



Department of Natural Resources Fact Sheet



2015 POLICY FACT SHEET Legal Support

It is needed because

This change is needed to assure timely review of land titles which will improve the ability to efficiently and effectively manage land acquisitions. The change will increase timeliness and efficiency in land transactions, control legal costs and assure that projects, funded by the legislature, are a priority and are completed on time.

This initiative will assure that the agency receives timely and effective representation from attorneys with expertise in environment and natural resource law and will enable the agency to control future costs for legal representation in severed mineral forfeiture actions and quiet title actions by authorizing the agency to appoint attorneys for these purposes.

Major program elements

The agency is seeking appoint attorneys in the following areas:

- Render title opinions.
- Represent the agency in severed mineral interest forfeiture actions under Minnesota Statutes Section 93.55.
- Represent the state in quiet title or title registration actions affecting DNR-administered lands.

The agency is also seeking amendments to Minnesota Statutes sections 94.343, subdivision 9 and 90.041, subdivision 2. The amendment to section 94.343 subdivision 9 changes the standard for title in Class A land exchanges to comport with the standard for title in expedited exchanges set forth in Minnesota Statutes section 94.3495, subdivision 4. The proposed change removes the requirement that title to the land proposed to be conveyed to the state be free from all encumbrances. Instead, it would require all encumbrances to be identified. The change would also authorize the state to use title insurance to aid in the title determination.

The proposed amendment to Minnesota Statutes section 90.041 subdivision 2 would delete the requirement to notify the attorney general on trespass settlements.

Key measures and outcomes

The time required for title review in land acquisitions will be reduced by 50% on average.

Provide timely and expert legal representation.

A key outcome for this initiative will be to manage the total costs spent on legal services by the agency. In recent years the agency has expended the following amounts for Attorney General Services not including filing fees and other court fees, costs for arbitrators, mediators and other associated costs.

FY 12	\$792,164
FY 13	\$796,850
FY 14	\$1,256,209

Fiscal impacts

The agency will redirect funds that would have been spent on Attorney General Services in the areas of title work, severed mineral interest forfeiture actions and quiet title or title registration actions to fund these newly established internal services.

For further information contact:

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