

4 to 6, 8 to 13, and 14, paragraph (a), are effective January 1, 1990, for policies, plans, or contracts subject to Minnesota Statutes, section 62A.31, which are issued or delivered in this state on or after that date. No policy of Medicare supplement 1+, 1, 2, or 3 may be sold or issued on or after that date. Policies, plans, and contracts in effect on or after June 1, 1989, must conform with federal Medicare benefit modifications and must provide appropriate premium adjustments to policyholders by January 1, 1990.

Presented to the governor May 23, 1989

Signed by the governor May 25, 1989, 6:12 p.m.

CHAPTER 259—H.F.No. 450

An act relating to state lands; authorizing additions and deletions from certain state parks; authorizing nonpark use of certain state parks; authorizing sale and conveyance of certain state park lands; authorizing acquisition of certain land for road purposes; providing for the establishment of Grand Portage State Park; appropriating money; amending Minnesota Statutes 1988, section 85.012, subdivision 27a, and by adding a subdivision; repealing Minnesota Statutes 1988, section 85.012, subdivision 39.

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

Section 1. ADDITIONS TO AND DELETIONS FROM CERTAIN STATE PARKS.

Subdivision 1. [85.012] [Subd. 9.] BUFFALO RIVER STATE PARK, CLAY COUNTY. The following area is added to Buffalo River State Park: The South Half of the Northeast Quarter of Section 14, Township 139 North, Range 46 West.

Subd. 2. [85.012] [Subd. 10.] CAMDEN STATE PARK, LYON COUNTY. The following area is added to Camden State Park: That part of the Northeast Quarter and the North Half of the Southeast Quarter, both in Section 17, Township 110 North, Range 42 West, lying easterly of the easterly right-of-way line of the Burlington Northern Railroad Company as now located and established and westerly of the westerly right-of-way line of Trunk Highway No. 23 as now located and established.

Subd. 3. [85.012] [Subd. 15.] FATHER HENNEPIN STATE PARK, MILLE LACS COUNTY. The following area is added to Father Hennepin State Park: Lots 10, 11, and 12, Block 1, Christiansen's Addition to the Village of Isle.

Subd. 4. [85.012] [Subd. 23.] GLACIAL LAKES STATE PARK, POPE COUNTY. The following area is added to Glacial Lakes State Park: The Northwest Quarter of the Southwest Quarter of Section 19, Township 124 North, Range 38 West.

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Subd. 5. [85.012] [Subd. 35.] LAKE CARLOS STATE PARK, DOUGLAS COUNTY. The following area is added to Lake Carlos State Park: All that part of the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section 15 and all that part of Government Lots 3 and 4 of Section 16, Township 129 North, Range 37 West of the 5th P.M. bounded by the west quarter line and the west 1/16 line of said Section 15 and the following described lines: Beginning at a point on the west quarter line of said Section 15, 248.25 feet east from the west quarter corner thereof; and from which the west quarter corner of said Section 15 bears North 89 degrees, 49 minutes West from the point of beginning; thence South 00 degrees, 11 minutes West, 66.0 feet, thence North 89 degrees, 49 minutes West, 66.0 feet, thence South 00 degrees, 11 minutes West, 202.0 feet, thence deflecting right around a 53 degrees, 50 minutes curve for a distance of 76.7 feet, thence South 40 degrees, 00 minutes West, 22.5 feet, thence deflecting left around a 20 degrees, 40 minutes curve for a distance of 79.5 feet, thence South 23 degrees, 39 minutes West, 722.3 feet, thence deflecting to the right around a 8 degrees, 27 minutes curve for a distance of 244.06 feet, thence South 44 degrees, 16 minutes West, 239.0 feet, thence South 45 degrees, 44 minutes East, 316.7 feet, thence deflecting left around a 32 degrees, 20 minutes curve a distance of 139.0 feet, thence North 90 degrees, 00 minutes East, 1407.7 feet more or less to the west 1/16 line of said Section 15 and there terminating.

Subd. 6. [85.012] [Subd. 38.] LAKE SHETEK STATE PARK, MURRAY COUNTY. The following area is deleted from Lake Shetek State Park: Government Lots 5 and 6 of Section 7, Township 107 North, Range 40 West.

Subd. 7. [85.012] [Subd. 40.] MCCARTHY BEACH STATE PARK, ST. LOUIS COUNTY. The following area is deleted from McCarthy Beach State Park: The East Half of the Northeast Quarter, Government Lot 4, Government Lot 5, the Southwest Quarter of the Southeast Quarter, and the East Half of the Southeast Quarter, all in Section 35, Township 60 North, Range 21 West.

Sec. 2. NONPARK USE OF LAND IN BUFFALO RIVER STATE PARK, CLAY COUNTY.

Notwithstanding Minnesota Statutes, sections 85.011, 85.012, and 85.053, the commissioner of natural resources, in the name of the state, may quitclaim and convey without compensation up to ten acres of land included within Buffalo River State Park to Moorhead state university which will not be subject to the conditions of the state park on the conditions that: (1) Moorhead state university will operate and maintain a science center on the land; (2) the science center is to be known as the Barlage science center; (3) the science center will be under the control and supervision of Moorhead state university; and (4) the land reverts to the state if Moorhead state university fails to maintain and operate the land and facilities for the purposes of the science center. The conveyance must be in a form approved by the attorney general.

Sec. 3. ACQUISITION OF ROAD FOR CARLEY STATE PARK, WABASHA COUNTY.

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The commissioner may acquire up to three acres in fee ownership or easement in the Southeast Quarter of the Southwest Quarter of Section 32, Township 108 North, Range 11 West for road purposes for Carley State Park, Wabasha county.

Sec. 4. NONPARK USE OF LAND IN INTERSTATE PARK, CHISAGO COUNTY.

Notwithstanding Minnesota Statutes, sections 85.011, 85.012, and 85.053, the commissioner may sell up to two acres of state land in Interstate Park, Chisago county, within the Southwest Quarter of the Southwest Quarter of Section 25, Township 34 North, Range 19 West, which contains the state-owned house and attached garage and will not be subject to the conditions of the state park.

Sec. 5. LITTLE ELBOW LAKE STATE PARK ABOLISHED.

Little Elbow Lake State Park is abolished and the commissioner of natural resources shall transfer land in the park according to Public Law Number 99-264. The commissioner of natural resources shall close the park and remove and dispose of state property as the commissioner determines necessary.

Sec. 6. Minnesota Statutes 1988, section 85.012, is amended by adding a subdivision to read:

Subd. 27a. Grand Portage State Park, Cook county.

Sec. 7. GRAND PORTAGE STATE PARK.

Subdivision 1. BOUNDARY. Grand Portage State Park is established and the following described lands are located within the boundaries of the park:

In Township 64 North, Range 6 East:

All of Government Lots 2, 3, and 4, and the East half of Government Lot 1 of section 24.

In Township 64 North, Range 7 East:

All of Government Lot 1 of Section 19. All of Government Lot 5 of Section 29. All of Government Lot 3 of Section 30. All of Government Lot 2 of Section 30.

Subd. 2. ACQUISITION. (a) Except as provided in paragraph (b), the commissioner of natural resources is authorized to acquire by gift or purchase the lands for Grand Portage State Park.

(b) Except as provided in paragraphs (c) and (d) of this subdivision, the commissioner of natural resources may not acquire a fee simple interest in land of the United States or the Grand Portage Band within the boundaries of Grand Portage State Park for park purposes. The commissioner may not limit access

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by the Grand Portage Band across Government Lot 2, Section 30, or Government Lot 5, Section 29, both in Township 64 North, Range 7 East. However, the commissioner may acquire leasehold or other lesser interests in lands of the United States or the Band as may be necessary for development or operation of the park.

(c) After the land is acquired, the commissioner shall transfer title by quit-claim deed in the name of the state to the United States of America in trust for the Grand Portage Band of Chippewa Indians on condition that the Band, with the approval of the appropriate agency of the United States, must lease the land, at a nominal consideration of not to exceed \$100 per year, to the state for not less than 25 years, with the option to renew for an additional 25 years, for management and operation as a state park in the same manner as other state parks are administered.

(d) If at any time after termination of the lease the land is not used for public park purposes consistent with its past park use, it shall revert to the state and be used for public park purposes consistent with the park plan. This reverter is perpetual, notwithstanding the provisions of Minnesota Statutes, sections 500.20, 541.023, or any other law to the contrary.

Subd. 3. PAYMENT IN LIEU OF TAXES FOR PRIVATE TRACTS. (a) If a tract or lot of privately owned land is acquired for inclusion within Grand Portage State Park and, as a result of the acquisition, taxes are no longer assessed against the tract or lot or improvements on the tract or lot, the following amount shall be paid by the commissioner of natural resources to Cook county for distribution to the taxing districts:

(1) in the first year after taxes are last required to be paid on the property, 80 percent of the last required payment;

(2) in the second year after taxes are last required to be paid on the property, 60 percent of the last required payment;

(3) in the third year after taxes are last required to be paid on the property, 40 percent of the last required payment; and

(4) in the fourth year after taxes are last required to be paid on the property, 20 percent of the last required payment.

(b) The commissioner shall make the payments from money appropriated for state park maintenance and operation. The county auditor shall certify to the commissioner of natural resources the total amount due to a county on or before March 30 of the year in which money must be paid pursuant to this section. Money received by a county pursuant to this subdivision shall be distributed to the various taxing districts in the same proportion as the levy on the property in the last year taxes were required to be paid on the property.

Subd. 4. COOPERATION REQUIRED. For the purpose of maximizing

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public outdoor recreational opportunities in the vicinity of the Pigeon River, at the request of the Grand Portage Band, the commissioner of natural resources shall cooperate, to the greatest extent possible, with the Grand Portage Band and Cook county in regard to outdoor recreation and tourism development such as the Superior Hiking Trail.

Subd. 5. ADVISORY COMMITTEE. The commissioner of natural resources must create an advisory committee to provide direction on the establishment, planning, development, and operation of the park. The commissioner of natural resources or the commissioner's designated representative is the chair of the advisory committee and the membership must include:

(1) a representative of the Grand Portage Band, appointed by the Band;

(2) a citizen of the state, designated by the Grand Portage Band;

(3) a citizen of Cook county, designated by the county board; and

(4) for the first five years following the authorization of the park, a member of the Minnesota parks and trails council and foundation, designated by the foundation.

Sec. 8. Minnesota Statutes 1988, section 85.012, subdivision 27a, is amended to read:

Subd. 27a: 27b. Hill-Annex Mine state park, Itasca county.

Sec. 9. APPROPRIATION.

Subdivision 1. \$350,000 is appropriated from the land acquisition account in the special revenue fund to the commissioner of natural resources to acquire lands and interests in lands within Grand Portage State Park as established in this act.

Subd. 2. \$40,000 is appropriated from the land acquisition account in the special revenue fund to acquire land within the boundaries of Sibley State Park.

Sec. 10. REPEALER.

Minnesota Statutes 1988, section 85.012, subdivision 39, is repealed.

Sec. 11. EFFECTIVE DATE.

This act is effective the day following final enactment.

Presented to the governor May 23, 1989

Signed by the governor May 25, 1989, 6:15 p.m.

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