

83.40 SUBDIVIDED LANDS

(b) The offer is directed by the offeror to this state and received by the offeree in this state, or

(c) The subdivided lands are located in this state.

Subd. 3. An offer or disposition is not made in this state when the publisher circulates or there is circulated in his behalf in this state any bona fide newspaper or other publication of general, regular and paid circulation which is not published in this state, or a radio or television program originating outside this state is received in this state.

Subd. 4. Notwithstanding any provision of sections 83.20 to 83.42 to the contrary, sections 83.20 to 83.42 do not apply to or invalidate the lien of a mortgagee, nonaffiliated with the subdivider, when said lien attaches to land pledged as collateral in a transaction negotiated directly with the purchaser.

[1973 c 413 s 21]

83.41 Interstate rendition

In the proceedings for extradition of a person charged with a crime under sections 83.20 to 83.42, it need not be shown that the person whose surrender is demanded has fled from justice or at the time of the commission of the crime was in the demanding or other state.

[1973 c 413 s 22]

83.42 Statute of limitations

The statute of limitations shall not begin to run with respect to any civil or criminal cause of action arising out of the disposition of a lot or parcel in violation of sections 83.20 to 83.42 until a conveyance describing such lot or parcel is recorded with the appropriate recording authority. This section does not prohibit the maintenance of any action before the recording of such conveyance.

[1973 c 413 s 23]

CONSERVATION

CHAPTER 84. DEPARTMENT OF NATURAL RESOURCES

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84.029 Recreational areas on public land

[For text of subd. 1, see M.S. 1971]

Subd. 2. Acquisition of land for trails. The commissioner may acquire, by gift, purchase, or lease, easements or other interests in land for trails, and recreational uses related to trails, where necessary to complete trails established primarily in state forests, state parks, or other public land under the jurisdiction of the commissioner, when railroad right-of-ways are abandoned, when the use of township roads is compatible with vehicular travel, and when needed to complete trails established by the legislature.

[1973 c 713 s 1]

84.033 Scientific and natural areas

The commissioner of natural resources may acquire by gift, lease, easement, or purchase, in the manner prescribed under chapter 117, in the name of the state, lands or any interest in lands suitable and desirable for establishing and maintaining scientific and natural areas. The commis-

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sioner shall designate as such the scientific and natural area lands under his jurisdiction and may post any of these lands as a "scientific and natural area." He shall preserve, protect, and manage these lands for the public welfare in consultation with qualified persons, and shall make such improvements as are found necessary to these purposes. For the purposes of this section, "scientific and natural area" means an area of land or water having values inherent in the natural condition of the land or water. These values include, but are not limited to the following: (1) a living museum; (2) a site for scientific study; (3) an area for teaching natural history and conservation; and (4) a habitat for rare and endangered species of plants and animals. Land designated as a "scientific and natural area" shall not be altered in designation or use without holding a public hearing on the matter at a time and place designated in the notice of the hearing, which shall be published once in a legal newspaper in each county in which the lands are situated at least seven days in advance of the hearing. At the hearing the commissioner shall provide an opportunity for any person to be heard.

[1973 c 35 s 22]

84.081 Department divisions and bureaus

Subdivision 1. Directors. Subject to the commissioner's authority to revise or abolish existing divisions and to establish new divisions, all as prescribed in section 84.083, subdivision 1, the department of natural resources shall be organized with the following divisions: a division of lands and forestry, a division of waters, soils and minerals, a division of game and fish, a division of parks and recreation, and a division of enforcement and field service. Each division shall be under the immediate charge of a director, subject to the supervision and control of the commissioner. The directors shall be appointed by the commissioner, to serve at his pleasure, and shall be in the unclassified service of the state. They shall be chosen with regard to knowledge, training, experience, and ability in administering the work of their respective divisions.

[1973 c 615 s 1]

[For text of subds. 2 and 3, see M.S.1971]

84.083 Assignment and delegation of duties

Subdivision 1. Each division shall have charge of administering the activities indicated by its title and such other duties and functions as may be assigned by the commissioner, subject to the right of the commissioner to revise and change assignments of any and all activities or of specific duties or functions at any time as he may see fit, including but not limited to the right to abolish or revise existing divisions or to establish new divisions. The commissioner may, by written order filed in the office of the secretary of state, delegate to the directors or other employees designated by him, any of the powers or duties vested in or imposed upon the commissioner by this act or by any other law upon such conditions as he may prescribe and subject to modification or revocation at his pleasure. Such delegated powers and duties may be exercised or performed by the respective directors or other employees in their own names or in the name of the commissioner, as he may direct.

[1973 c 615 s 2]

[For text of subd. 2, see M.S.1971]

(NOTE: Laws 1973, c. 615, § 3, provides in part: All authority of the commissioner to revise or abolish divisions

within the department as described in chapter 84 shall expire July 1, 1975.)

84.415 Licenses, permits

Subdivision 1. Utility companies, permit to cross state-owned lands. The commissioner of natural resources shall, on or before January 1, 1974, promulgate in the manner provided by chapter 15, regulations containing standards and criteria governing the sale of licenses permitting the passage of utilities over public lands and waters. The regulations shall include

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provisions to insure that all projects for which licenses are sold will have a minimum adverse impact on the environment. The commissioner of natural resources may, at public or private sale and for such price and upon such terms as are specified in the regulations (except where prohibited by law) grant licenses permitting passage over, under, or across any part of any school, university, internal improvement, swamp, tax forfeited or other land or public water under the control of the commissioner of natural resources, of telephone, telegraph, and electric power lines, cables or conduits, underground or otherwise, or mains or pipe lines for gas, liquids, or solids in suspension. Any such license shall be cancelable upon reasonable notice by the commissioner for substantial violation of its terms, or if at any time its continuance will conflict with a public use of the land or water over or upon which it is granted, or for any other cause. All such land or public water shall remain subject to sale or lease or other legal use, but in case of sale, lease or other use there may be excepted from the grant or other disposition of land or public water all rights included in any license over, under, or across it, and the license may contain an agreement that there will be such exception. The commissioner may charge a fee in lieu of but not less than that authorized by subdivision 5 if he issues a license containing an agreement that there will be such an exception. All rights so excepted shall be reserved to the state and be cancelable by the commissioner for the same reasons or cause as they might have been canceled before such sale, lease or other use of the land or water. Upon such cancellation, which shall be only after reasonable notice to the licensee, all rights granted by the license shall be vested in the state and may be granted again by the commissioner on the terms and conditions he may prescribe, but subject to cancellation for the same reasons or causes as they might have been originally canceled unless ownership of the fee and of the license are merged. Any license granted before April 13, 1951, may be governed by it if the licensee and commissioner so agree. Reasonable notice as used in this subdivision means a 90 day written notice addressed to the record owner of the license at the last known address, and upon cancellation the commissioner may grant extensions of time to vacate the premises affected.

[1973 c 479 s 1]

[For text of subds. 2 to 4, see M.S.1971]

Subd. 5. Fee. In the event the construction of such lines causes damage to timber or other property of the state on or along the same, the license or permit shall also provide for payment to the state treasurer of the amount thereof as may be determined by the commissioner.

All money received under such licenses or permits shall be credited to the fund to which other income or proceeds of sale from such land would be credited, if provision therefor be made by law, otherwise to the general fund.

[1973 c 479 s 2]

84.58 Permit for underground storage

[For text of subds. 1 to 7, see M.S.1971]

Subd. 8. Permit fees. Each application for a permit authorized by sections 84.57 to 84.621, shall be accompanied by a permit fee in the amount required by a fee schedule established by the commissioner pursuant to rules and regulations adopted in the manner provided by chapter 15. The schedule may provide minimum fees for various classes of permits, and additional fees, which may be imposed subsequent to the application, based upon the cost of receiving, processing, analyzing and issuing the permit, and the actual inspecting and monitoring the activities authorized by the permit, including but not limited to costs of consulting services. No fee may be imposed on any state or federal governmental agency applying for a permit. The fee schedule may provide for the refund of a fee, in whole or in part, under circumstances prescribed by the commissioner. All money received pursuant to this subdivision shall be deposited in the general

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fund. So much money as is necessary is annually appropriated from the general fund to pay any refund authorized by this subdivision. The time limitations prescribed by section 84.58, subdivision 3, do not apply to an application for a permit which is not accompanied by the appropriate fee.

[1973 c 211 s 1]

SNOWMOBILES

84.82 Snowmobile registration

[For text of subd. 1, see M.S.1971]

Subd. 2. Application, issuance, reports. Application for registration or reregistration shall be made to the commissioner of natural resources, or the commissioner of public safety or an authorized deputy registrar of motor vehicles in such form as the commissioner of public safety shall prescribe, and shall state the name and address of every owner of the snowmobile and be signed by at least one owner. Upon receipt of the application and the appropriate fee as hereinafter provided, such snowmobile shall be registered and a registration number assigned which shall be affixed to the snowmobile in such manner as the commissioner of natural resources shall prescribe. Each deputy registrar of motor vehicles acting pursuant to section 168.33, shall also be a deputy registrar of snowmobiles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to assure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with these accounting and procedural requirements. A fee of 50 cents in addition to that otherwise prescribed by law shall be charged for each snowmobile registered by the registrar or a deputy registrar. The additional fee shall be disposed of in the manner provided in section 168.33, subdivision 2.

[1973 c 202 s 1]

[For text of subds. 3 to 8, see M.S.1971]

84.87 Operation; regulations by municipalities

[For text of subds. 1 and 2, see M.S.1971]

Subd. 2a. Operation prohibited on airports. It is unlawful for any person to drive or operate any snowmobile on an airport defined in section 360.013, subdivision 5, or other applicable law.

[1973 c 701 s 1]

[For text of subd. 3, see M.S.1971]

84.873 Signal from officer to stop

It is unlawful for a snowmobile operator, after having received a visual or audible signal from any law enforcement officer to come to a stop, to (a) operate a snowmobile in wilful or wanton disregard of such signal, or (b) interfere with or endanger the law enforcement officer or any other person or vehicle, or (c) increase his speed or attempt to flee or elude the officer.

[1973 c 672 s 1]

84.88 Penalties

Subdivision 1. Any person who shall violate any provision of sections 84.81 to 84.89 or any regulation of the commissioner of natural resources or of the commissioner of public safety promulgated pursuant to law shall be guilty of a misdemeanor.

[1973 c 701 s 2]