

**SENATE**  
**STATE OF MINNESOTA**  
**NINETIETH SESSION**

**S.F. No. 2661**

(SENATE AUTHORS: HOUSLEY and Koran)

DATE  
02/26/2018

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Introduction and first reading  
Referred to Local Government

OFFICIAL STATUS

1.1 A bill for an act  
1.2 relating to local government; modifying expiration of metropolitan agricultural  
1.3 preserves; authorizing the sale and issuance of state bonds for predesign and design  
1.4 of the Gateway Trail; appropriating money; amending Minnesota Statutes 2016,  
1.5 section 473H.08, subdivisions 1, 4, by adding a subdivision.

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

1.7 Section 1. Minnesota Statutes 2016, section 473H.08, subdivision 1, is amended to read:

1.8 Subdivision 1. **Till expiration started.** Agricultural preserves shall continue until ~~either~~  
1.9 the landowner ~~or~~ the authority, or a state agency or governmental unit initiates expiration  
1.10 as provided in this section.

1.11 Sec. 2. Minnesota Statutes 2016, section 473H.08, is amended by adding a subdivision to  
1.12 read:

1.13 Subd. 3a. **Expiration for park and trail purposes.** (a) An agricultural preserve expires  
1.14 immediately when a state agency or other governmental unit purchases the property or  
1.15 obtains an easement over the property for the purpose of creating or expanding a public  
1.16 trail or public park. This subdivision applies only to the portion of the agricultural preserve  
1.17 acquired for trail or park purposes, and any portion of the property not acquired for trail or  
1.18 park purposes shall remain an agricultural preserve.

1.19 (b) The acquiring state agency or governmental unit shall give notice to the authority as  
1.20 provided in subdivision 5. The notice must specify the portion of the property being removed  
1.21 from the agricultural preserve and the date on which that portion expires.

2.1 Sec. 3. Minnesota Statutes 2016, section 473H.08, subdivision 4, is amended to read:

2.2 Subd. 4. **Notice to others.** Upon receipt of the notice provided in subdivision 2 or 3a,  
2.3 or upon notice served by the authority as provided in subdivision 3, the authority shall  
2.4 forward the original notice to the county recorder for recording, or to the registrar of titles  
2.5 if the land is registered, and shall notify the county auditor, county assessor, the Metropolitan  
2.6 Council, and the county soil and water conservation district of the date of expiration.  
2.7 Designation as an agricultural preserve and all benefits and limitations accruing through  
2.8 sections 473H.02 to 473H.17 for the preserve shall cease on the date of expiration. The  
2.9 restrictive covenant contained in the application shall terminate on the date of expiration.

2.10 Sec. 4. **GATEWAY TRAIL PREDESIGN AND DESIGN.**

2.11 Subdivision 1. **Appropriation.** \$500,000 is appropriated from the bond proceeds fund  
2.12 to the commissioner of natural resources for predesign and design of the Gateway Trail  
2.13 from William O'Brien State Park to downtown Scandia. The commissioner must grant at  
2.14 least ten percent of the appropriation to the city of Scandia for local involvement in the  
2.15 predesign and design process and for predesign and design of safe connections between the  
2.16 Gateway Trail and (1) the Gammelgarden Museum, and (2) safe cycling routes in the city.  
2.17 The predesign and design must include suitable connections between the Gateway Trail  
2.18 and the William O'Brien State Park campground and trail center.

2.19 Subd. 2. **Bond sale.** To provide the money appropriated in this section from the bond  
2.20 proceeds fund, the commissioner of management and budget shall sell and issue bonds of  
2.21 the state in an amount up to \$500,000 in the manner, upon the terms, and with the effect  
2.22 prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota  
2.23 Constitution, article XI, sections 4 to 17.

2.24 Sec. 5. **EFFECTIVE DATE.**

2.25 Sections 1 to 3 are effective the day following final enactment and apply to any  
2.26 agricultural preserve where the previously required eight-year termination period under  
2.27 Minnesota Statutes, section 473H.08, has not yet expired. Section 4 is effective the day  
2.28 following final enactment.