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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 1451

02/20/2017 Authored by Lueck
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to state lands; modifying requirements for exchanging road easements and
1.3 for leasing forest lands; deleting from state forests; providing for public or private
1.4 sale of certain consolidated conservation land; amending Minnesota Statutes 2016,
1.5 sections 84.633, subdivision 2; 89.17.

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

1.7 Section 1. Minnesota Statutes 2016, section 84.633, subdivision 2, is amended to read:

1.8 Subd. 2. **Substantially equal acres.** The acres covered by the state easement conveyed
1.9 by the commissioner must be substantially equal to the acres covered by the easement being
1.10 received by the commissioner. For purposes of this section, "substantially equal" means
1.11 that the acres do not differ by more than 20 percent. The commissioner's finding of
1.12 substantially equal acres is in lieu of an appraisal or other determination of value of the
1.13 lands. A state easement may be exchanged for an easement that has more than substantially
1.14 equal acres if the other party to the exchange waives payment for the difference.

1.15 Sec. 2. Minnesota Statutes 2016, section 89.17, is amended to read:

1.16 **89.17 LEASES AND PERMITS.**

1.17 (a) Notwithstanding the permit procedures of chapter 90, the commissioner ~~shall have~~
1.18 ~~power to~~ may grant and execute, in the name of the state, leases and permits for the use of
1.19 any forest lands under the authority of the commissioner for any purpose ~~which~~ that in the
1.20 commissioner's opinion is not inconsistent with the maintenance and management of the
1.21 forest lands, on forestry principles for timber production. Every such lease or permit ~~shall~~
1.22 ~~be~~ is revocable at the discretion of the commissioner at any time subject to such conditions
1.23 as may be agreed on in the lease. The approval of the commissioner of administration ~~shall~~

2.1 is not be required upon any such lease or permit. No such lease or permit for a period
 2.2 exceeding 21 years shall be granted except with the approval of the Executive Council.

2.3 (b) Public access to the leased land for outdoor recreation ~~shall be~~ is the same as access
 2.4 would be under state management.

2.5 (c) Notwithstanding section 16A.125, subdivision 5, after deducting the reasonable costs
 2.6 incurred for preparing and issuing the lease, all remaining proceeds from ~~the~~ leasing of
 2.7 school trust land and university land for roads on forest lands must be deposited into the
 2.8 respective permanent fund for the lands.

2.9 (d) The commissioner may require a performance bond for removing any improvements
 2.10 or personal property left on the leased premises by the lessee upon termination or cancellation
 2.11 of the lease.

2.12 Sec. 3. **DELETIONS FROM STATE FORESTS.**

2.13 **[89.021][Subd. 13.] Cloquet Valley State Forest.** The following area is deleted from
 2.14 the Cloquet Valley State Forest: Sections 1 and 12, Township 55 North, Range 18 West,
 2.15 St. Louis County.

2.16 Sec. 4. **PUBLIC OR PRIVATE SALE OF CONSOLIDATED CONSERVATION**
 2.17 **LAND BORDERING PUBLIC WATER; ROSEAU COUNTY.**

2.18 (a) Notwithstanding the classification and public sale provisions of Minnesota Statutes,
 2.19 chapters 84A and 282, and notwithstanding Minnesota Statutes, section 92.45, Roseau
 2.20 County may sell by public or private sale the consolidated conservation lands that are
 2.21 described in paragraph (c).

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

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

2.28 (1) the Northwest Quarter of the Southwest Quarter, Section 34, Township 162 North,
 2.29 Range 35 West, containing 40 acres, more or less;

2.30 (2) that part of Government Lot 1 south of railroad, Section 4, Township 162 North,
 2.31 Range 36 West, containing one acre, more or less;

3.1 (3) the Northwest Quarter of the Northeast Quarter, Section 21, Township 162 North,
3.2 Range 36 West, containing 40 acres, more or less;

3.3 (4) the Southeast Quarter of the Northeast Quarter, Section 28, Township 162 North,
3.4 Range 36 West, containing 40 acres, more or less;

3.5 (5) the Southeast Quarter of the Southwest Quarter, the Northwest Quarter of the
3.6 Southeast Quarter, and the Southwest Quarter of the Southeast Quarter, Section 2, Township
3.7 163 North, Range 37 West, containing 120 acres, more or less;

3.8 (6) the Southeast Quarter of the Northeast Quarter, Section 19, Township 163 North,
3.9 Range 37 West, containing 40 acres, more or less;

3.10 (7) that part of the Northeast Quarter of the Northeast Quarter north of highway, Section
3.11 10, Township 162 North, Range 38 West, containing six acres, more or less;

3.12 (8) the Northeast Quarter of the Northwest Quarter, Section 25, Township 163 North,
3.13 Range 38 West, containing 40 acres, more or less;

3.14 (9) the Southwest Quarter of the Northwest Quarter, Section 34, Township 163 North,
3.15 Range 38 West, containing 40 acres, more or less;

3.16 (10) Government Lot 4, Section 1, Township 159 North, Range 39 West, containing
3.17 48.55 acres, more or less;

3.18 (11) the Southwest Quarter of the Southwest Quarter, Section 10, Township 159 North,
3.19 Range 39 West, containing 40 acres, more or less;

3.20 (12) the Northwest Quarter of the Northwest Quarter, Section 15, Township 159 North,
3.21 Range 39 West, containing 40 acres, more or less;

3.22 (13) the Northeast Quarter of the Northeast Quarter and the Southeast Quarter of the
3.23 Northeast Quarter, Section 16, Township 159 North, Range 39 West, containing 80 acres,
3.24 more or less;

3.25 (14) the South Half of the Northeast Quarter, Section 28, Township 159 North, Range
3.26 39 West, containing 80 acres, more or less;

3.27 (15) the South 10 acres of the Southeast Quarter of the Northwest Quarter, Section 34,
3.28 Township 159 North, Range 39 West, containing 10 acres, more or less;

3.29 (16) that part of the Southeast Quarter of the Southwest Quarter north and east of river,
3.30 Section 30, Township 163 North, Range 39 West, containing 38 acres, more or less.

4.1 (d) The Department of Natural Resources has determined that the lands are not needed
4.2 for natural resource purposes.

4.3 **Sec. 5. CONVEYANCE OF STATE LAND BORDERING PUBLIC WATER; ST.**
4.4 **LOUIS COUNTY.**

4.5 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
4.6 commissioner of natural resources may convey the surplus land bordering public water that
4.7 is described in paragraph (c). The land was previously tax-forfeited land and was sold to
4.8 the state, acting through the commissioner of natural resources, pursuant to Laws 2008,
4.9 chapter 368, article 1, section 56. The sale transaction may be reversed, with the land to be
4.10 conveyed to the state and held in trust in favor of the respective taxing districts.

4.11 (b) Notwithstanding Minnesota Statutes, sections 94.10, 94.16, and 97A.056, the
4.12 commissioner of natural resources may sell the land at the value paid in 2011, plus sale
4.13 expenses. The commissioner must deposit in the outdoor heritage fund the amount paid for
4.14 the value of the land. Any payment for sale expenses in excess of the land value must be
4.15 deposited into the account from which the expenses were paid.

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

4.19 (d) The county has requested use of the land to allow snowmobile traffic to connect
4.20 between Little Grand Lake and Grand Lake.