

CHAPTER 92

STATE LANDS; SALES, INVESTMENT
OF PROCEEDS

92.35 Duties and powers.

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92.35 DUTIES AND POWERS.

It shall be the duty of the commissioner of energy, planning and development, to classify all public and private lands in the state with reference to the use to which the lands are adapted, but principally as to adaptability to present known uses, such as agriculture and forestry. This classification shall be based upon a consideration of the known physical and economic factors affecting the use of the land. The commissioner of energy, planning and development shall consult with private, state, and federal agencies concerned with land use, and may appoint such advisory committees as the commissioner may deem necessary and advisable, made up of residents of the state concerned with and interested in land use, the advisory committees to serve without pay, at the pleasure of the commissioner of energy, planning and development, and to consider and report upon land use problems submitted by the commissioner of energy, planning and development. The work of the commissioner of energy, planning and development shall first be done in the counties having land classification committees. The commissioner of energy, planning and development shall consult, advise with, and cooperate with the land classification committee in each county in obtaining and considering the facts upon which to determine the commissioner's land classification; the land classification committee in each county shall consult, advise with, and cooperate with the commissioner of energy, planning and development in like manner, but the determination of the land classification committee shall be final.

History: 1981 c 356 s 110

92.36 LANDS CLASSIFIED.

Upon the basis of all of the facts concerning land use now obtainable and in the manner provided in sections 92.34 to 92.37 the commissioner of energy, planning and development, shall make and determine a temporary land classification of land areas with reference to the known uses to which the areas are adapted or adaptable. A certified copy of the temporary classification, together with a brief statement of the reasons therefor, shall be recorded in the office of the county recorder in each county in which the lands classified are located. No fees shall be paid for this recording. When the temporary classification has been adopted by the commissioner of energy, planning and development none of the lands classified as non-agricultural shall thereafter be sold or leased by the state for agricultural purposes.

History: 1981 c 356 s 111; 1Sp1981 c 4 art 1 s 65

92.37 REPORT TO LEGISLATURE.

The commissioner of energy, planning and development, shall report the results of its land classification to the legislature with such recommendations as it may deem advisable.

History: 1981 c 356 s 112

92.50 UNSOLD LANDS SUBJECT TO SALE MAY BE LEASED.

Subdivision 1. The commissioner of natural resources, at public or private vendue and at the prices and under the terms and conditions as he may prescribe, may lease any state-owned lands under his jurisdiction and control for the purpose of taking and removing sand, gravel, clay, rock, marl, peat, and black dirt, for storing ore, waste materials from mines, or rock and tailings from ore milling plants, for roads or railroads, or for any other uses not inconsistent with the interests of the state. Except as otherwise provided in this subdivision, the term of the lease shall not exceed ten years. Leases of lands for storage sites for ore, waste materials from mines, or rock and tailings from ore milling plants, for the removal of peat, or for the use of peat lands for agricultural purposes may be made for a term not exceeding 25 years. Leases for the removal of peat shall be approved by the executive council.

All leases shall be made subject to sale and leasing of the land for mineral purposes under legal provisions and contain a provision for their cancellation at any time by the commissioner upon three months written notice. A longer notice period, not exceeding three years, may be provided in leases for storing ore, waste materials from mines or rock or tailings from ore milling plants. The commissioner may determine the terms and conditions, including the notice period, for cancellation of a lease for the removal of peat. All money received from leases under this section shall be credited to the fund to which the land belongs.

[For text of subd 2, see M.S.1980]

History: 1981 c 328 s 1