

(2) with a hazardous materials endorsement, transporting hazardous materials in class D vehicles; and

(3) with a school bus endorsement, operating school buses designed to transport 15 or fewer passengers, including the driver.

(d) Class B; valid for:

(1) operating all vehicles in class C, and class D vehicles, and all other single-unit vehicles including, with a passenger endorsement, buses. ~~The holder of a class B license may tow; and~~

(2) towing only vehicles with a gross vehicle weight of 10,000 pounds or less.

(e) Class A; valid for operating any vehicle or combination of vehicles.

**EFFECTIVE DATE.** This section is effective the day following final enactment.

Presented to the governor May 31, 2005

Signed by the governor June 2, 2005, 2:10 p.m.

#### CHAPTER 161—H.F.No. 814

*An act relating to natural resources; state lands; modifying requirements for designation of scientific and natural areas; authorizing the private sale of certain surplus state lands; authorizing the public and private sale of certain tax-forfeited lands bordering public waters; providing for an easement on state land bordering a public water; authorizing conveyance of an easement; amending Minnesota Statutes 2004, sections 84.033, by adding a subdivision; 97A.093; Laws 2003, First Special Session chapter 13, section 25; repealing Minnesota Statutes 2004, section 84.033, subdivision 2.*

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

Section 1. Minnesota Statutes 2004, section 84.033, is amended by adding a subdivision to read:

Subd. 3. **COUNTY APPROVAL.** The commissioner must follow the procedures under section 97A.145, subdivision 2, when acquiring land for designation as a scientific and natural area under this section.

Sec. 2. Minnesota Statutes 2004, section 97A.093, is amended to read:

97A.093 **HUNTING, TRAPPING, AND FISHING IN SCIENTIFIC AND NATURAL AREAS.**

Except as otherwise provided by law, scientific and natural areas are closed to hunting, trapping, and fishing unless:

(1) for scientific and natural areas designated before May 15, 1992, the designating document allows hunting, trapping, or fishing; or

(2) for other scientific and natural areas, the commissioner allows hunting, trapping, or fishing in accordance with the procedure in section 86A.05, subdivision 5, paragraph (d).

Sec. 3. Laws 2003, First Special Session chapter 13, section 25, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.

**Sec. 25. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATERS; SCOTT COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45; 94.09; 94.10; 97A.135, subdivision 2a; and 103F.535, the commissioner of natural resources shall sell by private sale the surplus land bordering public waters that is described in paragraph (e).

(b) The conveyance shall be in a form approved by the attorney general for consideration of no less than the appraised value of the land.

(c) The deed must contain a restrictive covenant that prohibits altering, disturbing vegetation in, draining, filling, or placing any material or structure of any kind on or in the existing wetland area located on the land; prohibits any increase in run-off rate or volume from the land or future buildings into said wetland; and prohibits diverting or appropriating water from said wetland. This restriction applies only to the public waters wetland on the land identified on the public waters inventory map as 70-148W. Other wetlands on the land are subject to Minnesota Statutes, sections 103G.221 to 103G.2372.

(d) The consideration received for the conveyance shall be deposited in the state treasury and credited to the wildlife acquisition account in the game and fish fund. The money is appropriated to the commissioner of natural resources for wildlife land acquisition purposes.

(e) The land that may be sold is in the Prior Lake wildlife management area in Scott county and is described as:

The East 1200 feet of the South 800 feet of the Southwest Quarter of the Southeast Quarter of Section 22, Township 115 North, Range 22 West. Including the abandoned right-of-way of the Chicago, Milwaukee, St. Paul and Pacific Railroad Company (formerly the Hastings and Dakota Railway Company). Containing 22 acres, more or less.

(f) This land no longer fits into the state wildlife management area system because of hunting limitations, its small size, and future development planned for the area. Proceeds from the sale will be used to purchase lands more suitable for wildlife management and public use.

**Sec. 4. PRIVATE SALE OF CONSOLIDATED CONSERVATION LAND; AITKIN COUNTY.**

(a) Notwithstanding the classification and public sale provisions of Minnesota Statutes, chapters 84A and 282, or other law to the contrary, the commissioner of natural resources may sell the consolidated conservation land described in paragraph (c) to Aitkin County under the remaining provisions of Minnesota Statutes, chapters 84A and 282.

(b) The conveyance must be in a form approved by the attorney general. The consideration for the conveyance must be for no less than the appraised value of the land and timber, and any survey costs. Proceeds shall be disposed of according to Minnesota Statutes, chapter 84A.

New language is indicated by underline, deletions by ~~strikeout~~.

(c) The land to be sold is in Aitkin County and is described as: the North 400 feet of the West 800 feet of the Northwest Quarter of the Northeast Quarter, Section 22, Township 51, Range 26.

**Sec. 5. PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Beltrami County may sell by private sale the tax-forfeited land described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Beltrami County, contains 4.87 acres more or less, and is described as: a parcel of land located north of the north right-of-way line of U.S. Highway 71 in the extreme northwestern corner of the Northwest Quarter of the Northeast Quarter, Section 32, Township 148 North, Range 32 West.

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 6. CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON PUBLIC WATER OR INCLUDING WETLANDS; HENNEPIN COUNTY.**

**Subdivision 1. SALE REQUIREMENTS.** (a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, Hennepin County may sell or convey for public use without monetary consideration to the city of Brooklyn Park, a governmental subdivision, for an authorized public use for Storm Water Retention Area, the parcel of tax-forfeited land bordering public water or natural wetlands containing in excess of 150 feet of frontage on Shingle Creek, that is described in subdivision 2, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) Any such conveyance shall be subject to restrictions imposed by the commissioner of the Department of Natural Resources and subject to the clause for reversion to the state for failure to use, or abandonment of use for which the tax-forfeited lands were acquired in Minnesota Statutes, section 282.01.

(c) The conveyance must be in a form approved by the attorney general.

**Subd. 2. LEGAL DESCRIPTION.** (a) The parcel of land that may be conveyed is described as: Unplatted, Section 30, Township 119, Range 21, the East 187.1 feet of the West 1,182.6 feet of the South 597 feet of the Southwest 1/4 of the Northeast 1/4. Also that part of the Southwest 1/4 of the Northeast 1/4 lying East of the West 1,182.6 feet thereof and lying southwesterly of Registered Land Survey No. 304.

(b) The land described must be sold under the sale provisions in Minnesota Statutes, section 282.01.

(c) Hennepin County has determined that the county's land management interests would best be served if the lands were returned to private ownership or conveyed to a governmental subdivision for an authorized public use.

New language is indicated by underline, deletions by ~~strikeout~~.

**Sec. 7. CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON PUBLIC WATER OR INCLUDING WETLANDS; HENNEPIN COUNTY.**

Subdivision 1. SALE REQUIREMENTS. (a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, Hennepin County may sell or convey for public use without monetary consideration to the city of Minnetrista, a governmental subdivision, for an authorized public use for Preservation of Wetlands and Wildlife, the parcel of tax-forfeited land bordering public water or natural wetlands containing in excess of 150 feet of frontage on Painter Creek and Jennings Bay on Lake Minnetonka, that is described in subdivision 2, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) Any such conveyance shall be subject to restrictions imposed by the commissioner of the Department of Natural Resources and subject to the clause for reversion to the state for failure to use, or abandonment of use for which the tax-forfeited lands were acquired as provided in Minnesota Statutes, section 282.01.

(c) The conveyance must be in a form approved by the attorney general.

Subd. 2. LEGAL DESCRIPTION. (a) The parcel of land that may be conveyed is described as: Outlot 2, Sun Valley.

(b) The land described must be sold under the sale provisions in Minnesota Statutes, section 282.01.

(c) Hennepin County has determined that the county's land management interests would best be served if the lands were returned to private ownership or conveyed to a governmental subdivision for an authorized public use.

**Sec. 8. CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON PUBLIC WATER OR INCLUDING WETLANDS; HENNEPIN COUNTY.**

Subdivision 1. SALE REQUIREMENTS. (a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, Hennepin County may sell or convey to the city of Eden Prairie, a governmental subdivision, for an authorized public use for wetland purposes, the parcel of tax-forfeited land bordering public water or natural wetlands containing in excess of 150 feet of frontage on Lake Idlewild (27-74P), that is described in subdivision 2, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) Any such conveyance shall be subject to restrictions imposed by the commissioner of the Department of Natural Resources and subject to the clause for reversion to the state for failure to use, or abandonment of use for which the tax-forfeited lands were acquired as provided in Minnesota Statutes, section 282.01.

(c) The conveyance must be in a form approved by the attorney general.

Subd. 2. LEGAL DESCRIPTION. (a) The parcel of land that may be conveyed is described as Lot 21 except parts platted as Registered Land Survey No. 895 and Idlewood Lake Addition and Anderson Idlewild Addition and Anderson's Idleview,

New language is indicated by underline, deletions by ~~strikeout~~.

Auditor's Subdivision No. 335, Hennepin County, Minnesota.

(b) The land described must be sold under the sale provisions in Minnesota Statutes, section 282.01.

(c) Hennepin County has determined that the county's land management interests would best be served if the lands were returned to private ownership or conveyed to a governmental subdivision for an authorized public use.

**Sec. 9. CONVEYANCE OF TAX-FORFEITED LAND BORDERING ON PUBLIC WATER OR INCLUDING WETLANDS; HENNEPIN COUNTY.**

Subdivision 1. SALE REQUIREMENTS. (a) Notwithstanding Minnesota Statutes, sections 92.45, 103F.535, and 282.018, subdivision 1, Hennepin County may sell or convey to the city of Eden Prairie, a governmental subdivision, for an authorized public use of wetland purposes, the parcel of tax-forfeited land bordering public water or natural wetlands containing in excess of 150 feet of frontage on Lake Idlewild (27-74P) or the majority of the parcel under water, that is described in subdivision 2, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) Any such conveyance shall be subject to restrictions imposed by the commissioner of the Department of Natural Resources and subject to the clause for reversion to the state for failure to use, or abandonment of use for which the tax-forfeited lands were acquired as provided in Minnesota Statutes, section 282.01.

(c) The conveyance must be in a form approved by the attorney general.

Subd. 2. LEGAL DESCRIPTION. (a) The parcel of land that may be conveyed is described as Outlot A, Anderson Idlewild Addition.

(b) The land described must be sold under the sale provisions in Minnesota Statutes, section 282.01.

(c) Hennepin County has determined that the county's land management interests would best be served if the lands were returned to private ownership or conveyed to a governmental subdivision for an authorized public use.

**Sec. 10. PRIVATE SALE OF SURPLUS STATE LAND; HUBBARD COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus state land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Hubbard County and is described as follows:

That part of the Northwest Quarter of the Northwest Quarter of Section 22, Township 142 North, Range 33 West, Hubbard County, Minnesota, described as follows:

**New language is indicated by underline, deletions by ~~strikeout~~.**

Beginning at the northeast corner of said Northwest Quarter of the Northwest Quarter, being a 3/4 inch rebar with plastic cap stamped "MN DNR LS 17005" (DNR Monument); thence on a bearing based on the Hubbard County Coordinate System of 1983 of North 88 degrees 51 minutes 21 seconds West, along the north line of said Northwest Quarter of the Northwest Quarter 253.67 feet to a DNR Monument; thence South 04 degrees 03 minutes 57 seconds East 132.71 feet to a DNR Monument; thence South 79 degrees 15 minutes 13 seconds East 248.33 feet to the east line of said Northwest Quarter of the Northwest Quarter and a DNR Monument; thence North 00 degrees 05 minutes 06 seconds East along the east line of said Northwest Quarter of the Northwest Quarter 173.61 feet to the point of beginning, containing 0.87 acres.

(d) The sale would resolve a long-standing unintentional trespass.

**Sec. 11. COUNTY ENVIRONMENTAL TRUST FUND; ITASCA COUNTY.**

(a) Notwithstanding Laws 1998, chapter 389, article 16, section 31, subdivision 4, as amended, Itasca County may spend money in the Itasca County environmental trust fund to acquire the land described in paragraph (b) for public access purposes.

(b) The land to be acquired by Itasca County is described as:

(1) parcel number 91-017-1105; and

(2) parcel number 91-017-1102.

**Sec. 12. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ITASCA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale requirements of Minnesota Statutes, chapter 282, Itasca County may sell by private sale the tax-forfeited land bordering public water that is described in paragraph (c), under Minnesota Statutes, section 282.01, subdivision 7.

(b) The conveyance must be in a form approved by the attorney general for the appraised value of the land and include conditions that the existing structures must be removed within one year of the sale and a conservation easement be retained on the parcel.

(c) The land to be sold is located in Itasca County and is described as: Government Lot 9, Section 19, Township 60 North, Range 26 West.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership.

**Sec. 13. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ITASCA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Itasca County may sell the tax-forfeited land described in paragraph (c) by public sale, under the remaining provisions of Minnesota Statutes, chapter 282.

New language is indicated by underline, deletions by ~~strikeout~~.

(b) The conveyance must be in a form approved by the attorney general for the appraised value of the land.

(c) The land to be sold is located in Itasca County and is described as:

(1) that part lying west of Highway 65 of the Northwest Quarter of the Northeast Quarter, Section 13, Township 53 North, Range 23 West;

(2) the undivided 1/24th interest in the Northeast Quarter of the Southwest Quarter, Section 13, Township 56 North, Range 25 West;

(3) the undivided 1/24th interest in the Northwest Quarter of the Northwest Quarter, Section 13, Township 56 North, Range 25 West; and

(4) the West 200 feet of the East Half of Government Lot 4, Section 23, Township 58 North, Range 24 West.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership.

**Sec. 14. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; LAKE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus state land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The conveyance shall reserve a conservation easement to ensure protection of the fish and wildlife shoreline habitat. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Lake County and is described as follows: an undivided 1/16th interest in Government Lot 7, Section 31, Township 63 North, Range 11 West.

(d) The sale would allow the combination of the 1/16 interest with the remaining 15/16 interest.

**Sec. 15. PRIVATE SALE OF TAX-FORFEITED LAND; LAKE COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, Lake County may sell by private sale the tax-forfeited land described in paragraph (c), under the remaining provisions of chapter 282.

(b) The conveyance must be in a form approved by the attorney general and provide that the conveyance is for no consideration. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in Lake County and is described as follows: The Northwest Quarter of the Northwest Quarter of Section 20, Township 57 North, Range 7 West, Lake County, Minnesota, containing 40 acres more or less.

New language is indicated by underline, deletions by ~~strikeout~~.

(d) The county has determined that the county's land management interests would be best served if the lands were sold to the current occupant.

**Sec. 16. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATERS; RICE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Rice County may sell by private sale the tax-forfeited land bordering public waters described in paragraph (c), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The sale must be in a form approved by the attorney general. The conveyance shall be subject to the city of Morristown Ordinance No. 170 adopted May 6, 2002, including, but not limited to, section 19 of Ordinance No. 170 addressing shoreland setback distances at a minimum distance of 50 feet and limitations on vegetation removal. The conveyance shall also reserve to the city an additional 12 feet running parallel to the 50-foot setback zone for public trail purposes.

(c) The land to be sold is located in Rice County and is described as: Lots 3, 4, and 5, Block 2, original plat of Morristown (parcel #20.0331.000).

(d) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

**Sec. 17. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; RICE COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, Rice County may convey for no consideration to the city of Dundas the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land revert to the state if the land is not used for a public purpose as provided in Minnesota Statutes, section 282.01.

(c) The land to be conveyed is located in Rice County and is described as: All that part of Block Twenty-Two (22), in the original town, now the city of Dundas, Rice County, Minnesota, described as follows: Beginning at a point on the Southerly line of Hester Street, so-called, on the Easterly line of the right-of-way of the Chicago, Great Western Railway Company; thence running in a Southerly direction parallel with said right-of-way, a distance of Two Hundred Twenty-Five (225) Feet; thence Easterly parallel with Hester Street, so-called, to the banks of the Cannon River; thence Northerly along the said river bank to a point where it intersects with the Southerly line of Hester Street; thence in a Westerly direction along the South line of Hester Street, to the point of the beginning (parcel #17.0277.000).

(d) The county has determined that the county's land management interests would best be served if the land was conveyed to the city of Dundas.

**Sec. 18. PRIVATE SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; ROSEAU COUNTY.**

New language is indicated by underline, deletions by ~~strikeout~~.



(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, 94.10, and 97A.135, subdivision 2a, the commissioner of natural resources may sell by private sale the surplus state land bordering public waters that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Roseau County and is described as: The southerly 396 feet, south of the south bank of the Roseau River, of the Southwest Quarter of the Northeast Quarter of Section 32, in Township 163 North, Range 40 West of the Fifth Principal Meridian in Roseau County, Minnesota. Said tract of land contains 9.29 acres, more or less.

(d) The department has determined that the public interest is best served if the property were to be conveyed to the Roseau River Watershed District to allow for completion of the district's flood control management plan.

#### **Sec. 19. PUBLIC SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, St. Louis County may sell the tax-forfeited lands bordering public water that are described in paragraphs (c) to (g), under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make necessary changes to legal descriptions to correct errors and ensure accuracy.

(c) The land to be sold is located in St. Louis County and is described as:

(1) the westerly 400 feet of the easterly 800 feet of Lot 4, Section 13, Township 54 North, Range 17 West; and

(2) the West Half of the Northwest Quarter of the Southwest Quarter, Section 33, Township 51 North, Range 16 West.

(d) The conveyances of land under this paragraph must retain for the state a 150-foot trout stream easement lying 75 feet on each side of the centerline of the stream. The land to be sold is located in St. Louis County and is described as:

(1) the Northeast Quarter of the Northeast Quarter, Section 7, Township 50 North, Range 18 West;

(2) the North Half of the Northeast Quarter and the North Half of the Northwest Quarter, Section 8, Township 50 North, Range 18 West;

(3) the Northwest Quarter of the Northeast Quarter, except the North Half, and that part of the West 10 acres of the Northeast Quarter of the Northeast Quarter lying south of Lester River and the West 10 acres of the Northeast Quarter of the Northeast

**New language is indicated by underline, deletions by ~~strikeout~~.**

Quarter lying north of Lester River, except the North 5 acres, Section 17, Township 51 North, Range 13 West;

(4) the Northwest Quarter of the Southeast Quarter, except the West Half, and the East 165 feet of the West Half of the Northwest Quarter of the Southeast Quarter, Section 5, Township 51 North, Range 13 West;

(5) the East Half of the Southeast Quarter of the Southeast Quarter, Section 34, Township 58 North, Range 20 West; and

(6) Government Lot 2, Section 17, Township 51 North, Range 12 West, Wonderland 1st Addition to the town of Duluth, Lot 22, Block 1.

(e) The conveyance of land under this paragraph must contain a deed restriction that is 75 feet in width along the shoreline, excluding a 15-foot access strip. The land to be sold is located in St. Louis County and is described as: Lot 6, Lot 7, and Lot 8, except the easterly 50 feet, Erickson's Beach, town of Fayal, Section 27, Township 57 North, Range 17 West.

(f) The conveyance of land under this paragraph must contain a deed restriction that is 75 feet in width along the shoreline. The land to be sold is located in St. Louis County and is described as: Lots 64 and 65, Vermilion Dells, 1st Addition Greenwood, Section 2, Township 62 North, Range 16 West.

(g) The conveyances of land under this paragraph must retain for the state a 150-foot conservation easement lying 75 feet on each side of the centerline of the stream. The land to be sold is located in St. Louis County and is described as:

(1) the Northeast Quarter of the Southeast Quarter, Section 31, Township 52 North, Range 14 West;

(2) the Northeast Quarter of the Southwest Quarter, Section 31, Township 52 North, Range 14 West; and

(3) the South Half of the Southwest Quarter of the Southwest Quarter, except the westerly 15 acres, Section 31, Township 52 North, Range 14 West.

(h) The county has determined that the county's land management interests would best be served if the lands were returned to private ownership.

#### **Sec. 20. PRIVATE SALE OF TAX-FORFEITED LAND; ST. LOUIS COUNTY.**

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited land described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general and, except for the parcel under paragraph (c), clause (4), require the buyers to pay an administration fee to cover expenses incurred by the county. The attorney general may make necessary changes to legal descriptions to correct errors and ensure accuracy.

(c) The land to be sold is located in St. Louis County and is described as:

**New language is indicated by underline, deletions by ~~strikeout~~.**

(1) the West 335 feet of the South 130 feet of the Northwest Quarter of the Northeast Quarter, Section 12, Township 63 North, Range 12 West. This parcel contains 1.0 acres more or less;

(2) the westerly 165.00 feet of the southerly 80.00 feet of the easterly 490.00 feet of the Southeast Quarter of the Southeast Quarter, Section 14, Township 51 North, Range 14 West. This parcel contains 0.3 acres;

(3) Lot 17, Block 5, Lyman Park Division of Duluth;

(4) the West 220 feet of the Southwest Quarter of the Northeast Quarter, Section 11, Township 54 North, Range 15 West;

(5) the West 115 feet of the Southeast Quarter of the Northeast Quarter of Section 32, Township 63 North, Range 12 West, lying north of the centerline of State Trunk Highway 169 and subject to highway right-of-way easement. This parcel contains 1.2 acres more or less; and

(6) the West 115 feet of the Southeast Quarter of the Northeast Quarter of Section 32, Township 63 North, Range 12 West, lying south of the centerline of State Trunk Highway 169 and subject to highway right-of-way easement. This parcel contains 2.5 acres more or less.

(d) The sales under this section resolve unintentional occupancy trespasses.

**Sec. 21. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; ST. LOUIS COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the surplus land bordering public water that is described in paragraph (c).

(b) The sale must be in a form approved by the attorney general for consideration no less than the estimated market value of the land. The attorney general may make necessary changes in the legal description to correct errors and ensure accuracy.

(c) The land to be sold is located in St. Louis County and described as: the North 10 feet of the Northeast Quarter of the Northwest Quarter, Section 16, Township 57 North, Range 17 West, lying east of St. Mary's Lake.

(d) The parcel described in paragraph (c) has been under lease since 1969 in order for the adjoining owner to meet county zoning standards and the parcel is no longer needed for natural resources purposes.

**Sec. 22. NO-BUILD EASEMENT.**

Notwithstanding any other law to the contrary, the St. Louis County Board of Commissioners may convey a three-foot permanent no-build easement on the northeasterly border of the unsold tax-forfeited property described as lot 35 in the plat of Upper Duluth St. Louis Avenue to an individual owner of private property that shares a border with the tax-forfeited lot.

New language is indicated by underline, deletions by ~~strikeout~~.

**EFFECTIVE DATE.** This section is effective the day after the St. Louis County Board of Commissioners and its chief clerical officer comply with Minnesota Statutes, section 645.021, subdivisions 2 and 3.

**Sec. 23. PRIVATE SALE OF SURPLUS STATE LAND; WABASHA COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus state land that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy. Notwithstanding Minnesota Statutes, section 94.10, the consideration for the conveyance is the estimated value for the land described in paragraph (c) as of January 1976, adjusted for inflation using the implicit price deflator for government consumption expenditures and gross investment for state and local governments prepared by the Bureau of Economic Analysis of the United States Department of Commerce for the period starting with January of 1976 and ending with January of 2005.

(c) The land that may be sold is located in Wabasha County and is described as follows:

That part of the South Half of the Southwest Quarter of Section 14, Township 109 North, Range 10 West, Wabasha County, Minnesota, lying southerly of the following described center line:

Commencing at the southwest corner of said South Half of the Southwest Quarter from which the southeast corner of said South Half of the Southwest Quarter bears East, assumed bearing; thence South 88 degrees 44 minutes East 69.69 feet to the point of beginning; thence North 62 degrees East 72.46 feet; thence North 64 degrees East 48.05 feet; thence East 77.19 feet; thence South 86 degrees East 73.98 feet; thence North 76 degrees East 72.83 feet; thence North 64 degrees East 75.07 feet; thence North 77 degrees East 76.52 feet; thence North 85 degrees East 13.74 feet; thence North 47 degrees East 63.99 feet; thence North 72 degrees East 76.61 feet; thence North 69 degrees East 72.57 feet; thence North 39 degrees East 56.12 feet; thence South 66 degrees East 80.17 feet; thence South 82 degrees East 48.68 feet; thence North 82 degrees East 69.30 feet; thence South 31 degrees East 81.99 feet; thence South 10 degrees East 39.39 feet; thence South 12 degrees East 74.13 feet; thence South 22 degrees East 51.75 feet; thence South 43 degrees East 18.47 feet; thence South 83 degrees East 71.42 feet; thence North 89 degrees East 53.56 feet; thence North 28 degrees East 70.36 feet; thence North 31 degrees East 74.57 feet; thence North 22 degrees East 73.19 feet; thence North 06 degrees East 52.91 feet; thence North 07 degrees East 68.58 feet; thence North 14 degrees East 75.72 feet;

**New language is indicated by underline, deletions by strikeout.**

thence North 17 degrees East 72.04 feet; thence South 76 degrees East 84.66 feet; thence South 51 degrees East 75.23 feet; thence South 73 degrees East 72.96 feet; thence South 79 degrees East 81.25 feet; thence South 01 degree East 82.11 feet; thence South 05 degrees West 73.45 feet; thence South 22 degrees East 69.17 feet; thence South 72 degrees East 70.65 feet; thence South 79 degrees East 56.89 feet; thence North 79 degrees East 54.55 feet; thence South 37 degrees East 80.95 feet; thence South 26 degrees East 49.79 feet, more or less, to the south line of said South Half of the Southwest Quarter and there terminating, containing 6.4 acres, more or less.

(d) The sale would correct an error in a prior land acquisition that cut off the existing access route to the remainder of the adjacent landowner's property.

**Sec. 24. PRIVATE SALE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; WASHINGTON COUNTY.**

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Washington County may sell the tax-forfeited land described in paragraph (c) by private sale, under the remaining provisions of Minnesota Statutes, chapter 282.

(b) The conveyance must be in a form approved by the attorney general for the appraised value of the land.

(c) The land to be sold is property ID number 22.032.21.12.0001, located in Washington County, and described as: the Northwest Quarter of the Northeast Quarter of Section 22, Township 32 North, Range 21 West of the 4th Principal Meridian, except the following: that part platted as GREEN VALLEY-2ND PLAT according to the recorded plat thereof. And also except the South 220 feet of the West 40 feet of said Northwest Quarter of the Northeast Quarter. And also except the East 300 feet of the West 750.41 feet of said Northwest Quarter of the Northeast Quarter. And also except commencing at the northwest corner of Lot 4, GREEN VALLEY according to the recorded plat thereof, which point is on the north line of said Section 22; thence East (North 90 degrees 00 minutes East) along the north line of said GREEN VALLEY and said north line of Section 22 a distance of 418 feet to the northeast corner of Lot 7 of said GREEN VALLEY and the point of beginning; thence South 00 degrees 03 minutes East, along the easterly line of said Lot 7, a distance of 295.6 feet to the southeast corner of said Lot 7 and the north line of GREEN VALLEY-2ND PLAT, according to the recorded plat thereof; thence South 76 degrees 49 minutes East, along said north line of GREEN VALLEY-2ND PLAT, a distance of 872.7 feet; thence North 54 degrees 37 minutes 30 seconds East a distance of 202.8 feet; thence North 78 degrees 04 minutes 30 seconds East a distance of 505 feet, more or less, to the shore of Shields Lake; thence northerly, along the shore of Shields Lake, a distance of 280 feet, more or less, to said north line of Section 22; thence West along said north line a distance of 1573.16 feet, more or less, to the point of beginning.

(d) The county has determined that the county's land management interests would be best served if the lands were returned to private ownership.

New language is indicated by underline, deletions by strikeout.

**Sec. 25. EASEMENT ON STATE LAND BORDERING PUBLIC WATER; WASHINGTON COUNTY.**

(a) The commissioner of natural resources shall issue an easement on land bordering public water that is described in paragraph (c). The easement shall be issued to the current owners of Lots 7 and 8, Block 2 of Demontreville Highlands and Lots 2, 3, 4, and 5, Block 1, Demontreville Highlands 5th Addition. The easement is for the purpose of the easement holders jointly erecting and maintaining one dock from the property described in paragraph (c). The dock may not exceed 30 feet in length and six feet in width and overnight mooring of watercraft is prohibited.

(b) The easement must be in a form approved by the attorney general for consideration of the easement preparation and recording costs. The attorney general may make necessary changes in the legal description to correct errors and ensure accuracy. The easement will expire as to each owner when they convey their ownership interest in the property described in paragraph (a).

(c) The land upon which an easement is to be issued is located in Washington County and is described as: Part of Government Lot 6, Section 5, Township 29 North, Range 21 West, being the South 45 feet lying East of the existing centerline of Demontreville Trail North subject to easements of record.

**Sec. 26. REPEALER.**

Minnesota Statutes 2004, section 84.033, subdivision 2, is repealed.

**Sec. 27. EFFECTIVE DATE.**

Sections 1 to 21 and 23 to 26 are effective the day following final enactment.

Presented to the governor May 31, 2005

Signed by the governor June 3, 2005, 8:30 a.m.

**CHAPTER 162—H.F.No. 874**

*An act relating to elections; setting standards for and providing for the acquisition of electronic voting systems; appropriating money from the Help America Vote Act account; amending Minnesota Statutes 2004, sections 201.022, by adding a subdivision; 204B.14, subdivision 2; 206.56, subdivisions 2, 3, 7, 8, 9, by adding subdivisions; 206.57, subdivisions 1, 5, by adding a subdivision; 206.61, subdivisions 4, 5; 206.64, subdivision 1; 206.80; 206.81; 206.82, subdivisions 1, 2; 206.83; 206.84, subdivisions 1, 3, 6; 206.85, subdivision 1; 206.90, subdivisions 1, 5, 6, 8, 9; proposing coding for new law in Minnesota Statutes, chapter 206.*

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

Section 1. Minnesota Statutes 2004, section 201.022, is amended by adding a subdivision to read:

**New language is indicated by underline, deletions by ~~strikeout~~.**