

## CHAPTER 417—S.F.No. 2101

*An act relating to state lands; authorizing an exchange of certain state lands with the city of Thomson in Carlton county and sale of certain state land in Lake of the Woods county.*

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

Section 1. LAND EXCHANGE AUTHORIZED.

Notwithstanding Minnesota Statutes, section 94.343, subdivision 9, the state of Minnesota may exchange certain parcels or tracts of state-owned land located within Carlton county with the city of Thomson.

(a) State lands to be exchanged are described as:

(1) All of the unplatted portion of Government Lot 1 lying northerly and easterly of that strip of land deeded to the Village of Thomson by the Northern Pacific Railway Company, November 18, 1940, and recorded February 5, 1941, as document #101684 and on May 13, 1938, and recorded May 21, 1938, as document #96017; 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, in section 8, Township 48N, Range 16W.

(2) Lots 1 to 16, both inclusive, and Lot 21 of Block 5 and Lots 3, 4, 8 and 9 of Block 4 in the Townsite of Thomson, according to the plat thereof on file in the Office of the Recorder of Deeds of Carlton County, Minnesota.

(3) Those portions of Lots 17 to 20, both inclusive, 22 and 23 in Block 5 in the Townsite of Thomson, lying southerly of a line 75 feet northerly at right angles and parallel with the centerline of former Burlington Northern, Inc.'s St. Paul to Duluth Branch main line railroad track.

(4) That portion of a 20 foot wide north and south alley between Block 5 and Block 4 in the Townsite of Thomson that lies southerly of a line 75 feet northerly at right angles and parallel with the centerline of former Burlington Northern, Inc.'s St. Paul to Duluth Branch main line railroad track and northerly of the easterly projection of the southerly line of Lot 8 of Block 4 in the Townsite of Thomson.

(5) The South 85 feet of Lots 24 to 46, both inclusive, of Block 5, in the Townsite of Thomson.

(6) The North Half (N 1/2) of vacated Otter Avenue lying between the Southerly extension of the East and West lines of said Block 5, in the Townsite of Thomson.

(b) City lands to be exchanged are described as:

(1) A strip of land two hundred (200) feet wide in Government Lot One (1),

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Section eight (8), Township forty-eight (48) North, Range sixteen (16) West, 4th P.M., said strip being one hundred (100) feet wide on each side of the centerline of the original main track of the Lake Superior and Mississippi Railroad Company Fond Du Lac Branch as formerly constructed but now removed, and extending from the east line of said Government Lot one (1) to a westerly production of the north line of Block one (1) Original Town of Thomson, according to the recorded plat thereof.

(2) A strip of land fifty (50) feet wide on the northeasterly side of and adjoining the two hundred (200) foot strip above described, extending from a westerly production of the north line of said Block one (1) to a line drawn at right angles to the northeasterly line of the two hundred (200) foot strip above described from a point therein distant two hundred thirty-five (235) feet northwesterly, measured along said northeasterly line, from the east line of said Government Lot one (1).

(3) A strip of land 250 feet wide in Government Lot 1, said strip lying between two lines drawn parallel with and distant 150 feet northeasterly and 100 feet southwesterly, measured at right angles, from the centerline of the original main tract of the Lake Superior and Mississippi Railroad Company Fond Du Lac Branch as formerly constructed but now removed, and extending from a line drawn parallel with and distant 100 feet southerly, measured at right angles, from the centerline of the main track of the Northern Pacific Railway Company's St. Paul to Duluth Line as now constructed and operated to a westerly projection of the north line of Block 1, Original Town of Thomson, according to the recorded plat thereof.

#### Sec. 2. FORM OF CONVEYANCES.

All conveyances pursuant to section 1 shall be in a form approved by the attorney general.

#### Sec. 3. SALE OF STATE LAND IN LAKE OF THE WOODS COUNTY.

(a) The commissioner of natural resources may declare as surplus and offer for sale according to law the three parcels of land described in paragraph (b).

(b) The land that may be declared surplus and offered for sale is:

(1) the Southeast Quarter of the Southeast Quarter of Section 19, Township 160, Range 33, comprising of about 40 acres;

(2) the Southwest Quarter of the Southwest Quarter of Section 20, Township 160, Range 33, comprising of about 40 acres; and

(3) the Northwest Quarter of the Northwest Quarter of Section 29, Township 160, Range 33, comprising of about 40 acres.

#### Sec. 4. EFFECTIVE DATE.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

Section 3 is effective the day after final enactment.

Approved March 24, 1986

#### CHAPTER 418—S.F.No. 2116

*An act relating to elections; providing for removal of certain elected county officials; proposing coding for new law in Minnesota Statutes, chapter 351; repealing Minnesota Statutes 1984, sections 351.03; 351.04; 351.08 to 351.11.*

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

##### Section 1. **[351.14] DEFINITIONS.**

Subdivision 1. APPLICABILITY. The definitions in this section apply to sections 1 to 10.

Subd. 2. MALFEASANCE. "Malfeasance" means the willful commission of an unlawful or wrongful act in the performance of a public official's duties which is outside the scope of the authority of the public official and which infringes on the rights of any person or entity.

Subd. 3. NONFEASANCE. "Nonfeasance" means the willful failure to perform a specific act which is a required part of the duties of the public official.

Subd. 4. MISFEASANCE. "Misfeasance" means the negligent performance of the duties of a public official or the negligent failure to perform a specific act which is a required part of the duties of the public official.

Subd. 5. ELECTED COUNTY OFFICIAL. "Elected county official" means any public official who is elected to county-wide office or appointed to an elective county-wide office, including county attorney, county sheriff, county auditor, county recorder, and county treasurer. "Elected county official" also means a county commissioner elected or appointed from a commissioner district.

##### Sec. 2. **[351.15] REMOVAL OF ELECTED COUNTY OFFICIAL.**

An elected county official may be removed from office in accordance with the procedures established in sections 1 to 10.

##### Sec. 3. **[351.16] PETITION; REVIEW.**

Subdivision 1. FORM OF PETITION. Any registered voter may petition the county auditor requesting a removal election and setting forth facts which allege with specificity that an elected county official committed malfeasance or nonfeasance in the performance of official duties during the current or any previous term in the office held by the elected county official, except that a petition may not be submitted during the 180 days immediately preceding a

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