

Sec. 9. **[337.06] COMMON LAW RIGHTS.**

Subject to section 337.02, sections 337.01 to 337.06 do not in any way restrict rights to indemnification that the common law may provide.

Sec. 10. Laws 1983, chapter 333, section 6, is amended to read:

Sec. 6. **EFFECTIVE DATE.**

Sections 1 to 5 are effective ~~May~~ August 1, 1984, and apply to all applicable agreements executed on or after that date.

Sec. 11. **EFFECTIVE DATE.**

Sections 1 to 9 are effective August 1, 1984. Section 10 is effective the day following final enactment.

Approved April 26, 1984

**CHAPTER 599 — S.F.No. 1114**

*An act relating to natural resources; authorizing additions to and deletions from certain state parks and waysides; authorizing land acquisition in relation thereto; authorizing land exchange within Lake County; authorizing the conveyance of certain property to the city of Melrose; amending Minnesota Statutes 1982, section 86A.05, by adding a subdivision.*

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

**Section 1. NATURAL RESOURCES; ADDITIONS TO AND DELETIONS FROM CERTAIN STATE PARKS.**

Subdivision 1. The lands described in this section are, as specified in this section, added to or deleted from the boundaries of the state parks designated in this section. The commissioner of natural resources is authorized to acquire by gift, purchase, or, if authorized by law, by condemnation proceedings the lands as described which are added. Any land which now is or hereafter becomes tax-forfeited land and is located within the described park boundaries is withdrawn from sale and is transferred from the custody, control, and supervision of the county board of the county to the commissioner of natural resources, free from any trust in favor of the interested taxing districts. The commissioner shall execute a certificate of acceptance of the lands on behalf of the state for these purposes and transmit it to the county auditor of the county for record as provided by law in the case of tax-forfeited land transferred to the commissioner by resolution of the county board for conservation purposes. Any lands within the herein described boundaries which may be owned by the United States and managed by any of its agents may be acquired by land exchange, direct transfer, or purchase as federal laws may prescribe. The lands acquired pursuant to this

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section shall be administered in the same manner as provided for other state parks and shall be perpetually dedicated for this use.

Subd. 2. [85.012] [Subd. 10.] CAMDEN STATE PARK. The following area is deleted from Camden State Park:

The East Half of the Southwest Quarter of Section 17, Township 110 North, Range 42 West.

Subd. 3. [85.012] [Subd. 16.] FLANDRAU STATE PARK. The following area is added to Flandrau State Park:

Outlot 303 to the City of New Ulm and that part of Highland Avenue adjacent to said Outlot 303.

Subd. 4. [85.012] [Subd. 18.] FORT SNELLING STATE PARK. The following area is deleted from Fort Snelling State Park:

That part of Government Lots 1, 2, and 3 of Section 7 lying northerly and westerly of the new channel of the Minnesota River; that part of Government Lot 1 of Section 18 lying northerly of the new channel of the Minnesota River; all in Township 27 North, Range 23 West.

Subd. 5. [85.012] [Subd. 30.] JAY COOKE STATE PARK. The following area is deleted from Jay Cooke State Park:

That part of the unplatted portion of Government Lot 1 of Section 8, Township 48 North, Range 16 West, lying northerly and easterly of the former Lake Superior and Mississippi Railroad Company Fond Du Lac Branch right-of-way, southerly of the former Burlington Northern Inc.'s St. Paul to Duluth Branch right-of-way and easterly of the right-of-way of Minnesota Highway 210.

Subd. 6. [85.012] [Subd. 55.] TEMPERANCE RIVER STATE PARK. The following area is added to Temperance River State Park:

Government Lot 1, except the East Half thereof of Section 31; that part of Government Lots 2 and 3 and the Southwest Quarter of the Southwest Quarter of Section 29 lying southerly of U.S. Highway 61; and that part of Government Lot 1 of Section 32 lying southerly of U.S. Highway 61 and east of a line run parallel with and distant 570 feet west of the southerly extension of the east line of the Southwest Quarter of the Southwest Quarter of said Section 29; all in Township 59 North, Range 4 West.

Subd. 7. [85.012] [Subd. 55a.] TETTEGOUCHE STATE PARK. The following area is added to Tettegouche State Park:

The Northeast Quarter of the Southwest Quarter of Section 9 and the West Half of the Northwest Quarter of Section 15, Township 56 North, Range 7 West.

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The West Half of the Northwest Quarter of Section 15, Township 56 North, Range 7 West, consists of tax-forfeited lands which are transferred from the custody, control, and supervision of the Lake County Board of Commissioners to the commissioner of natural resources, free from any trust in favor of the interested taxing districts, for inclusion in Tettegouche State Park. However, this transfer is effective only after conveyance to Lake County, by the commissioner of natural resources, in a form to be approved by the attorney general, the North Half of the Southwest Quarter of Section 23, Township 56 North, Range 8 West.

Subd. 8. [85.012] [Subd. 59.] WHITEWATER STATE PARK. The following area is deleted from Whitewater State Park:

That part of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter of Section 16 lying northeasterly of C.S.A.H. 39; that part of the North Half of the Northwest Quarter, North Half of the Northeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 17 lying northerly of C.S.A.H. 39; all in Township 107 North, Range 10 West.

Sec. 2. [85.013] [Subd. 2b.] BLAKELEY STATE WAYSIDE.

The following area is deleted from Blakeley Wayside of the Minnesota Valley Trail:

All of the Southeast Quarter and the North Half of the Southwest Quarter of Section 19, Township 113 North, Range 25 West.

The following area is added to Blakeley Wayside of the Minnesota Valley Trail:

The Southeast Quarter of the Southwest Quarter; the Southwest Quarter of the Southwest Quarter, excepting therefrom the right-of-way of the Chicago, St. Paul, Minneapolis, and Omaha Railroad; and also that part of Government Lot No. Two, also known as the Northwest Quarter of the Southwest Quarter, lying East of a line drawn parallel with and One Hundred feet easterly of the center line of the main track of the Chicago, St. Paul, Minneapolis, and Omaha Railroad, all lying and being in Section Thirty, Township One Hundred Thirteen North, of Range Twenty-five West; and the Northeast Quarter of the Southwest Quarter of Section 30; the Northeast Quarter of the Northwest Quarter and the Northwest Quarter of the Northwest Quarter lying East of the County Road; and the Northwest Quarter of the Northeast Quarter and the Southwest Quarter of the Northeast Quarter; all in Section 31, Township 113 North, Range 25 West.

Sec. 3. [85.013] [Subd. 10.] FLOOD BAY STATE WAYSIDE.

The following areas are deleted from the Flood Bay State Wayside:

(a) That part of Government Lot 2, Section 32, Township 53 North, Range 10 West of the fourth principal meridian, lying southeasterly of the

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southeasterly right-of-way line of U.S. Highway 61 and northeasterly of a line described as follows: beginning at the Northwest Corner of said Government Lot 2, run southeasterly at an angle of 59 degrees with the West Line of said Government Lot 2 to the low water mark of Lake Superior, and said line there terminating, except a strip of land one hundred twenty-five feet in width lying northwesterly of the low water mark of Lake Superior.

(b) That part of Government Lot 1, Section 32, Township 53 North, Range 10 West of the fourth principal meridian, lying southeasterly of the southeasterly right-of-way line of U.S. Highway 61 and southwesterly of a line described as follows: commencing at the intersection of the West Line of said Section 32 with the centerline of said U.S. Highway 61, thence northeasterly along said centerline a distance of nine hundred thirty feet to the beginning of the line to be described; thence deflect 90 degrees 00 minutes to the right in a southeasterly direction to the low water mark of Lake Superior and said line there terminating, except a strip of land one hundred twenty-five feet in width lying northwesterly of the low water mark of Lake Superior.

These deletions are effective only if: (1) the commissioner of natural resources determines that the deletions and the proposed subsequent developments are in the public interest and consistent with the continued operation and preservation of the remainder of the wayside, considering the environmental impacts as described by an environmental impact statement found to be adequate by the environmental quality board under section 116D.04, any proposed mitigation measures and the economic and engineering feasibility of the project; and (2) the senate agriculture and natural resources committee and the house environment and natural resources committee review and approve the commissioner's determination. If these committees do not approve his determination, the commissioner shall submit it as a recommendation to the 1985 legislature. If the deletions become effective, notwithstanding any limitations contained in Minnesota Statutes, sections 92.45, 94.342, or 94.343 restricting the sale or exchange of state park land or land devoted to a specific public use, or of land bordering public waters, the commissioner may sell or exchange the deleted portions of Flood Bay State Wayside in the manner otherwise provided by law. The commissioner shall include in any deed issued for the area a condition requiring that this area be developed and operated in a manner consistent with the continued operation and preservation of the remaining portions of Flood Bay State Wayside.

**Sec. 4. [85.013] [Subd. 21a.] RICE LAKE STATE WAYSIDE.**

Notwithstanding any limitation contained in Minnesota Statutes, sections 94.342 to 94.345, restricting the exchange of state park lands or land devoted to a specific public use, the commissioner of natural resources may exchange state land located in Rice Lake State Wayside for land of substantially equal value owned by the United States located within Banning State Park.

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Sec. 5. Minnesota Statutes 1982, section 86A.05, is amended by adding a subdivision to read:

Subd. 13. ADDITIONAL PARKS; ADMINISTRATION. All other state parks which, though not meeting the resource and site qualifications contained in subdivisions 2 and 3, were in existence on January 1, 1984, shall be administered by the commissioner of natural resources as units of the outdoor recreation system.

**Sec. 6. LAKE COUNTY LAND EXCHANGE.**

Notwithstanding section 282.018, Lake County may exchange ten 40-acre parcels of tax-forfeited land for land of equal value within the city of Silver Bay, provided that the commissioner of revenue pursuant to section 282.37 grants a permanent 50-foot wide public easement on each side of public waters involved. The parcels to be exchanged are described as follows:

The Northeast Quarter of the Northeast Quarter of Section 1, Township 55, Range 9; the Southeast Quarter of the Northeast Quarter of Section 1, Township 55, Range 9; the Southeast Quarter of the Southwest Quarter of Section 1, Township 55, Range 9; the Northeast Quarter of the Southeast Quarter of Section 1, Township 55, Range 9; the Northwest Quarter of the Southeast Quarter of Section 1, Township 55, Range 9; the Southwest Quarter of the Southeast Quarter of Section 1, Township 55, Range 9; the Southeast Quarter of the Southeast Quarter of Section 1, Township 55, Range 9; the Northeast Quarter of the Northeast Quarter of Section 2, Township 55, Range 9; the Northwest Quarter of the Northeast Quarter of Section 2, Township 55, Range 9; the Southeast Quarter of the Northeast Quarter of Section 2, Township 55, Range 9.

**Sec. 7. PROPERTY.**

Notwithstanding any law to the contrary, the commissioner of natural resources may convey to the city of Melrose the following real property: Part of the North Half of the Southwest Quarter of Section Thirty-five (35), Township One Hundred and Twenty-six (126), Range Thirty-three (33), Stearns County, containing 26.5 acres more or less as shown on the plat attached to lease agreement No. 144-15-256 executed June 30, 1983, on form BL-192 (7-75), between the commissioner of natural resources, on behalf of the state of Minnesota, and the city of Melrose.

Upon payment by the city of the commissioner's appraised value, the commissioner of natural resources shall deliver to the city quitclaim deeds conveying all of the state's interest in that land subject to a reservation of any minerals or mineral rights in the state of Minnesota.

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**Sec. 8. EFFECTIVE DATE.**

This act is effective the day following final enactment.

Approved April 26, 1984

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**CHAPTER 600 — S.F.No. 1403**

*An act relating to the Mississippi River headwaters area; requiring other governmental units to follow the land use plan adopted by the board; amending Minnesota Statutes 1982, section 114B.03, subdivision 1; proposing new law coded in Minnesota Statutes, chapter 114B.*

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

**Section 1. [114B.031] RESPONSIBILITIES OF OTHER GOVERNMENTAL UNITS.**

All local and special governmental units, councils, commissions, boards and districts and all state agencies and departments must exercise their powers so as to further the purposes of sections 114B.01 to 114B.06 and the land use plan adopted by the board on February 12, 1981. Land owned by the state, its agencies, and political subdivisions shall be administered in accordance with the land use plan adopted by the board on February 12, 1981.

Sec. 2. Minnesota Statutes 1982, section 114B.03, subdivision 1, is amended to read:

Subdivision 1. **EXISTING PLAN CONFIRMED; MINIMUM STANDARDS.** The comprehensive land use plan prepared by the board and approved by resolution adopted on February 12, 1981, shall be the comprehensive land use plan authorized by section 114B.02, subdivision 2, and shall be implemented by the board as provided in this section and section 114B.04. The counties shall adopt land use ordinances consistent with the comprehensive land use plan of the board. The standards set forth in the plan are the minimum standards which may be adopted by the board and by the counties for the protection and enhancement of the natural, scientific, historical, recreational and cultural values of the Mississippi River and related shoreland areas subject to the plan. Except for forest management, fish and wildlife habitat improvement, and open space recreational uses as defined in the plan, no state or county lands within the boundaries established by the plan shall be offered for public sale or lease. The board with the agreement, expressed by resolution adopted after public hearing, of the county boards of Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing, and Morrison counties may amend the plan in any way that does not reduce the minimum standards set forth in the plan approved on February 12, 1981.

Approved April 26, 1984

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