

# HOUSE RESEARCH

## Bill Summary

**FILE NUMBER:** H.F. 683

**DATE:** February 17, 2005

**Version:** As introduced

**Authors:** Hackbarth

**Subject:** Acquisition of Scientific and Natural Areas

**Analyst:** John Helland 651-296-5039

This publication can be made available in alternative formats upon request. Please call 651-296-6753 (voice); or the Minnesota State Relay Service at 1-800-627-3529 (TTY) for assistance. Summaries are also available on our website at: [www.house.mn/hrd](http://www.house.mn/hrd).

---

### Section

- 1** Requires the commissioner of natural resources, when acquiring scientific and natural areas to follow the procedures in Minnesota Statutes, section 97A.145, subdivision 2, for wildlife wetlands as noted below:
- (a) Lands purchased or leased under this section must be acquired in accordance with this subdivision.
  - (b) The commissioner must notify the county board and the town officers where the land is located and furnish them a description of the land to be acquired. The county board must approve or disapprove the proposed acquisition within 90 days after being notified. The commissioner may extend the time up to 30 days. The soil and water conservation district supervisors shall counsel the county board on drainage and flood control and the best utilization and capability of the land.
  - (c) If the county board approves the acquisition within the prescribed time, the commissioner may acquire the land.
  - (d) If the county board disapproves the acquisition, it must state valid reasons. The commissioner may not purchase or lease the land if the county board disapproves the acquisition and states its reasons within the prescribed time period. The landowner or the commissioner may appeal the disapproval to the district court having jurisdiction where the land is located.

**Section**

(e) The commissioner or the owner of the land may submit the proposed acquisition to the Land Exchange Board if: (1) the county board does not give reason for disapproval, or does not approve or disapprove the acquisition within the prescribed time period; or (2) the court finds that the disapproval is arbitrary and capricious, or that the reasons stated for disapproval are invalid.

(f) The Land Exchange Board must conduct a hearing and make a decision on the acquisition within 60 days after receiving the proposal. The Land Exchange Board must give notice of the hearing to the county board, the commissioner, the landowner, and other interested parties. The Land Exchange Board must consider the interests of the county, the state, and the landowner in determining whether the acquisition is in the public interest. If a majority of the Land Exchange Board members approves the acquisition, the commissioner may acquire the land. If a majority disapproves, the commissioner may not purchase or lease the land.

- 2 Allows greater flexibility for the commissioner to permit hunting, trapping, or fishing in scientific and natural areas.
- 3 Repeals the current law for counties to pass a resolution in approving the designation of scientific and natural areas.
- 4 Makes the bill effective the day following final enactment.