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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. 731

02/20/2013 Authored by Dill

The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy

03/07/2013 Adoption of Report: Pass as Amended and re-referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to natural resources; modifying commissioner's authority; providing
1.3 for exemption for water-related service provider training; extending Matthew
1.4 Lourey Trail; modifying certain fees; creating certain state park permit
1.5 exemption; providing for duplicate cross-country ski pass; providing for wildlife
1.6 rehabilitation permit exemption; requiring rulemaking; amending Minnesota
1.7 Statutes 2012, sections 84.027, by adding a subdivision; 84D.108, subdivision 2;
1.8 85.015, subdivision 13; 85.054, by adding a subdivision; 85.055, subdivision 1;
1.9 85.42; 97A.401, subdivision 3.

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

1.11 Section 1. Minnesota Statutes 2012, section 84.027, is amended by adding a
1.12 subdivision to read:

1.13 Subd. 19. **Federal law compliance.** Notwithstanding any law to the contrary,
1.14 the commissioner may establish, by written order, policies for the use and operation of
1.15 other power-driven mobility devices, as defined under Code of Federal Regulations, title
1.16 28, section 35.104, on lands and in facilities administered by the commissioner for the
1.17 purposes of implementing the Americans with Disabilities Act, United States Code, title
1.18 42, section 12101 et seq. These policies are exempt from the rulemaking provisions of
1.19 chapter 14 and section 14.386 does not apply.

1.20 Sec. 2. Minnesota Statutes 2012, section 84D.108, subdivision 2, is amended to read:

1.21 Subd. 2. **Permit requirements.** (a) Service providers must complete invasive
1.22 species training provided by the commissioner and pass an examination to qualify for a
1.23 permit. Service provider permits are valid for three calendar years.

1.24 (b) A \$50 application and testing fee is required for service provider permit
1.25 applications.

(c) Persons working for a permittee must satisfactorily complete aquatic invasive species-related training provided by the commissioner, except as provided under paragraph (d).

(d) A person working for a permittee that is a resort need not complete the training under paragraph (c) if the water-related equipment or structures removed or installed by the person remain on property owned by the resort and are only removed from and placed into the same water of the state. A permittee is responsible for the direct supervision of a person engaged under this paragraph. For purposes of this paragraph, "resort" has the meaning given under section 157.15.

Sec. 3. Minnesota Statutes 2012, section 85.015, subdivision 13, is amended to read:

Subd. 13. **Arrowhead Region Trails, Cook, Lake, St. Louis, Pine, Carlton, Koochiching, and Itasca Counties.** (a)(1) The Taconite Trail shall originate at Ely in St. Louis County and extend southwesterly to Tower in St. Louis County, thence westerly to McCarthy Beach State Park in St. Louis County, thence southwesterly to Grand Rapids in Itasca County and there terminate;

(2) The C. J. Ramstad/Northshore Trail shall originate in Duluth in St. Louis County and extend northeasterly to Two Harbors in Lake County, thence northeasterly to Grand Marais in Cook County, thence northeasterly to the international boundary in the vicinity of the north shore of Lake Superior, and there terminate;

(3) The Grand Marais to International Falls Trail shall originate in Grand Marais in Cook County and extend northwesterly, outside of the Boundary Waters Canoe Area, to Ely in St. Louis County, thence southwesterly along the route of the Taconite Trail to Tower in St. Louis County, thence northwesterly through the Pelican Lake area in St. Louis County to International Falls in Koochiching County, and there terminate;

(4) The Matthew Lourey Trail shall originate in Duluth in St. Louis County and extend southerly to ~~St. Croix~~ Chengwatana State Forest in Pine County.

(b) The trails shall be developed primarily for riding and hiking.

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Arrowhead Region trails may be acquired by eminent domain. Before acquiring any land or interest in land by eminent domain the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the Legislative Advisory Commission before granting approval. Recommendations of the Legislative Advisory Commission shall be advisory only. Failure or refusal of the commission to make a recommendation shall be deemed a negative recommendation.

Sec. 4. Minnesota Statutes 2012, section 85.054, is amended by adding a subdivision to read:

Subd. 18. La Salle Lake State Recreation Area. A state park permit is not required and a fee may not be charged for motor vehicle entry, use, or parking in La Salle Lake State Recreation Area unless the occupants of the vehicle enter, use, or park in a developed campground or day-use area.

Sec. 5. Minnesota Statutes 2012, section 85.055, subdivision 1, is amended to read:

Subdivision 1. **Fees.** The fee for state park permits for:

- (1) an annual use of state parks is \$25;
- (2) a second or subsequent vehicle state park permit is \$18;
- (3) a state park permit valid for one day is \$5;
- (4) a daily vehicle state park permit for groups is \$3;
- (5) an annual permit for motorcycles is \$20;
- (6) an employee's state park permit is without charge; and
- (7) a state park permit for disabled persons under section 85.053, subdivision 7, clauses (1) ~~and (2)~~ to (3), is \$12.

The fees specified in this subdivision include any sales tax required by state law.

Sec. 6. Minnesota Statutes 2012, section 85.42, is amended to read:

85.42 USER FEE; VALIDITY.

(a) The fee for an annual cross-country ski pass is \$19 for an individual age 16 and over. The fee for a three-year pass is \$54 for an individual age 16 and over. This fee shall be collected at the time the pass is purchased. Three-year passes are valid for three years beginning the previous July 1. Annual passes are valid for one year beginning the previous July 1.

(b) The cost for a daily cross-country skier pass is \$5 for an individual age 16 and over. This fee shall be collected at the time the pass is purchased. The daily pass is valid only for the date designated on the pass form.

(c) A pass must be signed by the skier across the front of the pass to be valid and becomes nontransferable on signing.

(d) The commissioner and agents shall issue a duplicate pass to a person whose pass is lost or destroyed, using the process established under section 97A.405, subdivision 3, and rules adopted thereunder. The fee for a duplicate cross-country ski pass is \$2.

Sec. 7. Minnesota Statutes 2012, section 97A.401, subdivision 3, is amended to read:

Subd. 3. **Taking, possessing, and transporting wild animals for certain purposes.** (a) Except as provided in paragraph (b), special permits may be issued without a fee to take, possess, and transport wild animals as pets and for scientific, educational, rehabilitative, wildlife disease prevention and control, and exhibition purposes. The commissioner shall prescribe the conditions for taking, possessing, transporting, and disposing of the wild animals.

(b) A special permit may not be issued to take or possess wild or native deer for exhibition, propagation, or as pets.

(c) Notwithstanding rules adopted under this section relating to wildlife rehabilitation permits, nonresident professional wildlife rehabilitators with a federal rehabilitation permit may possess and transport wildlife affected by oil spills.

Sec. 8. **RULEMAKING AUTHORITY.**

The commissioner of natural resources may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules to conform with section 7, and Minnesota Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

Sec. 9. **RULEMAKING; DISPLAY OF PADDLE BOARD LICENSE NUMBERS.**

(a) The commissioner of natural resources shall amend Minnesota Rules, parts 6110.0200, 6110.0300, and 6110.0400, to exempt paddle boards from the requirement to display license certificates and license numbers, in the same manner as other nonmotorized watercraft such as canoes and kayaks.

(b) The commissioner may use the good cause exemption under Minnesota Statutes, section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.