORDING FOR STATE FOREST ROAD.**

10.1 Subdivision 1. **Authorization.** The commissioner may adopt a ~~recorded state~~ forest  
10.2 road map under this section to record the department's state forest road prescriptive  
10.3 easements. For purposes of this section, "~~recorded state forest road map~~" means the  
10.4 official map of state forest roads adopted by the commissioner.

10.5 Subd. 2. **Map requirements.** The ~~recorded~~ state forest road map must:

10.6 (1) show state forest roads at the time the map is adopted;

10.7 (2) be prepared at a scale ~~of at least four inches equals one mile~~ compliant with  
10.8 standards of the county recorder where the state forest roads are located;

10.9 (3) include section numbers;

10.10 (4) include a north point arrow;

10.11 (5) include the name of the county and state;

10.12 (6) include a blank and a description under the blank for the date of public hearing  
10.13 and date of adoption;

10.14 (7) include blanks for signatures and dates of signatures for the commissioner; and

10.15 (8) include a list of legal descriptions of all parcels crossed by state forest road  
10.16 prescriptive easements.

10.17 Subd. 3. **Procedure to adopt map.** (a) The commissioner must prepare an official  
10.18 map for each county or smaller geographic area as determined by the commissioner as  
10.19 provided in subdivision 2, and set a time, place, and date for a public hearing on adopting  
10.20 a ~~recorded state~~ forest road map to record roads.

10.21 (b) The hearing notice must state that the roads to be recorded will be to the width of  
10.22 the actual use including ditches, backslopes, fills, and maintained rights-of-way, unless  
10.23 otherwise specified in a prior easement of record. The hearing notice must be published  
10.24 once a week for two successive weeks in a qualified newspaper of general circulation that  
10.25 serves the county or smaller geographic areas as determined by the commissioner, the last  
10.26 publication to be made at least ten days before the date of the public hearing. At least 30  
10.27 days before the hearing, the hearing notice must be sent by certified mail to the property  
10.28 owners directly affected in the county or smaller geographic areas as determined by the  
10.29 commissioner at the addresses listed on the tax assessment notices at least seven days  
10.30 before appearing in the qualified newspaper. The hearing notice may be sent with the tax  
10.31 assessment, but all additional costs incurred shall be billed to the department.

10.32 (c) After the public hearing is held, the commissioner may amend and adopt the  
10.33 ~~recorded state~~ forest road map. The ~~recorded~~ state forest road map must be dated and  
10.34 signed by the commissioner and must be ~~recorded~~ filed for recording with the county  
10.35 recorder within 90 days after the map is adopted. The map is effective when filed with  
10.36 the county recorder.

11.1 (d) The ~~recorded~~ state forest road map that is recorded with the county recorder must  
11.2 comply with the standards of the county recorder where the state forest roads are located.

11.3 (e) A ~~recorded~~ state forest road map that was prepared by using aerial photographs  
11.4 to establish road centerlines and that has been duly recorded with the county recorder is an  
11.5 adequate description for purposes of recording road easements and the map is the legally  
11.6 constituted description and prevails when a deed for a parcel abutting a road contains  
11.7 no reference to a road easement. Nothing prevents the commissioner from accepting a  
11.8 more definitive metes and bounds or survey description of a road easement for a road of  
11.9 record if the description of the easement is referenced to equal distance on both sides  
11.10 of the existing road centerline.

11.11 (f) The commissioner shall consult with representatives of county land  
11.12 commissioners, county auditors, county recorders, and Torrens examiners in implementing  
11.13 this subdivision.

11.14 Subd. 4. **Appeal.** (a) ~~Before filing an appeal under paragraph (b), a person may~~  
11.15 ~~seek resolution of concerns regarding a decision to record a road under this section by~~  
11.16 ~~contacting the commissioner in writing.~~

11.17 ~~(b) A person may appeal a decision to record or exclude recording a road under this~~  
11.18 ~~section to the district court within 120 days after the date the commissioner adopts the~~  
11.19 ~~state forest road map. Appeals may be filed only by property owners who are directly~~  
11.20 affected by a proposed map designation and only for those portions of the map designation  
11.21 that directly affect them.

11.22 (b) A property owner may appeal the map designation to the commissioner within 60  
11.23 days of the map being recorded by filing a written request for review. The commissioner  
11.24 shall review the request and any supporting evidence and render a decision within 45  
11.25 days of receipt of the request for review.

11.26 (c) If a property owner wishes to appeal a decision of the commissioner after review  
11.27 under paragraph (b), the property owner must file an appeal with the district court within  
11.28 60 days of the commissioner's decision.

11.29 (d) If any portion of a map appealed under paragraph (b) is modified or found to be  
11.30 invalid by a court of competent jurisdiction under paragraph (c), the remainder of the map  
11.31 shall not be affected and its recording with the county recorder shall stand.

11.32 Subd. 5. **Unrecorded road or trail not affected.** This section does not affect or  
11.33 diminish the legal status or state obligations of roads and trails not shown on the ~~recorded~~  
11.34 state forest road map.

12.1 Subd. 6. **Exemption.** Adoption of a ~~recorded~~ state forest road map under this  
12.2 section is exempt from the rulemaking requirements of chapter 14 and section 14.386  
12.3 does not apply.

12.4 Sec. 12. Minnesota Statutes 2006, section 90.151, subdivision 1, is amended to read:

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

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

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

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

12.28 Sec. 13. **[94.3495] EXPEDITED EXCHANGES OF LAND INVOLVING THE**  
12.29 **STATE AND GOVERNMENTAL SUBDIVISIONS OF THE STATE.**

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

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

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

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

13.8 (i) school trust land as defined in section 92.025; and

13.9 (ii) university land granted to the state by acts of Congress;

13.10 (2) Class 2 land, which for the purpose of this section is Class B land as defined in  
13.11 section 94.342, subdivision 2; and

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

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

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

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

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

13.33 Subd. 6. **Conveyance.** (a) Conveyance of Class 1 land given in exchange shall be  
13.34 made by deed executed by the commissioner of natural resources in the name of the  
13.35 state. Conveyance of Class 2 land given in exchange shall be by a deed executed by the

14.1 commissioner of revenue in the name of the state. Conveyance of Class 3 land shall be by  
14.2 a deed executed by the governing body in the name of the governing authority.

14.3 (b) If Class 1 land is given in exchange for Class 2 or 3 land, the deed to the Class  
14.4 2 or 3 land shall first be delivered to the commissioner of natural resources. Following  
14.5 the recording of the deed, the commissioner of natural resources shall deliver the deed  
14.6 conveying the Class 1 land.

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

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

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

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

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

14.21 (b) Class 1 land given in exchange is subject to the reservation provisions of section  
14.22 94.343, subdivision 4. Class 2 land given in exchange is subject to the reservation  
14.23 provisions of section 94.344, subdivision 4. County fee land given in exchange is subject  
14.24 to the reservation provisions of section 373.01, subdivision 1, paragraph (g).

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

14.30 **Sec. 14. [103G.2251] STATE CONSERVATION EASEMENTS; WETLAND**  
14.31 **BANK CREDIT.**

14.32 In greater than 80 percent areas, preservation of wetlands owned by the state or a  
14.33 local unit of government, protected by a permanent conservation easement as defined  
14.34 under section 84C.01 and held by the board, may be eligible for wetland replacement  
14.35 or mitigation credits, according to rules adopted by the board. To be eligible for credit

15.1 under this section, a conservation easement must be established after enactment of this  
15.2 section and approved by the board.

15.3 Sec. 15. Minnesota Statutes 2006, section 282.04, subdivision 4a, is amended to read:

15.4 Subd. 4a. **Private easements.** (a) A county board may convey a road easement  
15.5 across unsold tax-forfeited land to an individual or a private entity requesting an easement  
15.6 for access to private property owned by the individual or private entity if:

15.7 (1) there are no reasonable alternatives to obtain access to the individual's or private  
15.8 entity's property; and

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

15.11 (b) The county auditor shall require an individual or a private entity applying for an  
15.12 easement under paragraph (a) to pay the appraised value of the easement. The conveyance  
15.13 must provide that the easement reverts to the state in trust for the taxing district in the  
15.14 event of nonuse.

15.15 Sec. 16. Minnesota Statutes 2006, section 325D.55, subdivision 1, is amended to read:

15.16 Subdivision 1. **Labor, electrical, agricultural, or horticultural organizations.**

15.17 Nothing contained in sections 325D.49 to 325D.66, shall be construed to forbid the  
15.18 existence or operation of labor, electrical, agricultural, or horticultural organizations,  
15.19 including organizations that operate aquatic farms, as defined in section 17.47, subdivision  
15.20 3, that are instituted for the purpose of mutual help, and not conducted for profit, or to  
15.21 forbid or restrain individual members of such organizations from lawfully carrying out  
15.22 the legitimate objects thereof; nor shall such organizations, or the members thereof, be  
15.23 held or construed to be illegal combinations or conspiracies in restraint of trade under the  
15.24 provisions of sections 325D.49 to 325D.66, when lawfully carrying out the legitimate  
15.25 objects hereof.

15.26 Sec. 17. Laws 2005, chapter 161, section 25, is amended to read:

15.27 Sec. 25. **EASEMENT ON STATE LAND BORDERING PUBLIC WATER;**  
15.28 **WASHINGTON COUNTY.**

15.29 (a) The commissioner of natural resources shall issue an easement on land bordering  
15.30 public water that is described in paragraph (c). The easement shall be issued to the ~~current~~  
15.31 owners of Lots 7 and 8, Block 2 of Demontreville Highlands and Lots 2, 3, 4, and 5,  
15.32 Block 1, Demontreville Highlands 5th Addition. The easement is for the purpose of the  
15.33 easement holders jointly erecting and maintaining one dock from the property described

16.1 in paragraph (c). The dock may not exceed 30 feet in length and six feet in width and  
16.2 overnight mooring of watercraft is prohibited.

16.3 (b) The easement must be in a form approved by the attorney general for  
16.4 consideration of the easement preparation and recording costs. The attorney general may  
16.5 make necessary changes in the legal description to correct errors and ensure accuracy.  
16.6 ~~The easement will expire as to each owner when they convey their ownership interest in~~  
16.7 ~~the property described in paragraph (a).~~

16.8 (c) The land upon which an easement is to be issued is located in Washington County  
16.9 and is described as: Part of Government Lot 6, Section 5, Township 29 North, Range  
16.10 21 West, being the South 45 feet lying East of the existing centerline of Demontreville  
16.11 Trail North subject to easements of record.

16.12 Sec. 18. Laws 2006, chapter 236, article 1, section 43, is amended to read:

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

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

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

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

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

16.31 Sec. 19. **FOREST MANAGEMENT INVESTMENT ACCOUNT**  
16.32 **UNALLOTMENTS; FISCAL YEARS 2008 AND 2009.**

16.33 In addition to the requirements under Minnesota Statutes, section 16A.152, for  
16.34 fiscal years 2008 and 2009, the commissioner of natural resources shall consult with the



17.1 chairs and ranking minority members of the house and senate environment and natural  
17.2 resources finance divisions on proposed allotment reductions from appropriations from  
17.3 the forest management investment account. The commissioner shall notify the chairs and  
17.4 ranking minority members of the divisions of the proposed allotment reductions at least  
17.5 30 days prior to taking action on the reductions. The commissioner must also provide  
17.6 quarterly forest management investment account fund statements, including a report on  
17.7 the methodology used in calculating the revenue forecasts.

17.8 Sec. 20. **ADDITIONS TO STATE PARKS.**

17.9 Subdivision 1. [85.012] [Subd. 9.] Buffalo River State Park, Clay County. The  
17.10 following area is added to Buffalo River State Park, all in Section 11, Township 139  
17.11 North, Range 46, Clay County: That part of the Southeast Quarter of Section 11, described  
17.12 as follows: Beginning at the southwest corner of the Southeast Quarter of said Section  
17.13 11; thence North 00 degrees 13 minutes 06 seconds East (assumed bearing), along the  
17.14 westerly line of the Southeast Quarter of said Section 11, for a distance of 503.33 feet;  
17.15 thence South 89 degrees 25 minutes 32 seconds East for a distance of 200.00 feet; thence  
17.16 North 00 degrees 13 minutes 06 seconds East, parallel to the westerly line of the Southeast  
17.17 Quarter of said Section 11, for a distance of 457.87 feet; thence South 89 degrees 44  
17.18 minutes 18 seconds East for a distance of 323.00 feet; thence South 48 degrees 16 minutes  
17.19 47 seconds East for a distance of 89.46 feet; thence South 29 degrees 17 minutes 10  
17.20 seconds East for a distance of 1,035.56 feet to a point of intersection with the southerly  
17.21 line of the Southeast Quarter of said Section 11; thence North 89 degrees 44 minutes 18  
17.22 seconds West, along the southerly line of the Southeast Quarter of said Section 11, for  
17.23 a distance of 1,100.00 feet to the point of beginning. Said tract of land contains 16.133  
17.24 acres, more or less, and is subject to the following described ingress-egress easement: A  
17.25 30.00-foot strip of land for purposes of ingress and egress centered along the following  
17.26 described line: Commencing at the southwest corner of the Southeast Quarter of Section  
17.27 11, Township 139 North, Range 46 West, Fifth Principal Meridian, Clay County,  
17.28 Minnesota; thence North 00 degrees 13 minutes 06 seconds East (assumed bearing), along  
17.29 the westerly line of the Southeast Quarter of said Section 11, for a distance of 15.00 feet to  
17.30 the true point of beginning; thence South 89 degrees 44 minutes 18 seconds East, parallel  
17.31 to and 15.00 feet northerly of the southerly line of the Southeast Quarter of said Section  
17.32 11, for a distance of 797.03 feet; thence North 22 degrees 07 minutes 20 seconds East for a  
17.33 distance of 327.76 feet and there terminating.

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

18.1           (1) all that part of Government Lot 4, and all that part of the Southwest Quarter of  
18.2 the Southeast Quarter and of the Southeast Quarter of the Southwest Quarter, all in Section  
18.3 2, Township 112 North, Range 13 West, described as follows, to-wit: Beginning at the  
18.4 point of intersection of the east and west center line of said Section 2 with the line of the  
18.5 west shore of Lake Pepin, running thence West 6 chains; thence South 33 degrees 15  
18.6 minutes West 9.60 chains; thence South 41 degrees West 5.54 chains; thence South 51  
18.7 degrees 15 minutes West 4.32 chains; thence South 65 degrees 15 minutes West 4 chains;  
18.8 thence South 70 degrees 45 minutes West 11.27 chains to a rock in Glenway Street in the  
18.9 village of Frontenac; thence South 48 degrees 30 minutes East 4.72 chains to the north and  
18.10 south center line of said section; thence South 39 degrees 10 minutes East 11.14 chains;  
18.11 thence South 32 degrees 30 minutes East 8.15 chains to the north line of Waconia Avenue  
18.12 in said Frontenac; thence North 42 degrees 50 minutes East 5.15 chains; thence North 23  
18.13 degrees 50 minutes East 2.75 chains; thence North 9 degrees 20 minutes East 7.90 chains;  
18.14 thence North 20 degrees 20 minutes East 4.64 chains; thence North 52 degrees West 3.80  
18.15 chains; thence North 20 degrees 20 minutes East 18.40 chains to the east line of said Mill  
18.16 Street in said Frontenac; thence South along the east line of said Mill Street 3.76 chains  
18.17 to the north line of Lot 8 in Block 13 in said Frontenac; thence along said north line to  
18.18 the shore of Lake Pepin; thence along the shore of said lake 1.50 chains to the point of  
18.19 beginning, containing in all 35.67 acres of land, more or less. Excepting therefrom all that  
18.20 part of Government Lot 4, Section 2, Township 112 North, Range 13 West, described,  
18.21 as follows: Beginning on the shore of Lake Pepin at the northeast corner of Lot 8 in  
18.22 Block 13 of the town of Frontenac, running thence westerly along the north line of said  
18.23 lot to the northwest corner thereof; thence northerly along the easterly line of Mill Street  
18.24 in said town of Frontenac 215 feet, more or less, to its intersection with the north line of  
18.25 said Government Lot 4; thence East along the north line of said Government Lot 4 to low  
18.26 water mark on shore of Lake Pepin; thence southerly along the low water mark of Lake  
18.27 Pepin to the place of beginning. Also excepting that part of Government Lot 4, Section 2,  
18.28 Township 112 North, Range 12 West, which lies West of Undercliff Street in said village,  
18.29 North of the southerly line of said Lot 1, Block 14, prolonged westerly, and East of a line  
18.30 beginning 6 chains West of the intersection of the east and west center line of said Section  
18.31 2 with the west shore of Lake Pepin, being the point of intersection of the west line of said  
18.32 Undercliff Street and said east and west center line; thence South 33 degrees 15 minutes  
18.33 West 9.60 chains, being a triangular piece of land; all of Block 14, except Lot 1 of said  
18.34 Block 14; Lots 11, 12, 13, 14, 15, 16, 17, 18, and 19 of Block 15, except so much of Lot  
18.35 11 in said Block 15 (in a triangular form) as lies between the west end of Lots 2 and 3 of  
18.36 said Block 15 and the east line of Bluff Street, all in the town of Frontenac according to

19.1 the accepted and recorded map of said town of Frontenac now on file and of record in the  
19.2 Office of the Register of Deeds in and for said County of Goodhue;

19.3 (2) that part of the West Half of the Northeast Quarter of Section 6, Township 112  
19.4 North, Range 13 West, Goodhue County, Minnesota, described as follows: Commencing  
19.5 at the northeast corner of the West Half of the Northeast Quarter of said Section 6; thence  
19.6 South 01 degree 11 minutes 39 seconds East, assumed bearing, along the east line of  
19.7 said West Half of the Northeast Quarter of Section 6, a distance of 1,100.00 feet to the  
19.8 point of beginning of the land to be described; thence North 01 degree 11 minutes 39  
19.9 seconds West, along said east line, a distance of 400.00 feet; thence South 89 degrees 01  
19.10 minute 10 seconds West, a distance of 442.03 feet; thence southwesterly, a distance of  
19.11 534.99 feet along a nontangential curve concave to the northwest having a radius of  
19.12 954.93 feet, a central angle of 33 degrees 53 minutes 57 seconds, and a chord that bears  
19.13 South 42 degrees 45 minutes 42 seconds West; thence South 59 degrees 42 minutes 41  
19.14 seconds West, tangent to said curve, a distance of 380.00 feet to the centerline of State  
19.15 Highway 61, as now located and established; thence southeasterly, along said centerline  
19.16 of State Highway 61, a distance of 160 feet, more or less, to the intersection with a line  
19.17 bearing South 73 degrees 00 minutes 00 seconds West from the point of beginning; thence  
19.18 North 73 degrees 00 minutes 00 seconds East, to the point of beginning. Together with a  
19.19 50.00-foot wide driveway and utility easement, which lies northwesterly and adjoins the  
19.20 northwesterly line of the above described property; and

19.21 (3) that part of the West Half of the Northeast Quarter of Section 6, Township  
19.22 112 North, Range 13 West, Goodhue County, described as follows: Commencing at  
19.23 the northeast corner of the West Half of the Northeast Quarter of said Section 6; thence  
19.24 South 01 degree 11 minutes 39 seconds East, assumed bearing, along the east line of  
19.25 said West Half of the Northeast Quarter of Section 6, a distance of 1,100.00 feet to the  
19.26 point of beginning of the land to be described; thence South 73 degrees 00 minutes 00  
19.27 seconds West, to the centerline of State Highway 61, as now located and established;  
19.28 thence southeasterly, along said centerline of State Highway 61, to the south line of said  
19.29 West Half of the Northeast Quarter of Section 6; thence North 88 degrees 34 minutes  
19.30 56 seconds East, along said south line, to the southeast corner of said West Half of the  
19.31 Northeast Quarter of Section 6; thence North 01 degree 11 minutes 39 seconds West, a  
19.32 distance of 1,902.46 feet to the point of beginning.

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

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

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

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

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

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

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

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

20.22           Sec. 21. DELETIONS FROM STATE PARKS.

20.23            Subdivision 1. [85.012] [Subd. 21.] Frontenac State Park, Goodhue County.  
20.24 The following areas are deleted from Frontenac State Park, all in Township 112 North,  
20.25 Range 13 West, Goodhue County:

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

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

21.4           (3) that part of the Northeast Quarter, Section 11, being described as Lots 1, 2, 3,  
21.5 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, and 16, BLOCK 69, WESTERVELT (aka town of  
21.6 Frontenac) according to the plat on file and of record in the Office of the Recorder for  
21.7 Goodhue County, Minnesota;

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

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

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

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

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

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

21.28           (c) the East 2 rods of the Southwest Quarter of the Southwest Quarter, Section  
21.29 22, Township 48 North, Range 16 West.

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

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

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

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

22.7 (3) that part of Government Lot 6 and that part of Government Lot 7 of Section 6,  
22.8 Township 107 North, Range 40 West, and that part of Government Lot 1 and that part of  
22.9 Government Lot 2 of Section 7, Township 107 North, Range 40 West, Murray County,  
22.10 Minnesota, described as follows:

22.11 Commencing at the East Quarter Corner of said Section 6; thence on a bearing based  
22.12 on the 1983 Murray County Coordinate System (1996 Adjustment), of South 00 degrees  
22.13 22 minutes 05 seconds East 1405.16 feet along the east line of said Section 6; thence  
22.14 North 89 degrees 07 minutes 01 second West 1942.39 feet; thence South 03 degrees 33  
22.15 minutes 00 seconds West 94.92 feet to the northeast corner of Block 5 of FORMAN  
22.16 ACRES, according to the recorded plat thereof on file and of record in the Murray County  
22.17 Recorder's Office; thence South 14 degrees 34 minutes 00 seconds West 525.30 feet along  
22.18 the easterly line of said Block 5 and along the easterly line of the Private Roadway of  
22.19 FORMAN ACRES to the southeasterly corner of said Private Roadway and the POINT  
22.20 OF BEGINNING; thence North 82 degrees 15 minutes 00 seconds West 796.30 feet along  
22.21 the southerly line of said Private Roadway to an angle point on said line and an existing  
22.22 1/2 inch diameter rebar; thence South 64 degrees 28 minutes 26 seconds West 100.06  
22.23 feet along the southerly line of said Private Roadway to an angle point on said line and  
22.24 an existing 1/2 inch diameter rebar; thence South 33 degrees 01 minute 32 seconds West  
22.25 279.60 feet along the southerly line of said Private Roadway to an angle point on said line;  
22.26 thence South 76 degrees 04 minutes 52 seconds West 766.53 feet along the southerly line  
22.27 of said Private Roadway to a 3/4 inch diameter rebar with a plastic cap stamped "MN DNR  
22.28 LS 17003" (DNR MON); thence South 16 degrees 24 minutes 50 seconds West 470.40  
22.29 feet to a DNR MON; thence South 24 degrees 09 minutes 57 seconds West 262.69 feet to  
22.30 a DNR MON; thence South 08 degrees 07 minutes 09 seconds West 332.26 feet to a DNR  
22.31 MON; thence North 51 degrees 40 minutes 02 seconds West 341.79 feet to the east line  
22.32 of Lot A of Lot 1 of LOT A OF GOV. LOT 8, OF SEC. 6 AND LOT A OF GOV. LOT  
22.33 1, OF SEC 7 TP. 107 RANGE 40, according to the recorded plat thereof on file and of  
22.34 record in the Murray County Recorder's Office and a DNR MON; thence South 14 degrees  
22.35 28 minutes 55 seconds West 71.98 feet along the east line of said Lot A to the northerly  
22.36 most corner of Lot 36 of HUDSON ACRES, according to the record plat thereof on file

23.1 and of record in the Murray County Recorder's Office and an existing steel fence post;  
23.2 thence South 51 degrees 37 minutes 05 seconds East 418.97 feet along the northeasterly  
23.3 line of said Lot 36 and along the northeasterly line of Lots 35, 34, 33, 32 of HUDSON  
23.4 ACRES to an existing 1 inch inside diameter iron pipe marking the easterly most corner of  
23.5 Lot 32 and the most northerly corner of Lot 31A of HUDSON ACRES; thence South 48  
23.6 degrees 33 minutes 10 seconds East 298.26 feet along the northeasterly line of said Lot  
23.7 31A to an existing 1 1/2 inch inside diameter iron pipe marking the easterly most corner  
23.8 thereof and the most northerly corner of Lot 31 of HUDSON ACRES; thence South 33  
23.9 degrees 53 minutes 30 seconds East 224.96 feet along the northeasterly line of said Lot 31  
23.10 and along the northeasterly line of Lots 30 and 29 of HUDSON ACRES to an existing 1  
23.11 1/2 inch inside diameter iron pipe marking the easterly most corner of said Lot 29 and  
23.12 the most northerly corner of Lot 28 of HUDSONS ACRES; thence South 45 degrees 23  
23.13 minutes 54 seconds East 375.07 feet along the northeasterly line of said Lot 28 and along  
23.14 the northeasterly line of Lots 27, 26, 25, 24 of HUDSON ACRES to an existing 1 1/2 inch  
23.15 inside diameter iron pipe marking the easterly most corner of said Lot 24 and the most  
23.16 northerly corner of Lot 23 of HUDSON ACRES; thence South 64 degrees 39 minutes  
23.17 53 seconds East 226.80 feet along the northeasterly line of said Lot 23 and along the  
23.18 northeasterly line of Lots 22 and 21 of HUDSON ACRES to an existing 1 1/2 inch inside  
23.19 diameter iron pipe marking the easterly most corner of said Lot 21 and the most northerly  
23.20 corner of Lot 20 of HUDSON ACRES; thence South 39 degrees 49 minutes 49 seconds  
23.21 East 524.75 feet along the northeasterly line of said Lot 20 and along the northeasterly  
23.22 line of Lots 19, 18, 17, 16, 15, 14 of HUDSON ACRES to an existing 1 1/2 inch inside  
23.23 diameter iron pipe marking the easterly most corner of said Lot 14 and the most northerly  
23.24 corner of Lot 13 of HUDSON ACRES; thence South 55 degrees 31 minutes 43 seconds  
23.25 East 225.11 feet along the northeasterly line of said Lot 13 and along the northeasterly  
23.26 line of Lots 12 and 11 of HUDSON ACRES to an existing 1 1/2 inch inside diameter iron  
23.27 pipe marking the easterly most corner of said Lot 11 and the northwest corner of Lot 10  
23.28 of HUDSON ACRES; thence South 88 degrees 03 minutes 49 seconds East 224.90 feet  
23.29 along the north line of said Lot 10 and along the north line of Lots 9 and 8 of HUDSON  
23.30 ACRES to an existing 1 1/2 inch inside diameter iron pipe marking the northeast corner  
23.31 of said Lot 8 and the northwest corner of Lot 7 of HUDSON ACRES; thence North 84  
23.32 degrees 07 minutes 37 seconds East 525.01 feet along the north line of said Lot 7 and  
23.33 along the north line of Lots 6, 5, 4, 3, 2, 1 of HUDSON ACRES to an existing 1 1/2 inch  
23.34 inside diameter iron pipe marking the northeast corner of said Lot 1 of HUDSON ACRES;  
23.35 thence southeasterly, easterly and northerly along a non-tangential curve concave to the  
23.36 north having a radius of 50.00 feet, central angle 138 degrees 41 minutes 58 seconds, a

24.1 distance of 121.04 feet, chord bears North 63 degrees 30 minutes 12 seconds East; thence  
24.2 continuing northwesterly and westerly along the previously described curve concave to  
24.3 the south having a radius of 50.00 feet, central angle 138 degrees 42 minutes 00 seconds, a  
24.4 distance of 121.04 feet, chord bears North 75 degrees 11 minutes 47 seconds West and  
24.5 a DNR MON; thence South 84 degrees 09 minutes 13 seconds West not tangent to said  
24.6 curve 520.52 feet to a DNR MON; thence North 88 degrees 07 minutes 40 seconds West  
24.7 201.13 feet to a DNR MON; thence North 55 degrees 32 minutes 12 seconds West 196.66  
24.8 feet to a DNR MON; thence North 39 degrees 49 minutes 59 seconds West 530.34 feet to  
24.9 a DNR MON; thence North 64 degrees 41 minutes 41 seconds West 230.01 feet to a DNR  
24.10 MON; thence North 45 degrees 23 minutes 00 seconds West 357.33 feet to a DNR MON;  
24.11 thence North 33 degrees 53 minutes 32 seconds West 226.66 feet to a DNR MON; thence  
24.12 North 48 degrees 30 minutes 31 seconds West 341.45 feet to a DNR MON; thence North  
24.13 08 degrees 07 minutes 09 seconds East 359.28 feet to a DNR MON; thence North 24  
24.14 degrees 09 minutes 58 seconds East 257.86 feet to a DNR MON; thence North 16 degrees  
24.15 24 minutes 50 seconds East 483.36 feet to a DNR MON; thence North 76 degrees 04  
24.16 minutes 53 seconds East 715.53 feet to a DNR MON; thence North 33 degrees 01 minute  
24.17 32 seconds East 282.54 feet to a DNR MON; thence North 64 degrees 28 minutes 25  
24.18 seconds East 84.97 feet to a DNR MON; thence South 82 degrees 15 minutes 00 seconds  
24.19 East 788.53 feet to a DNR MON; thence North 07 degrees 45 minutes 07 seconds East  
24.20 26.00 feet to the point of beginning; containing 7.55 acres.

24.21 Subd. 5. [85.012] [Subd. 44a.] Moose Lake State Park, Carlton County. The  
24.22 following areas are deleted from Moose Lake State Park, all in Township 46 North, Range  
24.23 19 West, Carlton County:

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

24.26 (2) Parcel B: the West 660.00 feet of the Northwest Quarter of the Southeast Quarter  
24.27 of Section 28 lying northerly of a line 75.00 feet northerly of and parallel with the  
24.28 centerline of State Trunk Highway 73, and subject to a taking for highway purposes of a  
24.29 100.00-foot wide strip for access and also subject to highway and road easements;

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



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

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

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

25.9           (7) Parcel J: that part of the North One-Half of the Southeast Quarter of Section 28,  
25.10 described as follows: Commencing at the northwest corner of said North One-Half of the  
25.11 Southeast Quarter; thence South 89 degrees 57 minutes 36 seconds East along the north  
25.12 line of said North One-Half of the Southeast Quarter a distance of 660.01 feet to the east  
25.13 line of the West 660.00 feet of said North One-Half of the Southeast Quarter and the actual  
25.14 point of beginning; thence continue South 89 degrees 57 minutes 36 seconds East along  
25.15 the north line of said North One-Half of the Southeast Quarter a distance of 657.40 feet to  
25.16 the southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 28;  
25.17 thence South 00 degrees 19 minutes 17 seconds West, parallel to the west line of said North  
25.18 One-Half of the Southeast Quarter a distance of 715.12 feet to the westerly right-of-way  
25.19 of US Interstate Highway 35; thence along said westerly right-of-way of US Interstate  
25.20 Highway 35 a distance of 457.86 feet on a nontangential curve, concave to the southeast,  
25.21 having a radius of 1,054.93 feet, a central angle of 24 degrees 52 minutes 03 seconds, and  
25.22 a chord bearing of South 39 degrees 00 minutes 37 seconds West; thence South 46 degrees  
25.23 44 minutes 11 seconds West along said westerly right-of-way of US Interstate Highway 35  
25.24 a distance of 295.30 feet to the northerly right-of-way of Minnesota Trunk Highway 73;  
25.25 thence 163.55 feet along said northerly right-of-way of Minnesota Trunk Highway 73 on  
25.26 a nontangential curve, concave to the south, having a radius of 1,984.88 feet, a central  
25.27 angle of 4 degrees 43 minutes 16 seconds, and a chord bearing of South 77 degrees 39  
25.28 minutes 40 seconds West to the east line of the West 660.00 feet of said North One-Half of  
25.29 the Southeast Quarter; thence North 00 degrees 19 minutes 17 seconds East a distance of  
25.30 1,305.90 feet, more or less, to the point of beginning and there terminating.

25.31           Sec. 22. **ADDITIONS TO STATE RECREATION AREAS.**

25.32           **[85.013] [Subd. 11a.] Garden Island State Recreation Area, Lake of the Woods**  
25.33 **County.** The following areas are added to Garden Island State Recreation Area, Lake of  
25.34 **the Woods County:**

26.1 (1) Bureau of Land Management Island County Control Number 013 (aka Bridges  
26.2 Island) within Lake of the Woods and located in Section 9, Township 165 North, Range  
26.3 32 West;

26.4 (2) Bureau of Land Management Island County Control Number 014 (aka Knight  
26.5 Island) within Lake of the Woods and located in Section 22, Township 165 North, Range  
26.6 32 West; and

26.7 (3) Bureau of Land Management Island County Control Number 015 (aka Babe  
26.8 Island) within Lake of the Woods and located in Section 17, Township 166 North, Range  
26.9 32 West.

26.10 Sec. 23. **ADDITIONS TO BIRCH LAKES STATE FOREST.**

26.11 **[89.021] [Subd. 7.] Birch Lakes State Forest.** The following area is added to  
26.12 Birch Lakes State Forest: the East Half of the Northeast Quarter, Section 35, Township  
26.13 127 North, Range 33 West, Stearns County.

26.14 Sec. 24. **LEASE OF TAX-FORFEITED AND STATE LANDS.**

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

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

26.19 Sec. 25. **PUBLIC OR PRIVATE SALE OF CONSOLIDATED CONSERVATION**  
26.20 **LAND BORDERING PUBLIC WATER; AITKIN COUNTY.**

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

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

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

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

27.4 Sec. 26. **PUBLIC OR PRIVATE SALE OF CONSOLIDATED CONSERVATION**  
27.5 **LAND; AITKIN COUNTY.**

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

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

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

27.15 (1) that part of the Northwest Quarter of the Southeast Quarter, Section 31, Township  
27.16 49 North, Range 22 West, lying east of County State-Aid Highway 6, containing 3 acres,  
27.17 more or less;

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

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

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

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

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

27.30 Sec. 27. **PRIVATE SALE OF SURPLUS STATE LAND; BELTRAMI COUNTY.**

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

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

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

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

28.23 **Sec. 28. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
28.24 **WATER; BELTRAMI COUNTY.**

28.25 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
28.26 1, and the public sale provisions of Minnesota Statutes, chapter 282, Beltrami County  
28.27 may sell by private sale the tax-forfeited land bordering public water that is described in  
28.28 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

28.31 (c) The land to be sold is located in Beltrami County and is described as: the easterly  
28.32 350 feet of the following described parcel: Northland Addition to Bemidji Lots E, G, H,  
28.33 I, J, Section 8, Township 146 North, Range 33 West, and all that part of Unplatted Lot  
28.34 1, Section 17, Township 146 North, Range 33 West and the Minneapolis, Red Lake, and  
28.35 Manitoba Railway right-of-way lying West of Park Avenue and within Lot 1 except that

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

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

29.5 **Sec. 29. PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
29.6 **WATER; CARLTON COUNTY.**

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

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

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

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

29.17 **Sec. 30. EXCHANGE OF STATE LAND WITHIN CARVER HIGHLANDS**  
29.18 **WILDLIFE MANAGEMENT AREA; CARVER COUNTY.**

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

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

29.24 (1) that part of the South Half of the Northwest Quarter and that part of the  
29.25 Northwest Quarter of the Southwest Quarter lying northwesterly of the following  
29.26 described line: Beginning on the north line of the South Half of the Northwest Quarter,  
29.27 1,815 feet East of the northwest corner thereof; thence southwesterly 3,200 feet, more or  
29.28 less, to the southwest corner of the Northwest Quarter of the Southwest Quarter and there  
29.29 terminating, all in Section 30, Township 115 North, Range 23 West;

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

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

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

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

30.9 **Sec. 31. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
30.10 **WATER; CHIPPEWA COUNTY.**

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

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

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

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

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

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

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

30.32 **Sec. 32. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
30.33 **WATER; CLEARWATER COUNTY.**

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

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

31.6 (c) The land to be sold is located in Clearwater County and is described as: Parcel  
31.7 11.300.0020.

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

31.10 **Sec. 33. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
31.11 **WATER OR WETLANDS; DAKOTA COUNTY.**

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

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

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

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

31.26 Commencing at the southwest corner of said Government Lot 7; thence North,  
31.27 assumed bearing, along the west line of said Government Lot 7, a distance of 178.00  
31.28 feet; thence northeasterly along a nontangential curve concave to the southeast a  
31.29 distance of 290.00 feet, said curve having a radius of 764.50 feet, a central angle of  
31.30 21 degrees 43 minutes 57 seconds, a chord of 288.24 feet and a chord bearing of  
31.31 North 24 degrees 29 minutes 20 seconds East; thence continuing northeasterly along  
31.32 a tangent curve concave to the southeast a distance of 350.00 feet, said curve having  
31.33 a radius of 708.80 feet, a central angle of 28 degrees 17 minutes 32 seconds, a chord  
31.34 of 346.46 feet and a chord bearing of North 49 degrees 30 minutes 04 seconds East;  
31.35 thence North 63 degrees 38 minutes 50 seconds East tangent to the last described

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

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

32.10 Sec. 34. **PRIVATE SALE OF SURPLUS STATE LAND; HENNEPIN COUNTY.**

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

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

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

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

32.25 Sec. 35. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
32.26 **WATER; ITASCA COUNTY.**

32.27 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
32.28 1, and the public sale provisions of Minnesota Statutes, chapter 282, Itasca County may  
32.29 sell to Itasca County the tax-forfeited land bordering public water that is described in  
32.30 paragraph (c), for the appraised value of the land.

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

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



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

33.3 **Sec. 36. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
33.4 **WATER; MARSHALL COUNTY.**

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

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

33.10 (c) The land to be sold is located in Marshall County and is described as: that part of  
33.11 the westerly ten acres of the North Half of the Northeast Quarter lying southerly of the  
33.12 following described line: Commencing at the quarter section corner between Sections 2  
33.13 and 11; thence South along the quarter section line a distance of 1,080 feet to the northern  
33.14 edge of County Ditch #25, the point of beginning; thence upstream along said ditch North  
33.15 40 degrees East 95 feet; thence South 41 degrees East 500 feet to the intersection with  
33.16 State Ditch #83; thence along said state ditch North 52 degrees 50 minutes East 196 feet;  
33.17 thence East 2,092 feet to the section line between Sections 11 and 12.

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

33.20 **Sec. 37. EXCHANGE OF STATE LAND WITHIN LAKE LOUISE STATE**  
33.21 **PARK; MOWER COUNTY.**

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

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

33.30 (c) The state land that may be exchanged is located in Mower County and is  
33.31 described as: that part of the Southeast Quarter of the Southwest Quarter of the Southeast  
33.32 Quarter of Section 20, Township 101 North, Range 14 West, Mower County, Minnesota,  
33.33 described as follows: Beginning at a point on the south line of said Section 20 a distance  
33.34 of 1,039.50 feet (63 rods) East of the south quarter corner of said Section 20; thence North  
33.35 at right angles to said south line 462.00 feet (28 rods); thence West parallel to said south

34.1 line 380.6 feet, more or less, to the west line of said Southeast Quarter of the Southwest  
34.2 Quarter of the Southeast Quarter; thence South along said west line 462 feet, more or less,  
34.3 to the south line of said Section 20; thence East along said south line 380.6 feet, more  
34.4 or less, to the point of beginning, containing 4.03 acres.

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

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

34.10 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
34.11 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County  
34.12 may sell by private sale the tax-forfeited land bordering public water that is described in  
34.13 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

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

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

34.22 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
34.23 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County  
34.24 may sell by private sale the tax-forfeited land bordering public water that is described in  
34.25 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

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

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

35.1 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
35.2 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County  
35.3 may sell by private sale the tax-forfeited land bordering public water that is described in  
35.4 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

35.8 Section 9, Township 133, Range 43, South 212 feet of Sub Lot 6 and South 212 feet  
35.9 of Sub Lot 7, except tract and except platted (1.19) acres.

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

35.11 Sec. 41. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
35.12 **WATER; OTTER TAIL COUNTY.**

35.13 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
35.14 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County  
35.15 may sell by private sale the tax-forfeited land bordering public water that is described in  
35.16 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

35.20 Section 10, Township 134, Range 42, Heilberger Lake Estates, Reserve Lot A.

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

35.23 Sec. 42. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
35.24 **WATER; OTTER TAIL COUNTY.**

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

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

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

35.31 Section 31, Township 137, Range 39, Government Lot 5 (37.20 acres).

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

36.1       Sec. 43. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
36.2 **WATER; OTTER TAIL COUNTY.**

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

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

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

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

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

36.12       Sec. 44. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
36.13 **WATER; OTTER TAIL COUNTY.**

36.14           (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
36.15 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County  
36.16 may sell by private sale the tax-forfeited land bordering public water that is described in  
36.17 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

36.21           Quiet Waters Development Outlot A.

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

36.24       Sec. 45. **PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
36.25 **WATER; OTTER TAIL COUNTY.**

36.26           (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
36.27 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County  
36.28 may sell by private sale the tax-forfeited land bordering public water that is described in  
36.29 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

36.33           Section 9, Township 136, Range 38, part of Government Lot 4 North and East of  
36.34 highway (Book 307, Page 31).

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

37.3 **Sec. 46. PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
37.4 **WATER; OTTER TAIL COUNTY.**

37.5 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
37.6 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County  
37.7 may sell by private sale the tax-forfeited land bordering public water that is described in  
37.8 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

37.12 Section 9, Township 136, Range 38, Elm Rest, part of Lots 3, 4, 5, and 6 and of  
37.13 Reserve A lying North of road (Book 307, Page 31).

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

37.16 **Sec. 47. PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
37.17 **WATER; OTTER TAIL COUNTY.**

37.18 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
37.19 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County  
37.20 may sell by private sale the tax-forfeited land bordering public water that is described in  
37.21 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

37.25 Section 27, Township 135, Range 39, Government Lot 7 (9.50 acres).

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

37.28 **Sec. 48. PRIVATE SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
37.29 **WATER; OTTER TAIL COUNTY.**

37.30 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
37.31 1, and the public sale provisions of Minnesota Statutes, chapter 282, Otter Tail County  
37.32 may sell by private sale the tax-forfeited land bordering public water that is described in  
37.33 paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

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

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

38.7 Sec. 49. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
38.8 **WATER; OTTER TAIL COUNTY.**

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

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

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

38.15 38609 County Highway 41, Section 9, Township 135, Range 41, part of Government  
38.16 Lot 2 beginning 275 feet West, 1,021.36 feet southwesterly, 1,179 feet southeasterly, 132  
38.17 feet South from northeast corner Section 9; East 33 feet, southerly 314 feet, West 33 feet,  
38.18 northerly on lake East 110 feet to beginning.

38.19 Sec. 50. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
38.20 **WATER; OTTER TAIL COUNTY.**

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

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

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

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

38.28 Sec. 51. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
38.29 **WATER; OTTER TAIL COUNTY.**

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

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

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

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

39.6 Sec. 52. **PUBLIC SALE OF TAX-FORFEITED LANDS BORDERING PUBLIC**  
39.7 **WATER; OTTER TAIL COUNTY.**

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

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

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

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

39.18 Sec. 53. **CONVEYANCE OF SURPLUS STATE LAND; RICE COUNTY.**

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

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

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

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

39.29 Commencing at the northwest corner of the Northwest Quarter of said Section 5;  
39.30 thence southerly on a Minnesota State Plane Grid Azimuth from North of 180  
39.31 degrees 23 minutes 50 seconds along the west line of said Northwest Quarter 348.30  
39.32 feet to the point of beginning of the parcel to be described; thence easterly on an  
39.33 azimuth of 93 degrees 18 minutes 54 seconds 279.20 feet; thence southerly on an  
39.34 azimuth of 183 degrees 10 minutes 40 seconds 144.38 feet; thence southeasterly on  
39.35 an azimuth of 148 degrees 00 minutes 00 seconds 110.00 feet; thence northeasterly

40.1 on an azimuth of 58 degrees 00 minutes 00 seconds 119.90 feet; thence southeasterly  
40.2 on an azimuth of 148 degrees 00 minutes 00 seconds 133.00 feet; thence  
40.3 southwesterly on an azimuth of 238 degrees 00 minutes 00 seconds 199.38 feet;  
40.4 thence westerly on an azimuth of 268 degrees 00 minutes 00 seconds 180.72 feet;  
40.5 thence northerly on an azimuth of 358 degrees 00 minutes 00 seconds 55.36 feet;  
40.6 thence westerly on an azimuth of 268 degrees 00 minutes 00 seconds 152.18 feet;  
40.7 thence northerly on an azimuth of 00 degrees 23 minutes 50 seconds 364.80 feet  
40.8 to the point of beginning; and

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

40.11 Commencing at the northwest corner of the Northwest Quarter of said Section 5;  
40.12 thence southerly on a Minnesota State Plane Grid Azimuth from North of 180  
40.13 degrees 23 minutes 50 seconds along the west line of said Northwest Quarter 348.30  
40.14 feet; thence easterly on an azimuth of 93 degrees 18 minutes 54 seconds 279.20  
40.15 feet to the point of beginning of the parcel to be described; thence continuing  
40.16 easterly on an azimuth of 93 degrees 18 minutes 54 seconds 45.00 feet; thence  
40.17 southeasterly on an azimuth of 148 degrees 00 minutes 00 seconds 202.00 feet;  
40.18 thence southwesterly on an azimuth of 238 degrees 00 minutes 00 seconds 119.90  
40.19 feet; thence northwesterly on an azimuth of 328 degrees 00 minutes 00 seconds  
40.20 110.00 feet; thence northerly on an azimuth of 3 degrees 10 minutes 40 seconds  
40.21 144.38 feet to the point of beginning.

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

40.25 **Sec. 54. PRIVATE SALE OF CONSOLIDATED CONSERVATION LAND;**  
40.26 **ROSEAU COUNTY.**

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

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



41.1 (c) The land that may be sold is located in Roseau County and is described as: the  
41.2 North 75 feet of the East 290.4 feet of the West 489.85 feet of the East 1,321.15 feet  
41.3 of the Northeast Quarter, Section 35, Township 160 North, Range 38 West, containing  
41.4 0.5 acres, more or less.

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

41.9 **Sec. 55. PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.**

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

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

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

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

41.26 **Sec. 56. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
41.27 **WATER; ST. LOUIS COUNTY.**

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

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

42.1 (c) The land that may be sold is located in St. Louis County and is described as: Lot  
42.2 7, Klimek's Addition to Grand Lake, according to the plat thereof on file and of record  
42.3 in the Office of the County Recorder, St. Louis County.

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

42.7 **Sec. 57. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
42.8 **WATER; ST. LOUIS COUNTY.**

42.9 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
42.10 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County  
42.11 may sell by private sale the tax-forfeited land bordering public water that is described in  
42.12 paragraph (c) under the remaining provisions of Minnesota Statutes, chapter 282.

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

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

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

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

42.27 (3) Lot 5 except railroad right-of-way 3 acres, Section 12, T50N, R18W (36 acres)  
42.28 (535-0010-01910);

42.29 (4) Lot 2 except railroad right-of-way, Section 35, T51N, R18W (22.5 acres)  
42.30 (310-0010-05650); and

42.31 (5) Lot 1 except GN railroad right-of-way, Section 35, T51N, R18W (34 acres)  
42.32 (110-0040-00160).

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

43.1       Sec. 58. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
43.2 **WATER; ST. LOUIS COUNTY.**

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

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

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

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

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

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

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

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

43.19       (1) N 1/2 of NW 1/4 of NE 1/4 of SE 1/4, Section 22, T51N, R14W (5 acres)  
43.20 (520-0016-00590);

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

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

43.24       (4) SLY 200 FT OF NLY 1,220 FT OF LOT 4, Section 20, T54N, R18W (9.5 acres)  
43.25 (405-0010-03394);

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

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

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

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

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

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

43.34       (11) LOTS 15, 16, 17, 18, 19, BLOCK 1, COLMANS 4th ACRE TRACT

43.35 ADDITION TO DULUTH, Section 33, T51N, R14W (520-0090-00150, -00160, -00180);

43.36 and

44.1 (12) BLOCKS 17, 18, and 20, PLAT OF VERMILION TRAIL LODGE, Section  
44.2 13, T62N, R14W.

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

44.5 Sec. 59. **PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

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

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

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

44.12 Lots 20 and 21, Plat of Twin Lakes, Government Lot 3, Section 32, T60N, R19W  
44.13 (1.1 acres) (385-0070-00200).

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

44.17 Sec. 60. **CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
44.18 **WATER; ST. LOUIS COUNTY.**

44.19 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
44.20 1, and the public sale provisions of Minnesota Statutes, chapter 282, St. Louis County  
44.21 may convey to the state for no consideration the tax-forfeited land bordering public water  
44.22 that is described in paragraph (c).

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

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

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

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

45.1 southeasterly line of said railway right-of-way a distance of 150 feet to point of beginning  
45.2 and there terminating.

45.3 EXCEPT FURTHER: that part of Government Lot 2 commencing at the point of  
45.4 intersection of the south line of Lot 2 and the southeasterly right-of-way of the St. Paul  
45.5 and Duluth and Northern Pacific Railway; thence northeasterly along the southeasterly  
45.6 line of said railway right-of-way a distance of 1,064 feet to point of beginning; thence  
45.7 deflect 44 degrees, 12 minutes, 27 seconds to the right a distance of 105.44 feet to a  
45.8 point; thence deflect 85 degrees, 16 minutes, 07 seconds to the left a distance of 111.92  
45.9 feet more or less to a point on the southeasterly line of said railway right-of-way; thence  
45.10 deflect to the left and continue northwesterly along the southeasterly line of said railway  
45.11 right-of-way a distance of 160 feet more or less to point of beginning and there terminating  
45.12 (010-2746-00290); and

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

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

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

45.26 **Sec. 61. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

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

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

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

45.33 (1) that part of the South 200 feet of the West 900 feet of Government Lot 4 lying  
45.34 east of State Highway 73, and that part of the North 300 feet of the West 900 feet of

46.1 Government Lot 5 lying east of State Highway 73, all in Section 6, Township 52 North,  
46.2 Range 20 West;

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

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

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

46.19 Sec. 62. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
46.20 **WATER; ST. LOUIS COUNTY.**

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

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

46.29 (c) The land to be sold is located in St. Louis County and is described as: E 1/2 of W  
46.30 1/2 of E 1/2 of SW 1/4 of NW 1/4, Section 27, T57N, R17W (5 acres).

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

46.33 Sec. 63. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
46.34 **WATER; ST. LOUIS COUNTY.**

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

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

47.9 (c) The land to be sold is located in St. Louis County and is described as: that  
47.10 part of Lot 8 beginning at a point 200 feet East of the center of Section 5; thence South  
47.11 300 feet; thence East 300 feet; thence North 263 feet to shoreline of Ash River; thence  
47.12 northwesterly along the river 325 feet; thence southerly to point of beginning, Section 5,  
47.13 T68N, R19W (2 acres) (731-0010-00845).

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

47.16 Sec. 64. **PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
47.17 **WATER; ST. LOUIS COUNTY.**

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

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

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

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

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

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

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

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

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

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

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

48.4 (4) NW 1/4 of SE 1/4 except that part of the NE 1/4 lying N of the East Van Road  
48.5 and except S 1/2 of N 1/2 of S 1/2 and except S 1/2 of S 1/2, Section 5, T52N, R14W  
48.6 (18.3 acres);

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

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

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

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

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

48.15 Sec. 65. **PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

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

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

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

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

48.25 Sec. 66. **PRIVATE SALE OF WILDLIFE MANAGEMENT AREA LAND;**  
48.26 **WABASHA COUNTY.**

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

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

48.34 (c) The land that may be sold is located in Wabasha County and is described as  
48.35 follows: all of the following described tract: the southerly 300 feet of the westerly 350



49.1 feet of the Northwest Quarter of the Northwest Quarter of Section 10, Township 109  
49.2 North, Range 14 West; together with the southerly 300 feet of the easterly 150 feet of the  
49.3 Northeast Quarter of the Northeast Quarter of Section 9, Township 109 North, Range 14  
49.4 West; excepting therefrom the right-of-way of existing highway; containing 3.23 acres  
49.5 more or less.

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

49.10 **Sec. 67. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
49.11 **WATER; WADENA COUNTY.**

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

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

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

49.19 (1) Government Lot 3, Section 28, Township 135 North, Range 33 West, containing  
49.20 0.01 acres, more or less;

49.21 (2) Government Lot 2, Section 34, Township 135 North, Range 33 West, containing  
49.22 1.5 acres, more or less; and

49.23 (3) Government Lot 7, Section 30, Township 135 North, Range 35 West, containing  
49.24 0.01 acres, more or less.

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

49.28 **Sec. 68. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
49.29 **WATER; WASHINGTON COUNTY.**

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

49.34 (b) The conveyance must be in a form approved by the attorney general and provide  
49.35 that the land reverts to the state if the Comfort Lake-Forest Lake Watershed District stops

50.1 using the land for the public purpose described in paragraph (d). The attorney general may  
50.2 make changes to the land description to correct errors and ensure accuracy.

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

50.4 (1) Parcel A (PIN 05.032.21.12.0001): all that part of the Northwest Quarter of the  
50.5 Northeast Quarter, Section 5, Township 32, Range 21, Washington County, Minnesota,  
50.6 that lies East of Minnesota Highway 61 as relocated and South of Judicial Ditch No.  
50.7 1, except the following described tracts:

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

50.16 That part of the Northwest Quarter of the Northeast Quarter, Section 5, Township  
50.17 32 North, Range 21 West, Washington County, Minnesota, described as follows:  
50.18 commencing at the north quarter corner of Section 5; thence East along the north line of  
50.19 Section 5, a distance of 538.8 feet to the easterly right-of-way line of Trunk Highway 61;  
50.20 thence southeasterly deflection to the right 76 degrees 00 minutes 20 seconds, along  
50.21 said highway right-of-way line, 500.4 feet to the point of beginning; thence continuing  
50.22 southeasterly along said highway right-of-way line 293.7 feet to the northwest corner of  
50.23 the Philip F. and Maree la J. Turcott property, as described in Book 261 of Deeds on Page  
50.24 69; thence northeasterly at right angles along the northerly line of said Turcott property in  
50.25 its northeasterly projection thereof, 318.4 feet, more or less, to the centerline of Sunrise  
50.26 River; thence northwesterly along said Sunrise River centerline, 358 feet, more or less, to  
50.27 the point of intersection with a line drawn northeasterly from the point of beginning and  
50.28 perpendicular to the easterly right-of-way line of Trunk Highway 61; thence southwesterly  
50.29 along said line, 154.3 feet, more or less, to the point of beginning; and

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

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

51.1       Sec. 69. **PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
51.2 **WATER; WASHINGTON COUNTY.**

51.3       (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision  
51.4 1, and the public sale provisions of Minnesota Statutes, chapter 282, or other law to  
51.5 the contrary, Washington County may sell by private sale the tax-forfeited land that is  
51.6 bordering public water and described in paragraph (c).

51.7       (b) The conveyance must be in a form approved by the attorney general and must  
51.8 provide that the county or watershed district retains an easement for drainage purposes.  
51.9 The attorney general may make changes to the land description to correct errors and  
51.10 ensure accuracy.

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

51.12       All that part of the Southwest Quarter of the Southeast Quarter of Section 17,  
51.13 Township 30 North, Range 21 West, Washington County, Minnesota, that lies south of  
51.14 the following described parcel:

51.15       Commencing at the northeast corner of the Southwest Quarter of the Southeast  
51.16 Quarter of Section 17; thence South, assumed bearing, along the east line of said  
51.17 Southwest Quarter of the Southeast Quarter, 393 feet to the point of beginning;  
51.18 thence North 88 degrees 30 minutes West, on a line parallel with the north line of  
51.19 said Southwest Quarter of the Southeast Quarter, 915.7 feet, more or less, to an iron  
51.20 pipe; thence North 79 degrees 29 minutes West 395.5 feet, more or less, to a point on  
51.21 the centerline of the county road; thence southerly along said centerline, 323.4 feet,  
51.22 more or less, to a point; thence South 76 degrees 00 minutes East 251.9 feet, more or  
51.23 less, to an iron pipe; thence South 88 degrees 30 minutes East 1083 feet, more or  
51.24 less, to a point on the east line of said Southwest Quarter of the Southeast Quarter;  
51.25 thence North, along said east line, 312 feet, more or less, to the point of beginning.

51.26       And, lies east of the plat of Laurelside which is on file and of record in the Office of  
51.27 the Washington County Recorder.

51.28       And, lies northerly of the following described parcel:

51.29       All that part of said Southwest Quarter of the Southeast Quarter of said Section 17,  
51.30 and all that part of the Northwest Quarter of the Northeast Quarter of Section 20,  
51.31 Township 30 North, Range 21 West; which is also part of vacated Block 146 and  
51.32 adjacent Linden Street (now vacated) of the plat of Wildwood which is on file and  
51.33 of record in the Office of the Washington County Recorder; and more specifically  
51.34 described as follows:

51.35       Commencing at the most westerly corner of Block 147, Wildwood; thence on  
51.36 the northwesterly extension of the southwesterly line of Block 147, a distance of

52.1 60 feet to a point on the southeasterly side of said Block 146, which is also the  
52.2 northwesterly line of Bryant Avenue; thence northeasterly along said southeasterly  
52.3 side of Block 146, a distance of 92 feet to the point of beginning of the parcel to be  
52.4 described; thence continuing northeasterly, along said southeasterly side of Block  
52.5 146, a distance of 231 feet, more or less, to a contour line being at elevation 947 feet  
52.6 above mean sea level; thence in a northwesterly direction along said contour line  
52.7 for 200 feet, more or less, to its intersection with a line that is parallel with and 177  
52.8 feet from said southeasterly side of Block 146 as measured at right angles; thence  
52.9 southwesterly along said parallel line, 297 feet, more or less, to a point drawn at  
52.10 right angles from the point of beginning; thence on a deflection angle of 90 degrees  
52.11 to the left, 177 feet to the point of beginning.

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

52.14 **Sec. 70. EASEMENT ON TAX-FORFEITED LAND; ITASCA COUNTY.**

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

52.21 **Sec. 71. REPORT.**

52.22 By January 15, 2009, the Department of Natural Resources, in cooperation with  
52.23 the attorney general, stakeholders, and a representative from the Voyageurs National  
52.24 Park, shall report to the house of representatives and senate committees with jurisdiction  
52.25 over environment and natural resources budget and policy on any state and federal  
52.26 contractual agreements and the legal relationship between the state and federal authorities  
52.27 relating to the navigable waters under the state's jurisdiction as described in Minnesota  
52.28 Statutes, section 84B.061, within Voyageurs National Park. The department shall  
52.29 make recommendations, including any draft legislation, on how to appropriately share  
52.30 enforcement duties between state and federal officials.

52.31 **Sec. 72. REPEALER.**

52.32 Minnesota Statutes 2006, sections 16B.281, subdivisions 2, 4, and 5; and 16B.285,  
52.33 are repealed.

53.1 Sec. 73. **EFFECTIVE DATE.**

53.2 This article is effective the day following final enactment.

53.3 **ARTICLE 2**

53.4 **GAME AND FISH**

53.5 Section 1. Minnesota Statutes 2007 Supplement, section 10A.01, subdivision 35,  
53.6 is amended to read:

53.7 Subd. 35. **Public official.** "Public official" means any:

53.8 (1) member of the legislature;

53.9 (2) individual employed by the legislature as secretary of the senate, legislative  
53.10 auditor, chief clerk of the house, revisor of statutes, or researcher, legislative analyst, or  
53.11 attorney in the Office of Senate Counsel and Research or House Research;

53.12 (3) constitutional officer in the executive branch and the officer's chief administrative  
53.13 deputy;

53.14 (4) solicitor general or deputy, assistant, or special assistant attorney general;

53.15 (5) commissioner, deputy commissioner, or assistant commissioner of any state  
53.16 department or agency as listed in section 15.01 or 15.06, or the state chief information  
53.17 officer;

53.18 (6) member, chief administrative officer, or deputy chief administrative officer of a  
53.19 state board or commission that has either the power to adopt, amend, or repeal rules under  
53.20 chapter 14, or the power to adjudicate contested cases or appeals under chapter 14;

53.21 (7) individual employed in the executive branch who is authorized to adopt, amend,  
53.22 or repeal rules under chapter 14 or adjudicate contested cases under chapter 14;

53.23 (8) executive director of the State Board of Investment;

53.24 (9) deputy of any official listed in clauses (7) and (8);

53.25 (10) judge of the Workers' Compensation Court of Appeals;

53.26 (11) administrative law judge or compensation judge in the State Office of  
53.27 Administrative Hearings or referee in the Department of Employment and Economic  
53.28 Development;

53.29 (12) member, regional administrator, division director, general counsel, or operations  
53.30 manager of the Metropolitan Council;

53.31 (13) member or chief administrator of a metropolitan agency;

53.32 (14) director of the Division of Alcohol and Gambling Enforcement in the  
53.33 Department of Public Safety;

53.34 (15) member or executive director of the Higher Education Facilities Authority;

53.35 (16) member of the board of directors or president of Minnesota Technology, Inc.;

- 54.1 (17) member of the board of directors or executive director of the Minnesota State  
54.2 High School League;
- 54.3 (18) member of the Minnesota Ballpark Authority established in section 473.755;
- 54.4 (19) citizen member of the Legislative-Citizen Commission on Minnesota Resources;
- 54.5 (20) manager of a watershed district, or member of a watershed management  
54.6 organization as defined under section 103B.205, subdivision 13; ~~or~~
- 54.7 (21) supervisor of a soil and water conservation district; or
- 54.8 (22) citizen member of the Lessard Outdoor Heritage Council established in section  
54.9 97A.056.

54.10 **EFFECTIVE DATE.** This section is effective November 15, 2008, if the  
54.11 constitutional amendment proposed in Laws 2008, chapter 151, is adopted by the voters.

54.12 Sec. 2. Minnesota Statutes 2006, section 17.4981, is amended to read:

54.13 **17.4981 GENERAL CONDITIONS FOR REGULATION OF AQUATIC**  
54.14 **FARMS.**

54.15 (a) Aquatic farms are licensed to culture private aquatic life. Cultured aquatic life  
54.16 is not wildlife. Aquatic farms must be licensed and given classifications to prevent or  
54.17 minimize impacts on natural resources. The purpose of sections 17.4981 to 17.4997 is to:

- 54.18 (1) prevent public aquatic life from entering an aquatic farm;
- 54.19 (2) prevent release of nonindigenous or exotic species into public waters without  
54.20 approval of the commissioner;
- 54.21 (3) protect against release of disease pathogens to public waters;
- 54.22 (4) protect existing natural aquatic habitats and the wildlife dependent on them; and
- 54.23 (5) protect private aquatic life from unauthorized taking or harvest.

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

54.26 (c) The commissioner of natural resources shall establish license and other fees as  
54.27 provided in section 16A.1285, subdivision 2, that would make aquaculture licensing and  
54.28 enforcement self-sustaining. The commissioner shall develop best management practices  
54.29 for aquaculture to ensure the long-term sustainability of aquaculture and wetlands used for  
54.30 aquaculture, including, but not limited to, fish farming in man-made ponds.

54.31 Sec. 3. Minnesota Statutes 2007 Supplement, section 17.4984, subdivision 1, is  
54.32 amended to read:

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

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

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

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

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

55.10 (f) ~~By January 15, 2008, the commissioner shall report to the senate and house~~  
55.11 ~~of representatives committees on natural resource policy and finance on policy~~  
55.12 ~~recommendations regarding aquaculture.~~ The commissioner shall not issue a new license  
55.13 for aquatic farm purposes on a natural water body that has been restored or subject to a  
55.14 protective easement or other interest in land that was at least partially paid for with state or  
55.15 federal money.

55.16 (g) Before a new aquatic farm license is issued for a natural water body, the applicant  
55.17 must notify all owners of property with direct access to the water body. The notification  
55.18 must include the language of this subdivision.

55.19 **EFFECTIVE DATE.** This section is effective the day following final enactment  
55.20 and applies to applications submitted after that date.

55.21 Sec. 4. Minnesota Statutes 2006, section 84.027, subdivision 15, is amended to read:

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

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

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

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

56.1           (4) charge and permit agents to charge a convenience fee not to exceed three percent  
56.2 of the cost of the license to individuals who use electronic bank cards for payment. An  
56.3 electronic licensing system agent charging a fee of individuals making an electronic  
56.4 bank card transaction in person must post a sign informing individuals of the fee. The  
56.5 sign must be near the point of payment, clearly visible, include the amount of the fee, and  
56.6 state: "License agents are allowed by state law to charge a fee not to exceed three percent  
56.7 of the cost of state licenses to persons who use electronic bank cards for payment. The  
56.8 fee is not required by state law.";

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

56.14           ~~(5)~~ (6) adopt rules to administer the provisions of this subdivision.

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

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

56.21           Sec. 5. Minnesota Statutes 2006, section 84D.10, subdivision 2, is amended to read:

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

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

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

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

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

56.32           Sec. 6. Minnesota Statutes 2006, section 84D.13, subdivision 4, is amended to read:



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

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

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

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

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

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

57.14 Sec. 7. Minnesota Statutes 2006, section 85.46, subdivision 1, is amended to read:

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

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

57.24 Sec. 8. Minnesota Statutes 2006, section 97A.015, subdivision 32a, is amended to read:

57.25 Subd. 32a. ~~Muzzle-loader~~ **Muzzleloader season.** ~~"Muzzle-loader Muzzleloader~~  
57.26 ~~season"~~ means the ~~firearms~~ deer season ~~option~~ open only for legal ~~muzzle-loading~~  
57.27 muzzleloading firearms, as prescribed by the commissioner.

57.28 Sec. 9. Minnesota Statutes 2006, section 97A.015, subdivision 41a, is amended to read:

57.29 Subd. 41a. **Regular firearms season.** "Regular firearms season" means any of  
57.30 the firearms deer ~~season options~~ seasons prescribed by the commissioner that begin in  
57.31 November, exclusive of the ~~muzzle-loader~~ muzzleloader season.

58.1 Sec. 10. Minnesota Statutes 2006, section 97A.015, is amended by adding a  
58.2 subdivision to read:

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

58.5 Sec. 11. Minnesota Statutes 2006, section 97A.045, subdivision 7, is amended to read:

58.6 Subd. 7. **Duty to encourage stamp design and purchases.** (a) The commissioner  
58.7 shall encourage the purchase of:

58.8 (1) Minnesota migratory waterfowl stamps by nonhunters interested in migratory  
58.9 waterfowl preservation and habitat development;

58.10 (2) pheasant stamps by persons interested in pheasant habitat improvement;

58.11 (3) trout and salmon stamps by persons interested in trout and salmon stream and  
58.12 lake improvement; ~~and~~

58.13 (4) turkey stamps by persons interested in ~~wild turkey management and habitat~~  
58.14 ~~improvement~~ stamp collecting; and

58.15 (5) walleye stamps by persons interested in walleye stocking and stamp collecting.

58.16 (b) The commissioner shall make rules governing contests for selecting a design for  
58.17 each stamp, including those stamps not required to be in possession while taking game or  
58.18 fish. The commissioner shall ensure that stamp design and characteristics are consistent  
58.19 with the design and characteristics that are sought by pictorial stamp collectors.

58.20 Sec. 12. Minnesota Statutes 2007 Supplement, section 97A.055, subdivision 4, is  
58.21 amended to read:

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

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

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

58.28 (ii) the Minnesota migratory waterfowl stamp under section 97A.475, subdivision  
58.29 5, clause (1);

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

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

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

59.1 (vi) the deer license donations and surcharges under section 97A.475, subdivisions  
59.2 3, paragraph (b), and 3a; and

59.3 (vii) the walleye stamp under section 97A.475, subdivision 10a;

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

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

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

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

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

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

59.14 Sec. 13. Minnesota Statutes 2006, section 97A.055, subdivision 4b, is amended to read:

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

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

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

59.25 (2) a Wildlife Operations Subcommittee to review wildlife funding, excluding  
59.26 activities related to migratory waterfowl, pheasant, and ~~turkey stamp~~ wild turkey  
59.27 management funding and excluding review of the amounts available under section  
59.28 97A.075, subdivision 1, paragraphs (b) and (c);

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

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

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

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

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

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

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

60.9 (10) a subcommittee to review the walleye stamp and address funding issues related  
60.10 to walleye stocking.

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

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

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

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

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

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

60.31 Sec. 14. **[97A.056] OUTDOOR HERITAGE FUND; LESSARD OUTDOOR**  
60.32 **HERITAGE COUNCIL.**

60.33 Subdivision 1. Outdoor heritage fund. An outdoor heritage fund, under article XI,  
60.34 section 15, of the Minnesota Constitution, is established as an account in the state treasury.  
60.35 All money earned by the outdoor heritage fund must be credited to the fund. At least 99

61.1 percent of the money appropriated from the fund must be expended to restore, protect, and  
61.2 enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife.

61.3 Subd. 2. **Lessard Outdoor Heritage Council.** (a) The Lessard Outdoor Heritage  
61.4 Council of 12 members is created in the legislative branch, consisting of:

61.5 (1) two public members appointed by the senate Subcommittee on Committees of  
61.6 the Committee on Rules and Administration;

61.7 (2) two public members appointed by the speaker of the house;

61.8 (3) four public members appointed by the governor;

61.9 (4) two members of the senate appointed by the senate Subcommittee on Committees  
61.10 of the Committee on Rules and Administration; and

61.11 (5) two members of the house of representatives appointed by the speaker of the  
61.12 house.

61.13 (b) Members appointed under paragraph (a) must not be registered lobbyists.

61.14 In making appointments, the governor, senate Subcommittee on Committees of the

61.15 Committee on Rules and Administration, and the speaker of the house shall consider

61.16 geographic balance, gender, age, ethnicity, and varying interests including hunting and

61.17 fishing. The governor's appointments to the council are subject to the advice and consent  
61.18 of the senate.

61.19 (c) Public members appointed under paragraph (a) shall have practical experience

61.20 or expertise or demonstrated knowledge in the science, policy, or practice of restoring,

61.21 protecting, and enhancing wetlands, prairies, forests, and habitat for fish, game, and

61.22 wildlife.

61.23 (d) Legislative members appointed under paragraph (a) shall include the chairs

61.24 of the legislative committees with jurisdiction over environment and natural resources

61.25 finance or their designee, one member from the minority party of the senate, and one

61.26 member from the minority party of the house of representatives.

61.27 (e) Members serve four-year terms and shall be initially appointed according to

61.28 the following schedule of terms:

61.29 (1) two public members appointed by the governor for a term ending the first

61.30 Monday in January 2011;

61.31 (2) one public member appointed by the senate Subcommittee on Committees of the

61.32 Committee on Rules and Administration for a term ending the first Monday in January

61.33 2011;

61.34 (3) one public member appointed by the speaker of the house for a term ending

61.35 the first Monday in January 2011;

62.1 (4) two public members appointed by the governor for a term ending the first  
62.2 Monday in January 2013;

62.3 (5) one public member appointed by the senate Subcommittee on Committees of the  
62.4 Committee on Rules and Administration for a term ending the first Monday in January  
62.5 2013;

62.6 (6) one public member appointed by the speaker of the house for a term ending the  
62.7 first Monday in January 2013; and

62.8 (7) two members of the senate appointed by the senate Subcommittee on Committees  
62.9 of the Committee on Rules and Administration for a term ending the first Monday in  
62.10 January 2013, and two members of the house of representatives appointed by the speaker  
62.11 of the house for a term ending the first Monday in January 2013.

62.12 (f) Compensation and removal of public members are as provided in section  
62.13 15.0575. A vacancy on the council may be filled by the appointing authority for the  
62.14 remainder of the unexpired term.

62.15 (g) The first meeting of the council shall be convened by the chair of the Legislative  
62.16 Coordinating Commission no later than December 1, 2008. Members shall elect a chair,  
62.17 vice chair, secretary, and other officers as determined by the council. The chair may  
62.18 convene meetings as necessary to conduct the duties prescribed by this section.

62.19 (h) The Department of Natural Resources shall provide administrative support for  
62.20 the council. Up to one percent of the money appropriated from the fund may be used to  
62.21 cover the staffing and related administrative expenses of the department and to cover the  
62.22 compensation and travel expenses of council members.

62.23 Subd. 3. **Council recommendations.** (a) The council shall make recommendations  
62.24 to the legislature on appropriations of money from the outdoor heritage fund that are  
62.25 consistent with the Constitution and state law and that take into consideration the outcomes  
62.26 of, including, but not limited to, the Minnesota Conservation and Preservation Plan, that  
62.27 directly relate to the restoration, protection, and enhancement of wetlands, prairies, forests,  
62.28 and habitat for fish, game, and wildlife, and that prevent forest fragmentation, encourage  
62.29 forest consolidation, and expand restored native prairie. The council shall submit its  
62.30 initial recommendations to the legislature no later than April 1, 2009. Subsequent  
62.31 recommendations shall be submitted no later than January 15 each year. The council shall  
62.32 present its recommendations to the senate and house committees with jurisdiction over the  
62.33 environment and natural resources budget by February 15 in odd numbered years, and  
62.34 within the first four weeks of the legislative session in even numbered years. The council's  
62.35 budget recommendations to the legislature shall be separate from the Department of  
62.36 Natural Resource's budget recommendations.

63.1 (b) To encourage and support local conservation efforts, the council shall establish a  
63.2 conservation partners program. Local, regional, state, or national organizations may apply  
63.3 for matching grants for restoration, protection, and enhancement of wetlands, prairies,  
63.4 forests, and habitat for fish, game, and wildlife, prevention of forest fragmentation,  
63.5 encouragement of forest consolidation, and expansion of restored native prairie.

63.6 (c) The council may work with the Clean Water Council to identify projects that  
63.7 are consistent with both the purpose of the outdoor heritage fund and the purpose of  
63.8 the clean water fund.

63.9 (d) The council may make recommendations to the Legislative-Citizen Commission  
63.10 on Minnesota Resources on scientific research that will assist in restoring, protecting, and  
63.11 enhancing wetlands, prairies, forests, and habitat for fish, game, and wildlife, preventing  
63.12 forest fragmentation, encouraging forest consolidation, and expanding restored native  
63.13 prairie.

63.14 (e) Recommendations of the council, including approval of recommendations for the  
63.15 outdoor heritage fund, require an affirmative vote of at least nine members of the council.

63.16 Subd. 4. **Conflict of interest.** (a) A council member may not be an advocate for  
63.17 or against a council action or vote on any action that may be a conflict of interest. A  
63.18 conflict of interest must be disclosed as soon as it is discovered. The council shall follow  
63.19 the policies and requirements related to conflicts of interest developed by the Office of  
63.20 Grants Management under section 16B.98.

63.21 (b) For the purposes of this section, a "conflict of interest" exists when a person has  
63.22 an organizational conflict of interest or direct financial interests and those interests present  
63.23 the appearance that it will be difficult for the person to impartially fulfill the person's  
63.24 duty. An "organizational conflict of interest" exists when a person has an affiliation with  
63.25 an organization that is subject to council activities, which presents the appearance of a  
63.26 conflict between organizational interests and council member duties. An "organizational  
63.27 conflict of interest" does not exist if the person's only affiliation with an organization is  
63.28 being a member of the organization.

63.29 Subd. 5. **Open meetings.** (a) Meetings of the council and other groups the council  
63.30 may establish are subject to chapter 13D. Except where prohibited by law, the council  
63.31 shall establish additional processes to broaden public involvement in all aspects of its  
63.32 deliberations, including recording meetings, video conferencing, and publishing minutes.  
63.33 For the purposes of this subdivision, a meeting occurs when a quorum is present and the  
63.34 members receive information or take action on any matter relating to the duties of the  
63.35 council. The quorum requirement for the council shall be seven members.

64.1 (b) For legislative members of the council, enforcement of this subdivision is  
64.2 governed by section 3.055, subdivision 2. For nonlegislative members of the council,  
64.3 enforcement of this subdivision is governed by section 13D.06, subdivisions 1 and 2.

64.4 Subd. 6. **Audit.** The council shall select an independent auditor to audit the outdoor  
64.5 heritage fund expenditures every two years to ensure that the money is spent to restore,  
64.6 protect, and enhance wetlands, prairies, forests, and habitat for fish, game, and wildlife.

64.7 Subd. 7. **Legislative oversight.** (a) The senate and house chairs of the committees  
64.8 with jurisdiction over the environment and natural resources budget shall convene a joint  
64.9 hearing to review the activities and evaluate the effectiveness of the council and evaluate  
64.10 the effectiveness and efficiency of the department's administration and staffing of the  
64.11 council after five years but no later than June 30, 2014.

64.12 (b) By January 15, 2013, a professional outside review authority shall be chosen by  
64.13 the chairs of the house of representatives and senate committees with jurisdiction over  
64.14 environment and natural resources to evaluate the effectiveness and efficiency of the  
64.15 department's administration and staffing of the council. A report shall be submitted to  
64.16 the chairs by January 15, 2014.

64.17 **EFFECTIVE DATE.** This section is effective November 15, 2008, if the  
64.18 constitutional amendment proposed in Laws 2008, chapter 151, is adopted by the voters.

64.19 Sec. 15. Minnesota Statutes 2006, section 97A.075, subdivision 1, is amended to read:

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

64.25 (b) \$2 from each annual deer license and \$2 annually from the lifetime fish and  
64.26 wildlife trust fund, established in section 97A.4742, for each license issued under section  
64.27 97A.473, subdivision 4, shall be credited to the deer management account and shall be  
64.28 used for deer habitat improvement or deer management programs.

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



65.1 (d) Fifty cents from each deer license is credited to the emergency deer feeding  
65.2 and wild cervidae health management account and is appropriated for emergency deer  
65.3 feeding and wild cervidae health management. Money appropriated for emergency  
65.4 deer feeding and wild cervidae health management is available until expended. When  
65.5 the unencumbered balance in the appropriation for emergency deer feeding and wild  
65.6 cervidae health management at the end of a fiscal year exceeds \$2,500,000 for the first  
65.7 time, \$750,000 is canceled to the unappropriated balance of the game and fish fund.  
65.8 The commissioner must inform the legislative chairs of the natural resources finance  
65.9 committees every two years on how the money for emergency deer feeding and wild  
65.10 cervidae health management has been spent.

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

65.15 Sec. 16. Minnesota Statutes 2006, section 97A.075, subdivision 4, is amended to read:

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

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

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

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

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

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

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

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

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

66.1 Sec. 17. Minnesota Statutes 2006, section 97A.075, subdivision 5, is amended to read:

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

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

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

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

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

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

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

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

66.18 (2) any permanent personnel costs.

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

66.20 Sec. 18. Minnesota Statutes 2006, section 97A.075, is amended by adding a  
66.21 subdivision to read:

66.22 Subd. 6. **Walleye stamp.** (a) Revenue from walleye stamps must be credited to the  
66.23 walleye stamp account. Money in the account must be used only for stocking walleye in  
66.24 waters of the state and related activities.

66.25 (b) Money in the account may not be used for costs unless they are directly related to  
66.26 a specific body of water under paragraph (a), or for costs associated with supplies and  
66.27 equipment to implement walleye stocking activities under paragraph (a).

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

66.29 Sec. 19. Minnesota Statutes 2006, section 97A.311, subdivision 5, is amended to read:

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

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

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

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

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

67.7 Sec. 20. Minnesota Statutes 2007 Supplement, section 97A.405, subdivision 2, is  
67.8 amended to read:

67.9 Subd. 2. **Personal possession.** (a) A person acting under a license or traveling from  
67.10 an area where a licensed activity was performed must have in personal possession either:  
67.11 (1) the proper license, if the license has been issued to and received by the person; or (2)  
67.12 the proper license identification number or stamp validation, if the license has been sold to  
67.13 the person by electronic means but the actual license has not been issued and received.

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

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

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

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

68.1 Sec. 21. Minnesota Statutes 2006, section 97A.431, subdivision 2, is amended to read:

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

68.5 (1) is a resident; and

68.6 ~~(2) is at least age 16 before the season opens; and~~

68.7 ~~(3) (2) has not been issued a moose license for any of the last five seasons or after~~  
68.8 January 1, 1991.

68.9 Sec. 22. Minnesota Statutes 2006, section 97A.433, subdivision 2, is amended to read:

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

68.12 (1) is a resident; and

68.13 ~~(2) is at least age 16 before the season opens; and~~

68.14 ~~(3) (2) has never been issued an elk license.~~

68.15 Sec. 23. Minnesota Statutes 2006, section 97A.434, subdivision 2, is amended to read:

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

68.19 ~~(1) is a resident; and~~

68.20 ~~(2) was born before January 1, 1980, or possesses a firearms safety certificate.~~

68.21 Sec. 24. Minnesota Statutes 2007 Supplement, section 97A.441, subdivision 7, is  
68.22 amended to read:

68.23 Subd. 7. **Owners or tenants of agricultural land.** (a) The commissioner may  
68.24 issue, without a fee, a license to take an antlerless deer to a ~~person~~ resident who is an  
68.25 owner or tenant, or a nonresident who is an owner, of at least 80 acres of agricultural land,  
68.26 as defined in section 97B.001, in deer permit areas that have deer archery licenses to  
68.27 take additional deer under section 97B.301, subdivision 4. A person may receive only  
68.28 one license per year under this subdivision. For properties with co-owners or cotenants,  
68.29 only one co-owner or cotenant may receive a license under this subdivision per year. The  
68.30 license issued under this subdivision is restricted to land leased for agricultural purposes  
68.31 or owned by the holder of the license within the permit area where the qualifying land  
68.32 is located. The holder of the license may transfer the license to the holder's spouse or  
68.33 dependent. Notwithstanding sections 97A.415, subdivision 1, and 97B.301, subdivision

69.1 2, the holder of the license may purchase an additional license for taking deer and may  
69.2 take an additional deer under that license.

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

69.7 Sec. 25. Minnesota Statutes 2007 Supplement, section 97A.451, subdivision 3, is  
69.8 amended to read:

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

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

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

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

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

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

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

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

69.32 **EFFECTIVE DATE.** The amendments to paragraph (a) are effective March 1, 2009.

69.33 Sec. 26. Minnesota Statutes 2006, section 97A.451, subdivision 4, is amended to read:

70.1           Subd. 4. **Persons under age 16; big game.** (a) A person ~~under the age of 16~~ 12,  
70.2 13, 14, or 15 may not obtain a license to take big game unless the person possesses a  
70.3 firearms safety certificate. A person ~~under the age of 14~~ 12 or 13 must be accompanied  
70.4 by a parent or guardian to hunt big game.

70.5           (b) A person age 10 or 11 may take big game provided the person is under the direct  
70.6 supervision of a parent or guardian where the parent or guardian is within immediate  
70.7 reach. Until March 1, 2009, a person age 10 or 11 may take big game under a parent or  
70.8 guardian's license. Beginning March 1, 2009, a person age 10 or 11 must obtain a license  
70.9 in order to take big game and may obtain the license without paying the fee required under  
70.10 section 97A.475, subdivision 2.

70.11           Sec. 27. Minnesota Statutes 2006, section 97A.473, subdivision 2, is amended to read:

70.12           Subd. 2. **Lifetime angling license; fee.** (a) A resident lifetime angling license  
70.13 authorizes a person to take fish by angling in the state. The license authorizes those  
70.14 activities authorized by the annual resident angling license. The license does not include a  
70.15 trout and salmon stamp validation, a walleye stamp validation, or other stamps required  
70.16 by law.

70.17           (b) The fees for a resident lifetime angling license are:

- 70.18           (1) age 3 and under, \$227;  
70.19           (2) age 4 to age 15, \$300;  
70.20           (3) age 16 to age 50, \$383; and  
70.21           (4) age 51 and over, \$203.

70.22           Sec. 28. Minnesota Statutes 2007 Supplement, section 97A.473, subdivision 5, is  
70.23 amended to read:

70.24           Subd. 5. **Lifetime sporting license; fee.** (a) A resident lifetime sporting license  
70.25 authorizes a person to take fish by angling and hunt and trap small game in the state. The  
70.26 license authorizes those activities authorized by the annual resident angling, resident  
70.27 small game hunting, and resident trapping licenses. The license does not include a trout  
70.28 and salmon stamp validation, a turkey stamp validation, a walleye stamp validation, or  
70.29 any other hunting stamps required by law.

70.30           (b) The fees for a resident lifetime sporting license are:

- 70.31           (1) age 3 and under, \$357;  
70.32           (2) age 4 to age 15, \$480;  
70.33           (3) age 16 to age 50, \$613; and  
70.34           (4) age 51 and over, \$413.

71.1 Sec. 29. Minnesota Statutes 2006, section 97A.474, subdivision 2, is amended to read:

71.2 Subd. 2. **Nonresident lifetime angling license; fee.** (a) A nonresident lifetime  
71.3 angling license authorizes a person to take fish by angling in the state. The license  
71.4 authorizes those activities authorized by the annual nonresident angling license. The  
71.5 license does not include a trout and salmon stamp validation, a walleye stamp validation,  
71.6 or other stamps required by law.

71.7 (b) The fees for a nonresident lifetime angling license are:

- 71.8 (1) age 3 and under, \$447;  
71.9 (2) age 4 to age 15, \$600;  
71.10 (3) age 16 to age 50, \$773; and  
71.11 (4) age 51 and over, \$513.

71.12 Sec. 30. Minnesota Statutes 2007 Supplement, section 97A.475, subdivision 2, is  
71.13 amended to read:

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

- 71.16 (1) for persons age 18 or over and under age 65 to take small game, \$12.50;  
71.17 (2) for persons ages 16 and 17 and age 65 or over, \$6 to take small game;  
71.18 (3) for persons age 18 or over to take turkey, \$18 \$23;  
71.19 (4) for persons under age 18 to take turkey, \$12;  
71.20 ~~(4)~~ (5) for persons age 18 or over to take deer with firearms during the regular  
71.21 firearms season, \$26;  
71.22 ~~(5)~~ (6) for persons age 18 or over to take deer by archery, \$26;  
71.23 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader  
71.24 season, \$26;  
71.25 ~~(6)~~ (8) to take moose, for a party of not more than six persons, \$310;  
71.26 ~~(7)~~ (9) to take bear, \$38;  
71.27 ~~(8)~~ (10) to take elk, for a party of not more than two persons, \$250;  
71.28 ~~(9)~~ (11) multizone license to take antlered deer in more than one zone, \$52;  
71.29 ~~(10)~~ (12) to take Canada geese during a special season, \$4;  
71.30 ~~(11)~~ (13) all season license to take three deer throughout the state in any open deer  
71.31 season, except as restricted under section 97B.305, \$78;  
71.32 ~~(12)~~ (14) to take prairie chickens, \$20;  
71.33 ~~(13)~~ (15) for persons ~~at least age 12 and~~ under age 18 to take deer with firearms  
71.34 during the regular firearms season ~~in any open zone or time period,~~ \$13; and

72.1 ~~(14)~~ (16) for persons ~~at least age 12 and~~ under age 18 to take deer by archery,  
72.2 \$13; and  
72.3 (17) for persons under age 18 to take deer by muzzleloader during the muzzleloader  
72.4 season, \$13.

72.5 **EFFECTIVE DATE.** The amendments to clauses (3) and (4) are effective March  
72.6 1, 2009.

72.7 Sec. 31. Minnesota Statutes 2007 Supplement, section 97A.475, subdivision 3, is  
72.8 amended to read:

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

72.11 (1) for persons age 18 ~~and older~~ or over to take small game, \$73;

72.12 (2) for persons age 18 ~~and older~~ or over to take deer with firearms during the regular  
72.13 firearms season, \$135;

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

72.15 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader  
72.16 season, \$135;

72.17 ~~(4)~~ (5) to take bear, \$195;

72.18 ~~(5)~~ (6) for persons age 18 and older to take turkey, ~~\$73~~ \$78;

72.19 (7) for persons under age 18 to take turkey, \$12;

72.20 ~~(6)~~ (8) to take raccoon or bobcat, \$155;

72.21 ~~(7)~~ (9) multizone license to take antlered deer in more than one zone, \$270;

72.22 ~~(8)~~ (10) to take Canada geese during a special season, \$4;

72.23 ~~(9)~~ (11) for persons ~~at least age 12 and~~ under age 18 to take deer with firearms during  
72.24 the regular firearms season in any open ~~zone~~ season option or time period, \$13; ~~and~~

72.25 ~~(10)~~ (12) for persons ~~at least age 12 and~~ under age 18 to take deer by archery,  
72.26 \$13; and

72.27 (13) for persons under age 18 to take deer during the muzzleloader season, \$13.

72.28 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under  
72.29 paragraph (a), clauses (1) to ~~(7)~~ (9). An additional commission may not be assessed  
72.30 on this surcharge.

72.31 **EFFECTIVE DATE.** The amendments to paragraph (a), clauses (6) and (7), are  
72.32 effective March 1, 2009.

72.33 Sec. 32. Minnesota Statutes 2007 Supplement, section 97A.475, subdivision 3a,  
72.34 is amended to read:



73.1 Subd. 3a. **Deer license surcharge.** A person may agree to add a donation of \$1, \$3,  
73.2 or \$5 to the fees for annual resident and nonresident licenses to take deer by firearms or  
73.3 archery established under subdivisions 2, clauses ~~(4), (5), (9), and (11)~~ (5), (6), (7), (11),  
73.4 and (13), and 3, clauses (2), (3), ~~and (7)~~ (4), and (9). Beginning March 1, 2008, fees for  
73.5 bonus licenses to take deer by firearms or archery established under section 97B.301,  
73.6 subdivision 4, must be increased by a surcharge of \$1. An additional commission may not  
73.7 be assessed on the donation or surcharge and the following statement must be included in  
73.8 the annual deer hunting regulations: "The deer license donations and surcharges are being  
73.9 paid by hunters for deer management, including assisting with the costs of processing deer  
73.10 donated for charitable purposes."

73.11 Sec. 33. Minnesota Statutes 2006, section 97A.475, subdivision 5, is amended to read:

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

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

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

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

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

73.17 Sec. 34. Minnesota Statutes 2006, section 97A.475, is amended by adding a  
73.18 subdivision to read:

73.19 Subd. 10a. **Walleye stamp validation.** A person may agree to purchase a walleye  
73.20 stamp validation for \$5.

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

73.22 Sec. 35. Minnesota Statutes 2007 Supplement, section 97A.475, subdivision 16,  
73.23 is amended to read:

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

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

73.29 Sec. 36. Minnesota Statutes 2006, section 97A.485, subdivision 6, is amended to read:

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

- 74.1 (1) to take deer or bear with firearms and by archery, the issuing fee is \$1;
- 74.2 (2) Minnesota sporting, the issuing fee is \$1; ~~and~~
- 74.3 (3) to take small game, to take fish by angling or by spearing, and to trap fur-bearing
- 74.4 animals, the issuing fee is \$1;
- 74.5 (4) for a stamp validation that is not issued simultaneously with a license, an issuing
- 74.6 fee of 50 cents may be charged at the discretion of the authorized seller;
- 74.7 (5) for ~~stamps~~ stamp validations issued simultaneously with a license, there is no fee;
- 74.8 (6) for licenses, seals, tags, or coupons issued without a fee under section 97A.441
- 74.9 or 97A.465, an issuing fee of 50 cents may be charged at the discretion of the authorized
- 74.10 seller;
- 74.11 (7) for lifetime licenses, there is no fee; and
- 74.12 (8) for all other licenses, permits, renewals, or applications or any other transaction
- 74.13 through the electronic licensing system under this chapter or any other chapter when an
- 74.14 issuing fee is not specified, an issuing fee of 50 cents may be charged at the discretion
- 74.15 of the authorized seller.
- 74.16 (b) ~~An issuing fee may not be collected for issuance of a trout and salmon stamp if~~
- 74.17 ~~a stamp validation is issued simultaneously with the related angling or sporting license.~~
- 74.18 Only one issuing fee may be collected when selling more than one ~~trout and salmon~~ stamp
- 74.19 in the same transaction after the end of the season for which the stamp was issued.
- 74.20 (c) The agent shall keep the issuing fee as a commission for selling the licenses.
- 74.21 (d) The commissioner shall collect the issuing fee on licenses sold by the
- 74.22 commissioner.
- 74.23 (e) A license, except stamps, must state the amount of the issuing fee and that the
- 74.24 issuing fee is kept by the seller as a commission for selling the licenses.
- 74.25 (f) For duplicate licenses, including licenses issued without a fee, the issuing fees are:
- 74.26 (1) for licenses to take big game, 75 cents; and
- 74.27 (2) for other licenses, 50 cents.
- 74.28 (g) The commissioner may issue one-day angling licenses in books of ten licenses
- 74.29 each to fishing guides operating charter boats upon receipt of payment of all license
- 74.30 fees, excluding the issuing fee required under this section. Copies of sold and unsold
- 74.31 licenses shall be returned to the commissioner. The commissioner shall refund the charter
- 74.32 boat captain for the license fees of all unsold licenses. Copies of sold licenses shall be
- 74.33 maintained by the commissioner for one year.

74.34 Sec. 37. Minnesota Statutes 2006, section 97A.535, subdivision 1, is amended to read:

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

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

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

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

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

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

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

75.23          Sec. 38. Minnesota Statutes 2006, section 97B.015, subdivision 5, is amended to read:

75.24           Subd. 5. **Firearms safety certificate.** The commissioner shall issue a firearms  
75.25 safety certificate to a person that satisfactorily completes the required course of instruction.  
75.26 A person must be at least age 11 to take the firearms safety course and may receive a  
75.27 firearms safety certificate, but the certificate is not valid for hunting until the year the  
75.28 person reaches age 12. A person who is age 11 and has a firearms safety certificate may  
75.29 purchase a ~~deer, bear, turkey, or prairie chicken~~ license to take big game that will ~~become~~  
75.30 be valid when for hunting during the entire regular season for which the license is valid if  
75.31 the person reaches will reach age 12 during that calendar year. A firearms safety certificate  
75.32 issued to a person under age 12 by another state as provided in section 97B.020 is not  
75.33 valid for hunting in Minnesota until the person reaches age 12. The form and content of  
75.34 the firearms safety certificate shall be prescribed by the commissioner.

76.1 Sec. 39. Minnesota Statutes 2007 Supplement, section 97B.031, subdivision 1, is  
76.2 amended to read:

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

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

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

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

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

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

76.11 ~~(5) (4) the muzzle-loader muzzleloader used is incapable of being loaded at the~~  
76.12 breech;

76.13 ~~(6) (5) the smooth-bore muzzle-loader muzzleloader used is a caliber of at least~~  
76.14 .45 inches; and

76.15 ~~(7) (6) the rifled muzzle-loader muzzleloader used is a caliber of at least .40 inches.~~

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

76.20 Sec. 40. Minnesota Statutes 2007 Supplement, section 97B.035, subdivision 1a,  
76.21 is amended to read:

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

76.24 Sec. 41. Minnesota Statutes 2007 Supplement, section 97B.036, is amended to read:

76.25 **97B.036 CROSSBOW HUNTING DURING FIREARMS ~~DEER~~ SEASON.**

76.26 Notwithstanding section 97B.035, subdivisions 1 and 2, a person may take deer,  
76.27 bear, or turkey by crossbow during the respective regular firearms ~~deer season~~ seasons.

76.28 The transportation requirements of section 97B.051 apply to crossbows during the regular  
76.29 firearms deer, bear, or turkey season. Crossbows must meet the requirements of section  
76.30 97B.106, subdivision 2. A person taking deer, bear, or turkey by crossbow under this  
76.31 section must have a valid firearms ~~deer~~ license to take the respective game.

76.32 Sec. 42. Minnesota Statutes 2006, section 97B.041, is amended to read:

77.1           **97B.041 POSSESSION OF FIREARMS AND AMMUNITION RESTRICTED**  
77.2 **IN DEER ZONES.**

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

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

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

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

77.12          (4) a handgun or rifle ~~and only short, long, and long rifle cartridges that are caliber~~  
77.13 ~~of .22 inches~~ capable of firing only rimfire cartridges of .17 and .22 caliber, including  
77.14 .22 magnum caliber cartridges;

77.15          (5) handguns possessed by a person authorized to carry a handgun under sections  
77.16 624.714 and 624.715 for the purpose authorized; and

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

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

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

77.23          Sec. 43. Minnesota Statutes 2006, section 97B.071, is amended to read:

77.24           **97B.071 BLAZE ORANGE REQUIREMENTS.**

77.25           (a) Except as provided in rules adopted under paragraph (c), a person may not hunt  
77.26 or trap during the open season where deer may be taken by firearms under applicable laws  
77.27 and ordinances, unless the visible portion of the person's cap and outer clothing above the  
77.28 waist, excluding sleeves and gloves, is blaze orange. Blaze orange includes a camouflage  
77.29 pattern of at least 50 percent blaze orange within each foot square. This section does not  
77.30 apply to migratory waterfowl hunters on waters of this state or in a stationary shooting  
77.31 location or to trappers on waters of this state.

77.32           (b) Except as provided in rules adopted under paragraph (c), and in addition to  
77.33 the requirement in paragraph (a), a person may not take small game other than turkey,  
77.34 migratory birds, raccoons, and predators, ~~except when hunting with nontoxic shot or while~~

78.1 trapping, unless a visible portion of at least one article of the person's clothing above the  
78.2 waist is blaze orange. This paragraph does not apply to a person hunting by falconry.

78.3 (c) The commissioner may, by rule, prescribe an alternative color in cases where  
78.4 paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public  
78.5 Law 103-141.

78.6 (d) A violation of paragraph (b) shall not result in a penalty, but is punishable only  
78.7 by a safety warning.

78.8 Sec. 44. Minnesota Statutes 2006, section 97B.106, subdivision 1, is amended to read:

78.9 Subdivision 1. **Qualifications for crossbow permits.** (a) The commissioner may  
78.10 issue a special permit, without a fee, to take big game, small game, or rough fish with a  
78.11 crossbow to a person that is unable to hunt or take rough fish by archery because of a  
78.12 permanent or temporary physical disability. A crossbow permit issued under this section  
78.13 also allows the permittee to use a bow with a mechanical device that draws, releases, or  
78.14 holds the bow at full draw as provided in section 97B.035, subdivision 1, paragraph (a).

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

78.23 (c) The person must obtain the appropriate license.

78.24 Sec. 45. Minnesota Statutes 2006, section 97B.211, subdivision 1, is amended to read:

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

78.27 Sec. 46. Minnesota Statutes 2006, section 97B.301, subdivision 1, is amended to read:

78.28 Subdivision 1. **Licenses required.** A person may not take deer without a license.  
78.29 A person must have a firearms deer license to take deer with firearms during the regular  
78.30 firearms season, a muzzleloader license to take deer with a muzzleloader during the  
78.31 muzzleloader season, and an archery deer license to take deer by archery except as  
78.32 provided in this section.

79.1 Sec. 47. Minnesota Statutes 2006, section 97B.301, subdivision 2, is amended to read:

79.2 Subd. 2. **Limit of one deer.** ~~Except as provided in subdivisions 3 and 4,~~ A person  
79.3 may obtain one regular firearms season deer license, one muzzleloader season deer  
79.4 license, and one archery season deer license in the same license year, but may ~~take only~~  
79.5 not tag more than one deer except as provided in subdivisions 3 and 4.

79.6 Sec. 48. Minnesota Statutes 2006, section 97B.301, subdivision 4, is amended to read:

79.7 Subd. 4. **Taking more than one deer.** ~~(a)~~ The commissioner may, by rule, allow  
79.8 a person to take more than one deer. The commissioner shall prescribe the conditions  
79.9 for taking the additional deer including:

79.10 (1) taking by firearm, muzzleloader, or archery;

79.11 (2) obtaining additional licenses; ~~and~~

79.12 (3) payment of a fee not more than the fee for a firearms deer license; and

79.13 (4) the total number of deer that an individual may take.

79.14 ~~(b) In Kittson, Lake of the Woods, Marshall, Pennington, and Roseau Counties, a~~  
79.15 ~~person may obtain one firearms deer license and one archery deer license in the same~~  
79.16 ~~license year, and may take one deer under each license. The commissioner may limit the~~  
79.17 ~~use of this provision in certain years to protect the deer population in the area.~~

79.18 Sec. 49. Minnesota Statutes 2006, section 97B.301, subdivision 6, is amended to read:

79.19 Subd. 6. **Residents or nonresidents under age 18 may take deer of either sex.**

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

79.28 Sec. 50. Minnesota Statutes 2006, section 97B.301, is amended by adding a  
79.29 subdivision to read:

79.30 Subd. 8. **Sale of multiple zone or multiple season licenses.** If the commissioner  
79.31 adopts rules on deer zones, or seasons that eliminate the need for purchasing an all season  
79.32 deer or multizone license, then the commissioner is not required to offer all season deer or  
79.33 multizone licenses for sale.

80.1 Sec. 51. Minnesota Statutes 2007 Supplement, section 97B.328, is amended to read:

80.2 **97B.328 BAITING PROHIBITED.**

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

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

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

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

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

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

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

80.17 ~~(4)~~ Food resulting from normal or accepted farming, forest management, wildlife  
80.18 food plantings, orchard management, or other similar land management activities; ~~or~~  
80.19 is not bait or feed.

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

80.25 Sec. 52. Minnesota Statutes 2006, section 97B.401, is amended to read:

80.26 **97B.401 BEAR LICENSE REQUIRED.**

80.27 A person may not take bear without a bear license except as provided in section  
80.28 97B.415 to protect property. A person may not place bait for bears on or after the Friday  
80.29 nearest August 14 unless the person has a bear license or is operating under the direction  
80.30 of a person with a valid bear license.

80.31 Sec. 53. Minnesota Statutes 2006, section 97B.405, is amended to read:

80.32 **97B.405 COMMISSIONER MAY LIMIT NUMBER OF BEAR HUNTERS.**



81.1           (a) The commissioner may limit the number of persons that may hunt bear in an  
81.2 area, if it is necessary to prevent an overharvest or improve the distribution of hunters.  
81.3 The commissioner may establish, by rule, a method, including a drawing, to impartially  
81.4 select the hunters for an area. The commissioner shall give preference to hunters that have  
81.5 previously applied and have not been selected.

81.6           (b) In the case of a drawing, the commissioner shall allow a person to apply for a  
81.7 permit in more than one area at the same time and rank the person's choice of area.

81.8           Sec. 54. Minnesota Statutes 2006, section 97B.425, is amended to read:

81.9           **97B.425 BAITING BEARS.**

81.10           Notwithstanding section 609.68, a person may place bait to take bear and must  
81.11 display a tag at each site where bait is placed and register the sites. The commissioner  
81.12 shall prescribe the method of tagging and registering the sites. The tag displayed at each  
81.13 site where bait is placed must contain identification information for a licensed bear hunter  
81.14 or a licensed bear outfitter. A person must have the license identification number of the  
81.15 person with the bear license in their possession or be a licensed bear outfitter while  
81.16 attending a bear bait station. To attract bear a person may not use a bait with:

- 81.17           (1) a carcass from a mammal, if the carcass contains more than 25 percent of the  
81.18 intact carcass;
- 81.19           (2) meat from mammals, if the meat contains bones;
- 81.20           (3) bones of mammals;
- 81.21           (4) solid waste containing bottles, cans, plastic, paper, or metal;
- 81.22           (5) materials that are not readily biodegradable; or
- 81.23           (6) any part of a swine, except cured pork.

81.24           Sec. 55. Minnesota Statutes 2006, section 97B.431, is amended to read:

81.25           **97B.431 BEAR HUNTING ~~GUIDES~~ OUTFITTERS.**

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

81.31           (b) The commissioner shall establish a resident master bear hunting outfitter license  
81.32 under which one person serves as the bear hunting outfitter and one other person is eligible  
81.33 to guide and bait bear. Additional persons may be added to the license and are eligible to  
81.34 guide and bait bear under the license, provided the additional fee under section 97A.475,

82.1 subdivision 16, is paid for each person added. The commissioner shall adopt rules for  
82.2 qualifications for issuance and administration of the licenses.

82.3 Sec. 56. Minnesota Statutes 2006, section 97B.621, subdivision 3, is amended to read:

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

82.6 (1) must be on foot;

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

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

82.11 (4) may not use shotgun shells with larger diameter of shot than No. 4 shot.

82.12 Sec. 57. Minnesota Statutes 2006, section 97B.711, subdivision 1, is amended to read:

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

82.16 (1) pheasant;

82.17 (2) ruffed grouse;

82.18 (3) sharp tailed grouse;

82.19 (4) Canada spruce grouse;

82.20 (5) prairie chicken;

82.21 (6) gray partridge;

82.22 (7) bob-white quail; and

82.23 (8) turkey.

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

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

82.28 Sec. 58. Minnesota Statutes 2006, section 97B.721, is amended to read:

82.29 **97B.721 LICENSE ~~AND STAMP VALIDATION~~ REQUIRED TO TAKE**  
82.30 **TURKEY; TAGGING AND REGISTRATION REQUIREMENTS.**

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

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

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

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

83.8 Sec. 59. Minnesota Statutes 2006, section 97C.205, is amended to read:

83.9 **97C.205 TRANSPORTING AND STOCKING FISH.**

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

83.12 (1) is being transported under an aquaculture license as authorized under sections  
83.13 17.4985 and 17.4986;

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

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

83.16 (4) is being transported by a commercial fishing license holder under section  
83.17 97C.821; or

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

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

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

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

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

83.25 (1) were lawfully taken;

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

83.27 (3) do not otherwise exceed the statewide possession limits.

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

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

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

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

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

84.7 Sec. 60. 97C.303] CONSERVATION ANGLING LICENSE.

84.8 Subdivision 1. Availability. The commissioner shall make available a conservation  
84.9 angling license according to this section. Conservation angling licenses shall be offered  
84.10 for resident individuals and resident married couples.

84.11 Subd. 2. Daily and possession limits. Daily and possession limits for fish taken  
84.12 under a conservation angling license are one-half the daily and possession limits for the  
84.13 corresponding fish taken under a standard angling license, rounded down to the next  
84.14 whole number if necessary.

84.15 Subd. 3. License fee. The fee for a conservation angling license issued under this  
84.16 section is two-thirds of the corresponding standard angling license fee under section  
84.17 97A.475, subdivision 6, rounded to the nearest whole dollar.

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

84.19 Sec. 61. Minnesota Statutes 2007 Supplement, section 97C.355, subdivision 2, is  
84.20 amended to read:

84.21 Subd. 2. **License required.** A person may not ~~take fish from~~ leave a dark house  
84.22 or fish house ~~that is left~~ overnight at any time between midnight  
84.23 and one hour before sunrise unless the house is licensed and has a license tag attached  
84.24 to the exterior in a readily visible location, except as provided in this subdivision. The  
84.25 commissioner must issue a tag with a dark house or fish house license, marked with a  
84.26 number to correspond with the license and the year of issue. A dark house or fish house  
84.27 license is not required of a resident on boundary waters where the adjacent state does not  
84.28 charge a fee for the same activity.

84.29 Sec. 62. Minnesota Statutes 2006, section 97C.355, subdivision 4, is amended to read:

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

84.32 Sec. 63. Minnesota Statutes 2006, section 97C.355, subdivision 7, is amended to read:

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

85.5 (1) ~~the last day of February~~ first Monday in March, for state waters south of a line  
85.6 starting at the Minnesota-North Dakota border and formed by rights-of-way of U.S. Route  
85.7 No. 10, then east along U.S. Route No. 10 to Trunk Highway No. 34, then east along  
85.8 Trunk Highway No. 34 to Trunk Highway No. 200, then east along Trunk Highway No.  
85.9 200 to U.S. Route No. 2, then east along U.S. Route No. 2 to the Minnesota-Wisconsin  
85.10 border; and

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

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

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

85.22 ~~(c) When the last day of February, under paragraph (a), clause (1), or March 15,~~  
85.23 ~~under paragraph (a), clause (2), falls on a Saturday, a shelter, including a fish house or~~  
85.24 ~~dark house, may be on the ice between 12:00 a.m. and one hour before sunrise until~~  
85.25 ~~12:00 a.m. the following Monday.~~

85.26 ~~(d) A person may have a shelter, including a fish house or dark house, on the ice~~  
85.27 ~~between 12:00 a.m. and one hour before sunrise on waters within the area prescribed in~~  
85.28 ~~paragraph (a), clause (2), but the house or shelter may not be unattended during those~~  
85.29 ~~hours.~~

85.30 Sec. 64. Minnesota Statutes 2006, section 97C.355, subdivision 7a, is amended to read:

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

86.1 Sec. 65. Minnesota Statutes 2007 Supplement, section 97C.355, subdivision 8, is  
86.2 amended to read:

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

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

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

86.10 Sec. 66. Minnesota Statutes 2006, section 97C.371, subdivision 4, is amended to read:

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

86.13 Sec. 67. Minnesota Statutes 2006, section 97C.395, subdivision 1, is amended to read:

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

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

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

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

86.21 (4) for brown trout, brook trout, rainbow trout, and splake, between January 1 to  
86.22 October 31 as prescribed by the commissioner by rule except as provided in section  
86.23 97C.415, subdivision 2; ~~and~~

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

86.26 ~~(4)~~ (6) for salmon, as prescribed by the commissioner by rule.

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

86.29 Sec. 68. Minnesota Statutes 2006, section 97C.401, subdivision 2, is amended to read:

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

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

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

87.2 Sec. 69. Minnesota Statutes 2006, section 97C.865, subdivision 2, is amended to read:

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

87.9 Sec. 70. Minnesota Statutes 2006, section 624.20, subdivision 1, is amended to read:

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

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

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

87.32 (d) A local unit of government may impose an annual license fee for the retail  
87.33 sale of items authorized under paragraph (c). The annual license fee of each retail seller  
87.34 that is in the business of selling only the items authorized under paragraph (c) may not

88.1 exceed \$350, and the annual license of each other retail seller may not exceed \$100. A  
88.2 local unit of government may not:

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

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

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

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

88.12 Sec. 71. **MASTER ANGLER PROPOSAL; APPROPRIATION.**

88.13 (a) By January 15, 2009, the commissioner of natural resources, after consultation  
88.14 with the director of Explore Minnesota Tourism and interested stakeholders, shall submit a  
88.15 proposal to improve, expand, and promote the master angler program.

88.16 (b) \$10,000 in fiscal year 2009 from the game and fish fund is appropriated to the  
88.17 commissioner of natural resources for development of the proposal in paragraph (a).

88.18 Sec. 72. **BEAR HUNTING PERMIT DRAWING; RULEMAKING.**

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

88.24 Sec. 73. **WILD TURKEY HUNTING MANAGEMENT RECOMMENDATIONS.**

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

88.28 Sec. 74. **RULES.**

88.29 The commissioner of natural resources shall adopt rules in compliance with the  
88.30 changes to Minnesota Statutes, sections 97C.205 and 97C.865, subdivision 2. The rules  
88.31 required by this section are exempt from the rulemaking provisions of Minnesota Statutes,  
88.32 chapter 14. The rules are subject to Minnesota Statutes, section 14.386, except that  
88.33 notwithstanding Minnesota Statutes, section 14.386, paragraph (b), the rules continue



89.1 in effect until repealed or superseded by other law or rule. As part of this rulemaking,  
89.2 the commissioner shall:

89.3 (1) amend Minnesota Rules, part 6262.3250, by deleting item A and amending the  
89.4 part so that labels required under item D are consistent with the new requirements in  
89.5 Minnesota Statutes, section 97C.865, subdivision 2; and

89.6 (2) amend Minnesota Rules, part 6262.0100, to allow the possession of fish on  
89.7 special management or experimental waters for a meal, as provided in Minnesota Statutes,  
89.8 section 97C.205.

89.9 **Sec. 75. DISABLED HUNTING REPORT.**

89.10 By January 1, 2009, the commissioner of natural resources shall report to the  
89.11 chairs of the senate and house of representatives committees with jurisdiction over the  
89.12 environment and natural resources on changes, including any statutory changes, necessary  
89.13 to simplify the process for obtaining disabled hunting permits and for landowners to allow  
89.14 hunts on their land for the disabled. The commissioner shall work with nonprofit groups  
89.15 and other interested parties in simplifying the process.

89.16 **Sec. 76. MINNESOTA MOOSE MANAGEMENT AND RESEARCH PLAN.**

89.17 The commissioner of natural resources shall consult with research scientists, wildlife  
89.18 managers, tribal interests, other agencies with moose research and management expertise,  
89.19 and other key stakeholder groups on the development of a moose management and  
89.20 research plan for Minnesota. The plan shall address moose populations and habitats,  
89.21 including, but not limited to, the northwest Minnesota herd; likely causes of observed  
89.22 changes and trends; moose habitat and hunting management; and monitoring, research, and  
89.23 evaluation needs. The plan shall establish future moose management and research goals  
89.24 and strategies within the context of habitat and climate trends in Minnesota. By January  
89.25 15, 2009, the commissioner shall provide a progress report on the plan to the senate and  
89.26 house of representatives committees with jurisdiction over natural resource policy.

89.27 **Sec. 77. WALLEYE STOCKING.**

89.28 The commissioner of natural resources shall stock 22,500,000 additional walleye fry  
89.29 in calendar year 2009 and 22,500,000 additional walleye fry in calendar year 2010. This  
89.30 stocking shall be in a lake where the commissioner is studying the effects of cormorant  
89.31 control and the lack of natural reproduction of the walleye. The commissioner of natural  
89.32 resources may stock the lake at the commissioner's discretion in calendar year 2011.

89.33 **Sec. 78. UNCASED FIREARMS REPORT.**

90.1           (a) The commissioner of natural resources shall submit a report funded by the game  
90.2 and fish fund to the legislature by January 1, 2009, on uncased firearms for the purposes  
90.3 of hunting, predator control, and trapping.

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

90.8           Sec. 79. **COCK PHEASANT BAG LIMIT; RULEMAKING.**

90.9           The commissioner of natural resources shall amend Minnesota Rules, part  
90.10 6234.0400, subpart 2, to allow a person to take up to three cock pheasants per day and  
90.11 nine in possession beginning on December 1, until the end of the pheasant season. The  
90.12 commissioner may use the good cause exemption under Minnesota Statutes, section  
90.13 14.388, subdivision 1, clause (3), to adopt the rule and Minnesota Statutes, section 14.386,  
90.14 does not apply, except as provided under Minnesota Statutes, section 14.388.

90.15           Sec. 80. **OUTDOOR EDUCATION WORKING GROUP.**

90.16           (a) The commissioner of natural resources shall coordinate a working group with the  
90.17 commissioner of education to report recommendations to the legislature on the teaching of  
90.18 outdoor education in grades 7 through 12.

90.19           (b) Each commissioner shall designate members of the working group and shall  
90.20 include at least one parent, one representative of higher education, one outdoor educator,  
90.21 and one representative from a sportsman or wildlife organization. The appointments and  
90.22 designations must be completed by August 1, 2008.

90.23           (c) The working group must report recommendations, proposed changes, sources  
90.24 of funding, and draft legislation to the legislative committees with jurisdiction over  
90.25 kindergarten through grade 12 education policy and finance, and environment policy and  
90.26 environment finance by January 15, 2009. The working group expires June 30, 2009.

90.27           Sec. 81. **APPROPRIATIONS.**

90.28           (a) \$102,000 in fiscal year 2009 is appropriated from the game and fish fund to the  
90.29 commissioner of natural resources for the development of aquaculture best management  
90.30 practices. The base in fiscal year 2010 is \$150,000. The base for fiscal year 2011 is \$0.

90.31           (b) \$123,000 in fiscal year 2008 and \$246,000 in fiscal year 2009 from the game and  
90.32 fish fund are appropriated to the commissioner of natural resources to implement fish virus  
90.33 surveillance, prepare infrastructure to handle possible outbreaks, and implement control  
90.34 procedures for highest risk waters and fish production operations. This is a onetime

91.1 appropriation. If an appropriation for the same purpose is enacted in 2008 H.F. No. 1812,  
91.2 or another bill, the comparable appropriation in that act is void.

91.3 (c) \$128,000 is appropriated in fiscal year 2009 from the game and fish fund for  
91.4 walleye stocking. This is a onetime appropriation.

91.5 Sec. 82. **REPEALER.**

91.6 Minnesota Statutes 2006, section 97A.411, subdivision 2, and Minnesota Rules,  
91.7 parts 6232.0200, subpart 4; 6232.0300, subpart 4; and 6234.0100, subpart 4, are repealed.

### 91.8 **ARTICLE 3**

#### 91.9 **LAKE VERMILION STATE PARK**

91.10 Section 1. Minnesota Statutes 2006, section 85.012, is amended by adding a  
91.11 subdivision to read:

91.12 Subd. 38a. Lake Vermilion State Park, St. Louis County.

91.13 Sec. 2. **LAKE VERMILION STATE PARK.**

91.14 Subdivision 1. **Lake Vermilion State Park.** Lake Vermilion State Park is  
91.15 established in St. Louis County.

91.16 Subd. 2. **Management.** All lands acquired for Lake Vermilion State Park must be  
91.17 administered in the same manner as provided for other state parks and must be perpetually  
91.18 dedicated for that use.

91.19 Subd. 3. **Boundaries.** The following described lands are located within the  
91.20 boundaries of Lake Vermilion State Park:

91.21 (1) Government Lots 4, 5, 6, 7, 8, 9, and the South Half of the Southeast Quarter, all  
91.22 in Section 13, Township 62 North, Range 15 West;

91.23 (2) Government Lots 6 and 8, Section 14, Township 62 North, Range 15 West;

91.24 (3) Government Lots 1 and 7 and the Northeast Quarter of the Southeast Quarter, all  
91.25 in Section 22, Township 62 North, Range 15 West;

91.26 (4) Government Lots 1, 2, 3, 4, the Southeast Quarter of the Northeast Quarter, and  
91.27 the South Half, all in Section 23, Township 62 North, Range 15 West;

91.28 (5) all of Section 24, Township 62 North, Range 15 West;

91.29 (6) all of Section 25, Township 62 North, Range 15 West;

91.30 (7) all of Section 26, Township 62 North, Range 15 West, excepting therefrom

91.31 all that part of the Southeast Quarter of the Southwest Quarter lying South of the south

91.32 right-of-way line of State Highway 169 and also excepting therefrom the East 845 feet of

92.1 the Southwest Quarter of the Southwest Quarter lying South of the south right-of-way  
92.2 line of State Highway 169;

92.3 (8) the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the  
92.4 Southeast Quarter of Section 27, Township 62 North, Range 15 West;

92.5 (9) the Southeast Quarter of the Northeast Quarter of Section 29, Township 62  
92.6 North, Range 15 West, except that part lying South of the centerline of the McKinley  
92.7 Park Road; and

92.8 (10) Government Lots 1 and 2 and the East Half of the Northwest Quarter, Section  
92.9 19, Township 62 North, Range 14 West.

92.10 Subd. 4. **Annual payments.** (a) Beginning in fiscal year 2010, in lieu of the  
92.11 payment amount provided under Minnesota Statutes, section 477A.12, subdivision  
92.12 1, clause (1), the county shall receive an annual payment for land acquired for Lake  
92.13 Vermilion State Park equal to 1.5 percent of the appraised value of the land.

92.14 (b) For the purposes of this subdivision, the appraised value of the land acquired for  
92.15 Lake Vermilion State Park for the first five years after acquisition shall be the purchase  
92.16 price of the land, plus the value of any portion of the land that is acquired by donation.  
92.17 The appraised value must be redetermined by the county assessor every five years after  
92.18 the land is acquired.

92.19 (c) The annual payments under this subdivision shall be distributed to the taxing  
92.20 jurisdictions containing the property as follows: one-third to the school districts; one-third  
92.21 to the town; and one-third to the county. The payment to school districts is not a county  
92.22 apportionment under section 127A.34 and is not subject to aid recapture. Each of those  
92.23 taxing jurisdictions may use the payments for their general purposes.

92.24 (d) Except as provided in this subdivision, the payments shall be made as provided  
92.25 in Minnesota Statutes, sections 477A.11 to 477A.13.

92.26 (e) Article 2, section 11, of 2008 H.F. No. 3149, if enacted, is repealed.

92.27 **Sec. 3. EFFECTIVE DATE.**

92.28 Sections 1 and 2 are effective upon acquisition by the state by purchase or by gift of  
92.29 all lands described in section 2, subdivision 3."

92.30 Delete the title and insert:

92.31 "A bill for an act

92.32 relating to natural resources; modifying provisions for sale of surplus state land;  
92.33 creating a Minnesota forests for the future program; providing for alternative  
92.34 recording of state forest roads; providing for certain wetland banking credits;  
92.35 modifying provisions related to aquatic farms; providing for expedited exchanges  
92.36 of public land; providing for consultation on certain unallotments; adding to and  
92.37 deleting from state parks, recreation areas, and forests; providing for public and

93.1 private sales, conveyances, leases, and exchanges of certain state land; modifying  
93.2 Minnesota critical habitat private sector matching account; modifying timber  
93.3 permit provisions; modifying outdoor recreation system; modifying authority  
93.4 to convey private easements on tax-forfeited land; authorizing certain leases  
93.5 of tax-forfeited and other state lands; modifying invasive species provisions;  
93.6 authorizing certain fees; modifying horse trail pass requirements; modifying  
93.7 disposition of pheasant habitat improvement account; modifying wild turkey  
93.8 management account; providing for a voluntary walleye stamp; modifying  
93.9 hunting and fishing licensing and taking provisions; modifying fireworks  
93.10 regulation; establishing the Lessard Outdoor Heritage Council; requiring  
93.11 reports; providing for rulemaking; establishing Lake Vermilion State Park;  
93.12 appropriating money; amending Minnesota Statutes 2006, sections 16B.281,  
93.13 subdivision 3; 16B.282; 16B.283; 16B.284; 16B.287, subdivision 2; 17.4981;  
93.14 84.027, subdivision 15; 84.943, subdivision 5; 84D.10, subdivision 2; 84D.13,  
93.15 subdivision 4; 85.012, by adding a subdivision; 85.46, subdivision 1; 86A.04;  
93.16 86A.08, subdivision 1; 89.715; 90.151, subdivision 1; 97A.015, subdivisions  
93.17 32a, 41a, by adding a subdivision; 97A.045, subdivision 7; 97A.055, subdivision  
93.18 4b; 97A.075, subdivisions 1, 4, 5, by adding a subdivision; 97A.311, subdivision  
93.19 5; 97A.431, subdivision 2; 97A.433, subdivision 2; 97A.434, subdivision 2;  
93.20 97A.451, subdivision 4; 97A.473, subdivision 2; 97A.474, subdivision 2;  
93.21 97A.475, subdivision 5, by adding a subdivision; 97A.485, subdivision 6;  
93.22 97A.535, subdivision 1; 97B.015, subdivision 5; 97B.041; 97B.071; 97B.106,  
93.23 subdivision 1; 97B.211, subdivision 1; 97B.301, subdivisions 1, 2, 4, 6,  
93.24 by adding a subdivision; 97B.401; 97B.405; 97B.425; 97B.431; 97B.621,  
93.25 subdivision 3; 97B.711, subdivision 1; 97B.721; 97C.205; 97C.355, subdivisions  
93.26 4, 7, 7a; 97C.371, subdivision 4; 97C.395, subdivision 1; 97C.401, subdivision  
93.27 2; 97C.865, subdivision 2; 282.04, subdivision 4a; 325D.55, subdivision 1;  
93.28 624.20, subdivision 1; Minnesota Statutes 2007 Supplement, sections 10A.01,  
93.29 subdivision 35; 17.4984, subdivision 1; 97A.055, subdivision 4; 97A.405,  
93.30 subdivision 2; 97A.441, subdivision 7; 97A.451, subdivision 3; 97A.473,  
93.31 subdivision 5; 97A.475, subdivisions 2, 3, 3a, 16; 97B.031, subdivision 1;  
93.32 97B.035, subdivision 1a; 97B.036; 97B.328; 97C.355, subdivisions 2, 8; Laws  
93.33 2005, chapter 161, section 25; Laws 2006, chapter 236, article 1, section 43;  
93.34 proposing coding for new law in Minnesota Statutes, chapters 84; 94; 97A; 97C;  
93.35 103G; repealing Minnesota Statutes 2006, sections 16B.281, subdivisions 2, 4, 5;  
93.36 16B.285; 97A.411, subdivision 2; Minnesota Rules, parts 6232.0200, subpart 4;  
93.37 6232.0300, subpart 4; 6234.0100, subpart 4."

94.1 We request the adoption of this report and repassage of the bill.

94.2 Senate Conferees: (Signed)

94.3 .....  
94.4 Satveer S. Chaudhary Ellen R. Anderson

94.5 .....  
94.6 Tom Saxhaug Dennis R. Frederickson

94.7 .....  
94.8 Steve Dille

94.9 House Conferees: (Signed)

94.10 .....  
94.11 David Dill Jean Wagenius

94.12 .....  
94.13 Cy Thao Frank Moe

94.14 .....  
94.15 Denny McNamara