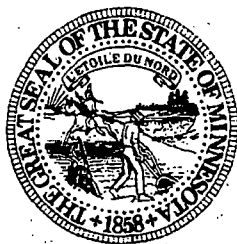


MINNESOTA STATUTES

2004

Embracing laws of a general and
permanent nature and certain other laws in force
or to be in force after the 2004 regular session

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Natural Resources

CHAPTER 83A

STATE GEOGRAPHIC FEATURES

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83A.01 [Repealed, 1971 c 25 s 19]

83A.015 TRANSFER OF POWERS AND DUTIES.

All the powers and duties now vested in, or imposed upon the state Geographic Board under this chapter, are transferred to, vested in, and imposed upon the commissioner of natural resources. The state Geographic Board as heretofore constituted is abolished.

History: 1969 c 1129 art 3 s 3

83A.02 POWERS AND DUTIES.

The commissioner of natural resources shall:

(1) determine the correct and most appropriate names of the lakes, streams, places and other geographic features in the state, and the spelling thereof by written order published in the State Register. Name designations are exempt from the rulemaking provisions of chapter 14 and section 14.386 does not apply;

(2) pass upon and give names to lakes, streams, places, and other geographic features in the state for which no single, generally accepted name has been in use;

(3) in cooperation with the county boards and with their approval, change the names of lakes, streams, places, and other geographic features, with the end in view of eliminating, as far as possible, duplication of names within the state;

(4) prepare and publish an official state dictionary of geographic names and publish the same, either as a completed whole or in parts, when ready;

(5) serve as the state representative of the United States Geographic Board and cooperate with that board to the end that there shall be no conflict between the state and federal designations of geographic features in the state.

History: (128-3) 1937 c 63 s 2; 1971 c 25 s 20; 1986 c 444; 2004 c 221 s 1

83A.03 NAMES GIVEN TO BE OFFICIAL.

When the commissioner of natural resources shall have given a name to any lake, stream, place, or other geographic feature within the state, such name shall be used in all maps, records, documents, and other publications issued by the state or any of its departments and political subdivisions, and such names shall be deemed the official name of such geographic feature.

History: (128-4) 1937 c 63 s 3; 1971 c 25 s 21

83A.04 COUNTY BOARDS NAMING GEOGRAPHIC FEATURES MUST HAVE APPROVAL OF COMMISSIONER OF NATURAL RESOURCES.

No county board shall order the change of or establish the name of any lake, river, or other body of water without the written approval of the commissioner of natural resources endorsed on any resolution determining or fixing such name, which endorsement must be made on the same prior to recording with the county recorder.

History: (128-5) 1937 c 63 s 4; 1971 c 25 s 22; 1976 c 181 s 2

83A.05 CHANGING AND GIVING NAMES TO WATER BODIES.

Subdivision 1. **Applicability.** A name of a lake, river, stream, or other body of water may be given or changed under sections 83A.05 to 83A.07 except that a name which has existed for 40 years may not be changed under the provisions of sections 83A.05 to 83A.07.

Subd. 2. **Petition for name.** (a) Fifteen or more legal voters residing in a county where all or a part of a body of water is located may petition the county board of the county where the petitioners reside or the body of water is located to change the name of or give a name to a previously unnamed lake, river, stream, or other body of water located within the state.

(b) The petition may include any number of lakes, rivers, streams, or other bodies of water to have names changed, or if unnamed to be given a name by the county board.

(c) The petition must describe:

- (1) the location of the body of water;
- (2) the name, if any, that the body of water has been referred to or known by, or if there is not a name, it must be stated that a known name does not exist;
- (3) the name that the petitioners desire to be given to the body of water; and
- (4) the reason for the change of name or for giving the designated name to a previously unnamed body of water.

(d) The petitioners must sign their names and state their place of residence.

(e) The petition must be filed with the auditor of the county where the petitioners reside or the body of water is located.

History: 1990 c 391 art 8 s 7

83A.06 HEARING ON PETITION.

Subdivision 1. **Time and location.** After receiving the petition to name a body of water, the auditor must present the petition to the county board. The county board must, by order, set the time and location for a hearing on the petition to be held more than 30 days after the order is made. The hearing may be held at any convenient place within the county as determined by the county board.

Subd. 2. **Water body in more than one county.** (a) If the petition describes a body of water located within more than one county, the county boards of the several affected counties must act jointly and as one body and the majority of the joint body must determine the name of the water body under sections 83A.05 to 83A.07 in the same manner as prescribed for the county board.

(b) For a water body located within more than one county, the county auditor with whom the petition is filed must forward by mail a certified copy of the petition to the auditor of each affected county who shall present the petition to the respective county boards, and the notice of hearing the petition determined by the joint body shall be published in each county as provided in subdivision 4.

(c) The auditor of the county where the petition was filed must make and file certified copies of the adopted resolution in the office of the county recorder of each affected county at the expense of the petitioners.

Subd. 3. **Petitioners' bond.** Before the notice of the hearing is given, the petitioners must give a bond to be approved by the county attorney of the county where the petition has been filed that is conditioned on the full payment of the reasonable expenses incurred by the county for the proceeding. The commissioner of natural resources is not required to give bond.

Subd. 4. **Notice.** Notice of the hearing must be:

- (1) published for at least three weeks in the newspaper designated by the county board as the official newspaper for the county;
- (2) served on the commissioner of natural resources; and

(3) served personally on the chair of the town board of a town, on the president of a statutory city board of trustees, and on the mayor of a city that has a body of water in the petition within or adjoining the boundary of the political subdivision.

Subd. 5. **Statements at hearing.** At the hearing, legal voters of the county and municipalities may appear, by attorney or in person, and file an answer to the petition, stating in plain, concise language why the petition should not be granted in whole or in part, and in the answer may ask the county board to give to the body of water a different name than the name requested in the original petition.

Subd. 6. **Determination.** At the hearing on the petition, the county board shall hear all parties desiring to be heard on the petition and make an order, by resolution, determining the name of the body of water described in the petition. The name determined by the board at the hearing is the legal name of the body of water.

History: 1990 c 391 art 8 s 8

83A.07 NAMES NOT TO BE DUPLICATED.

Subdivision 1. **Duplicate discouraged.** In determining the name of a body of water, the county board may not, if possible, duplicate names of existing bodies of water. The county board shall select and approve a name as it determines is in the permanent, best interests of the affected county.

Subd. 2. **Director to check name duplication.** The auditor of the county where a petition is filed must mail a copy of the petition with a copy of the notice of hearing on the petition to the director of the Division of Waters of the Department of Natural Resources. The director must compare the names suggested in the petition with the names of other bodies of water within the state and report findings and recommendations back to the auditor before the date of the hearing.

History: 1990 c 391 art 8 s 9