

SENATE
STATE OF MINNESOTA
NINETIETH SESSION

S.F. No. 2229

(SENATE AUTHORS: DZIEDZIC)

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OFFICIAL STATUS
Introduction and first reading
Referred to Environment and Natural Resources Policy and Legacy Finance

1.1 A bill for an act
 1.2 relating to taxation; authorizing county to sell land adjacent to public waters upon
 1.3 written authorization; amending Minnesota Statutes 2016, section 282.018,
 1.4 subdivision 1.

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

1.6 Section 1. Minnesota Statutes 2016, section 282.018, subdivision 1, is amended to read:

1.7 Subdivision 1. **Land on or adjacent to public waters.** (a) All land which is the property
 1.8 of the state as a result of forfeiture to the state for nonpayment of taxes, regardless of whether
 1.9 the land is held in trust for taxing districts, and which borders on or is adjacent to meandered
 1.10 lakes and other public waters and watercourses, and the live timber growing or being thereon,
 1.11 is hereby withdrawn from sale except as hereinafter provided. The authority having
 1.12 jurisdiction over the timber on any such lands may sell the timber as otherwise provided by
 1.13 law for cutting and removal under such conditions as the authority may prescribe in
 1.14 accordance with approved, sustained yield forestry practices. The authority having jurisdiction
 1.15 over the timber shall reserve such timber and impose such conditions as the authority deems
 1.16 necessary for the protection of watersheds, wildlife habitat, shorelines, and scenic features.
 1.17 Within the area in Cook, Lake, and St. Louis counties described in the Act of Congress
 1.18 approved July 10, 1930 (46 Stat. 1020), the timber on tax-forfeited lands shall be subject
 1.19 to like restrictions as are now imposed by that act on federal lands.

1.20 (b) Of all tax-forfeited land bordering on or adjacent to meandered lakes and other public
 1.21 waters and watercourses and so withdrawn from sale, a strip two rods in width, the ordinary
 1.22 high-water mark being the waterside boundary thereof, and the land side boundary thereof
 1.23 being a line drawn parallel to the ordinary high-water mark and two rods distant landward
 1.24 therefrom, hereby is reserved for public travel thereon, and whatever the conformation of

2.1 the shore line or conditions require, the authority having jurisdiction over such lands shall
2.2 reserve a wider strip for such purposes.

2.3 (c) Any tract or parcel of land which has 150 feet or less of waterfront may be sold by
2.4 the authority having jurisdiction over the land, in the manner otherwise provided by law
2.5 for the sale of such lands, if the authority determines that it is in the public interest to do
2.6 so. If the authority having jurisdiction over the land is not the commissioner of natural
2.7 resources, the land may not be offered for sale without the prior approval of the commissioner
2.8 of natural resources.

2.9 (d) Where the authority having jurisdiction over lands withdrawn from sale under this
2.10 section is not the commissioner of natural resources, the authority may submit proposals
2.11 for disposition of the lands to the commissioner. The commissioner of natural resources
2.12 shall evaluate the lands and their public benefits and make recommendations on the proposed
2.13 dispositions to the committees of the legislature with jurisdiction over natural resources.
2.14 The commissioner shall include any recommendations of the commissioner for disposition
2.15 of lands withdrawn from sale under this section over which the commissioner has jurisdiction.
2.16 The commissioner's recommendations may include a public sale, sale to a private party,
2.17 acquisition by the Department of Natural Resources for public purposes, or a cooperative
2.18 management agreement with, or transfer to, another unit of government.

2.19 (e) Notwithstanding this subdivision, a county may sell property governed by this section
2.20 upon written authorization from the commissioner of natural resources. Before selling or
2.21 conveying lands under this subdivision, the county board must give notice of its intent to
2.22 meet for that purpose as provided in section 282.01, subdivision 1.