

85.012 DIVISION OF PARKS AND RECREATION

STATE PARKS

CHAPTER 85. DIVISION OF PARKS AND RECREATION

Sec.		Sec.	
85.012	State parks.	85.05	State park camp sites [New].
85.015	State trails.	85.33	St. Croix Wild River Area;
85.041	Volunteers in parks program [New].		limitations on power boating [New].

85.012 State parks

Subdivision 1. State parks established and confirmed as state parks together with the counties in which they are situated are listed in this section and shall be named as indicated in this section.

The lands described in the session laws establishing or changing the boundaries of each state park are included in the state parks so established or changed. The commissioner of administration for the commissioner of natural resources is authorized to acquire by gift or purchase the lands as described. Any land which now is or hereafter becomes tax-forfeited land and is located within the described park boundaries is hereby withdrawn from sale and is transferred from the custody, control, and supervision of the county board of the county to the commissioner of natural resources, free from any trust in favor of the interested taxing districts. The commissioner shall execute a certificate of acceptance of the lands on behalf of the state for such purposes and transmit the same to the county auditor of the county for record as provided by law in the case of tax-forfeited land transferred to the commissioner by resolution of the county board for conservation purposes. Any lands within the described boundaries which may be owned by the United States and managed by any of its agents may be acquired by land exchange, direct transfer, or purchase as federal laws may prescribe. The lands acquired pursuant to any session laws establishing or changing the boundaries of a state park shall be administered in the manner provided for state parks and shall be perpetually dedicated for such use.

[1973 c 567 s 2]

[For text of subds. 1a to 49, see M.S.1971]

Subd. 49a. St. Croix Wild River state park, Chisago County.

[1973 c 567 s 4]

[For text of subds. 50 to 60, see M.S.1971]

85.015 State trails

Subdivision 1. The commissioner of natural resources shall establish, develop, maintain, and operate the trails designated in this section. Each trail shall have the purposes assigned to it in this section. The commissioner of administration, for the commissioner of natural resources, may acquire lands by gift or purchase, in fee or easement, for the trail and facilities related to the trail.

[1973 c 684 s 1]

[For text of subds. 2 to 8, see M.S.1971]

Subd. 9. [Repealed, 1973, c 684 s 3]

Subd. 10. Luce Line Trail.

(a) The trail shall originate at Gleason Lake in Plymouth Village, Hennepin county, and shall follow the route of the Chicago Northwestern Railroad.

(b) The trail shall be developed for multi-use wherever feasible. The department shall cooperate in maintaining its integrity for modes of use consistent with local ordinances.

(c) In establishing, developing, maintaining, and operating the trail, the commissioner shall cooperate with local units of government and private individuals and groups. Before acquiring any parcel of land for the trail, the

DIVISION OF PARKS AND RECREATION 85.05

commissioner of natural resources shall develop a management program for the parcel and conduct a public hearing on the proposed management program in the vicinity of the parcel to be acquired. The management program of the commissioner shall include but not be limited to the following: (a) fencing of portions of the trail where necessary to protect adjoining landowners; and (b) the maintenance of the trail in a litter free condition to the extent practicable.

(d) The commissioner shall not acquire any of the right-of-way of the Chicago Northwestern Railway Company until the abandonment of the line described in this subdivision has been approved by the interstate commerce commission. Compensation, in addition to the value of the land, shall include improvements made by the railroad, including but not limited to, bridges, trestles, public road crossings, or any portion thereof, it being the desire of the railroad that such improvements be included in the conveyance. The fair market value of the land and improvements shall be recommended by two independent appraisers mutually agreed upon by the parties. The fair market value thus recommended shall be reviewed by a review appraiser agreed to by the parties, and the fair market value thus determined, and supported by appraisals, may be the purchase price. The commissioner may exchange lands with landowners abutting the right-of-way described in this section to eliminate diagonally-shaped separate fields.

[1973 c 684 s 2]

Subd. 11. Minnesota-Wisconsin Boundary Trail, Ramsey, Anoka, Washington, Chisago, Pine, and Carlton Counties.

(a) The trail shall originate in the vicinity of Arden Hills, Ramsey county, and thence extend northeasterly, traversing Anoka and Washington counties to the vicinity of Taylors Falls in Chisago county; thence northwesterly and northerly to St. Croix state park in Pine county; thence northerly to Jay Cooke state park in Carlton county, and there terminate.

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

[1973 c 743 s 1]

85.041 Volunteers in parks program

Subdivision 1. The commissioner of natural resources may recruit, train, and accept without regard to civil service classification laws, rules, or regulations the services of individuals without compensation as volunteers for or in aid of interpretive functions, or other visitor services or activities in and related to the following areas administered by the commissioner: State parks, monuments, recreation areas, waysides, trails, and natural and scientific areas.

Subd. 2. The commissioner may provide for the incidental expenses of a volunteer, such as transportation, uniforms, lodging, and subsistence.

Subd. 3. Except as otherwise provided in this section, a volunteer is not a state employee and is not subject to the provisions of law relating to state employment, including but not limited to those relating to hours of work, rates of compensation, leave, unemployment compensation, and state employee benefits. A volunteer accepted under this section is a state employee for the purposes of section 176.011, subdivision 9, and the provisions of chapter 176, relating to workmen's compensation apply to him.

[1973 c 420 s 1]

85.05 State park camp sites

Subdivision 1. Rules, fees. The commissioner is hereby authorized to make rules and regulations for the use of state parks and charge appropriate fees for such uses, as hereinafter specified;

(1) Provide special parking space for automobile or other motor-driven vehicle in any state park or state recreation area;

85.05 DIVISION OF PARKS AND RECREATION

(2) Provide special parking spurs and camp grounds for automobiles and sites for tent-camping and special auto trailer coach parking spaces for the use of the individual charged for such space according to the daily rates which shall be determined and fixed by the commissioner of natural resources consistent with the type of facility provided for the accommodation of guests in any particular park and with similar facilities offered for tourist camping in the area;

(3) Improve and maintain golf courses already established in state parks, and charge reasonable fees for the use thereof;

(4) May charge a fee for entrance to any pageant grounds which may be created in any state park for the purpose of having historical or other pageants conducted by the commissioner of any other authorized agency.

When deemed necessary by the commissioner, for the purpose of better carrying out any such state park pageants, he may stage such pageants in any municipal park or other lands near or adjoining any state park, and all receipts from such pageants shall be used in the same manner as though the pageants were carried on in a state park;

(5) Provide water, sewer, and electric service to trailer or tent camp sites and charge a reasonable fee therefor.

Any individual age 65 or over who furnishes satisfactory proof of age shall pay on Monday through Thursday one half of the fees set pursuant to clauses 1 to 4.

Subd. 2. Permits for motor vehicles. (a) Except as provided in clauses (b), (c), (d) and (e) of this subdivision, no motor vehicle shall enter or be permitted to enter any state park, state monument, state recreation area or state wayside over 50 acres in area unless it has affixed to its windshield in the lower right corner thereof a permit which is provided for hereinafter. The commissioner of natural resources shall procure permits in such form as he shall prescribe for each calendar year which by appropriate language shall grant permission to use any state park, state monument, state recreation area or state wayside over 50 acres in area. Permits for each calendar year shall be provided and placed on sale before October 1 next preceding, and may be affixed and used on or at any time after said date until the end of the calendar year for which issued. Such permits in each category shall be numbered consecutively for each year of issue. A fee of \$3 shall be charged for each permit issued, except that permits of appropriate special design may be sold individually at \$1 covering the use of state parks, state monuments, state recreation areas or state waysides under such conditions as the commissioner may prescribe for a designated period of not more than two days. The fee collected shall be deposited in the state park development account in the state treasury. Such permits shall be issued by such employees of the division of parks and recreation as the commissioner of natural resources may designate in writing and as hereinbefore provided.

(b) The commissioner shall issue without charge an employee's motor vehicle permit to any state employee who, for the purpose of performing official duties, must enter places where park stickers are required. The employee shall display his employee's permit on his motor vehicle in the same manner as state park stickers are displayed. A motor vehicle displaying only an employee's permit may not enter a place where park stickers are required if the vehicle is used for purposes other than those authorized by this clause (b).

(c) The commissioner shall issue without charge a motor vehicle permit to any individual of the age of 65 years or over who furnishes satisfactory proof of age. Such permit or the decal evidencing its issuance shall be valid only when displayed upon the vehicle owned and occupied by the person to whom issued.

(d) No state park permit is necessary for entry of a motor vehicle into a state park, state monument, state recreation area, or state wayside, on one day each calendar year which the commissioner may designate as state park

open house day for the purpose of acquainting the public with state parks, monuments, recreation areas, and waysides. The commissioner shall announce the date of state park open house day at least 30 days in advance of the open house.

(e) No state park permit is necessary, nor shall any fee, including a parking fee, be charged, for entry of a motor vehicle into that part of Fort Snelling state park commonly known as Fort Snelling Memorial Chapel island.

[1973 c 117 s 1; 1973 c 308 s 1]

85.33 St. Croix Wild River Area; limitations on power boating

Subdivision 1. Definition. For the purposes of this section, "motorboat" means any contrivance used or designed for navigation on water which is propelled in any respect by machinery, including but not limited to detachable motors.

Subd. 2. Purpose; rules and regulations above the mouth of the Snake River. In furtherance of the public policy declared by Congress in Public Law 90-542 and Public Law 92-560 of maintaining the essentially wild and scenic character of certain rivers, including a part of the St. Croix, and as an exercise of state powers either recognized or granted by Public Law 90-542 and Public Law 92-560, the commissioner of natural resources may promulgate rules and regulations, in the manner provided by chapter 15, which limit or prohibit the operation or use of motor boats on that part of the St. Croix river north of the mouth of the Snake river, located in Section 31, Township 39 North, Range 19 West.

Subd. 3. Regulations below the mouth of the Snake River. After October 1, 1974, if the commissioner of natural resources has not established regulations relating to the use of watercraft on that part of the St. Croix river south of the mouth of the Snake river but north of the nine foot navigational channel at mile 24.5, measured from the mouth of the St. Croix river, pursuant to the request of a local governmental unit in the manner provided by section 361.26, he may establish such regulations pursuant to section 361.26 notwithstanding the absence of a request from a local governmental unit and notwithstanding the absence of approval of the regulations by a majority of the counties affected.

Subd. 4. Concurrent regulations required. Rules and regulations promulgated by the commissioner pursuant to this section are effective upon adoption of laws, rules, or regulations providing for similar limitations or prohibitions on the operation and use of motorboats on the same reach of St. Croix river by the state of Wisconsin or its agencies. In exercising the authority granted by this section the commissioner may enter into necessary agreements with either the United States and its agencies, pursuant to section 84.025, or the state of Wisconsin and its agencies.

Subd. 5. Penalty. A person violating any of the provisions of this section or the rules and regulations promulgated thereunder by the commissioner is guilty of a misdemeanor.

[1973 c 557 s 1]