

CHAPTER 85

DIVISION OF PARKS AND RECREATION

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85.015 STATE TRAILS.

[For text of subds 1 to 13, see M.S.1982]

Subd. 14. **State trail, Ramsey and Washington counties.** (a) The trail shall originate at milepost 446.19 on the Soo Line Railroad right-of-way in the Southeast Quarter of Section 19, Township 29 North, Range 22 West, Ramsey County, and shall extend in an easterly and northeasterly direction along the Soo Line Railroad right-of-way to milepost 438.33 in the Southwest Quarter of Section 5, Township 29 North, Range 21 West, in Washington County, and there terminate.

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

(c) In addition to the authority granted in Minnesota Statutes, section 85.015, subdivision 1, lands and interests in lands for the trail may be acquired by eminent domain.

(d) The commissioner of natural resources, after consulting with all local units of government affected by the trail, and with the commissioner of transportation and the metropolitan council, shall prepare a master plan for the trail. After completion of the master plan, any land or interest in land not needed for the trail may be disposed of by the commissioner of natural resources as follows:

(1) by transfer to the department of transportation, the historical society, or another state agency;

(2) by sale at not less than the purchase price to a city, town, school district, park district, or other political subdivision whose boundaries include or are adjacent to the land, for public purposes only, after written notice to each of these political subdivisions; or

(3) if no offer to purchase is received from any political subdivision within one year after the completion of the master plan, then by public sale, at not less than the purchase price, upon notice published in the manner provided in section 92.14, and otherwise in the same manner as trust fund lands are sold, so far as applicable.

All proceeds derived from sales of unneeded land and interest in land shall be deposited in the state bond fund. For the purposes of United States Code, title 23, section 138, and title 49, section 1653(f), any land or interest in land not needed for the trail and transferred to another state agency, or sold, does not constitute permanent park, recreation area, or wildlife or waterfowl refuge facility land.

History: 1983 c 344 s 23

85.05 STATE PARK CAMP SITES.

[For text of subd 1, see M.S.1982]

Subd. 2. **Permits for motor vehicles.** (a) Except as provided in clauses (b), (c), (d) and (e), no motor vehicle shall enter or be permitted to enter any state park, 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 shall procure permits for each calendar year which by appropriate language shall grant permission to use any state park, 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 that date until the end of the calendar year for which issued. Permits in each category shall be numbered consecutively for each year of issue. A fee of \$10 shall be charged for each permit issued for a vehicle licensed in Minnesota and \$15 for a vehicle licensed outside of Minnesota, except that permits of appropriate special design may be sold individually at \$3 for a vehicle licensed in Minnesota and \$4 for a vehicle licensed outside of Minnesota covering the use of state parks, 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 maintenance and operation account in the state treasury. Appropriations from this account shall be for state park maintenance and operation. Permits shall be issued by 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 the permit on the 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 performing official duties.

(c) The commissioner shall issue for one-half of the fees provided in clause (a) a motor vehicle permit to any individual of the age of 65 years or over who furnishes satisfactory proof of age and who is a resident of the state of Minnesota. The 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, recreation areas, and waysides, or two days each year, if the open house is held in conjunction with a special pageant as described in subdivision 1. 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.

History: 1983 c 325 s 1.

85.32 CANOE AND BOATING ROUTES.

Subdivision 1. **Areas marked.** The commissioner of natural resources is authorized in cooperation with local units of government and private individuals and groups when feasible to mark canoe and boating routes on the Little Fork, Big

Fork, Minnesota, St. Croix, Snake, Mississippi, Red Lake, Cannon, Straight, Des Moines, Crow Wing, St. Louis, Pine, Rum, Kettle, Cloquet, Root, Zumbro and Crow rivers which have historic and scenic values and to mark appropriately points of interest, portages, camp sites, and all dams, rapids, waterfalls, whirlpools, and other serious hazards which are dangerous to canoe and watercraft travelers.

[For text of subs 2 and 3, see M.S.1982]

History: 1983 c 116 s 1

85.40 DEFINITIONS.

Subdivision 1. **Scope.** For purposes of sections 85.40 to 85.45 the following terms have the meanings given them.

Subd. 2. **Commissioner.** "Commissioner" means the commissioner of natural resources.

Subd. 3. **Cross country ski grant-in-aid program.** "Cross country ski grant-in-aid program" means a program administered by the department, as described in section 85.44.

Subd. 4. **Cross country ski race.** "Cross country ski race" means a timed skiing event organized for the participation of a large number of skiers at one time over a course prepared specifically for a ski race.

Subd. 5. **Cross country ski trail.** "Cross country ski trail" means a public pathway designated and promoted for cross country skiing.

Subd. 6. **Cross country skiing.** "Cross country skiing" means traveling across country over snow by human power on skis. "Cross country skiing" does not require the use of lifts, tows, or other mechanical devices.

Subd. 7. **Department.** "Department" means the department of natural resources.

History: 1983 c 325 s 2

85.41 USER FEES.

Subdivision 1. **On person.** While skiing on cross country ski trails, a person between the ages of 16 and 64 years shall carry on his person a valid cross country ski license. A landowner who grants an easement for a grant-in-aid ski trail is not required to have a license when skiing on his own property.

Subd. 2. **License agents.** County auditors are appointed agents of the commissioner for the sale of annual cross country ski licenses and daily permits. A county auditor may appoint subagents within the county or within adjacent counties to sell licenses and permits. Upon appointment the auditor shall notify the commissioner of the name and address of the subagent. The auditor may revoke the appointment of a subagent at any time. Upon demand of the commissioner, the auditor shall revoke a subagent's appointment. The auditor shall furnish license and permit blanks on consignment to any subagent who furnishes a surety bond in favor of the county in an amount at least equal to the value of the blanks to be consigned to that subagent. The county auditor shall be responsible for all blanks issued to, and user fees received by agents, except in St. Louis county or in a county where the county auditor does not retain fees paid for license purposes. In these counties, the responsibilities imposed upon the county auditor are imposed upon the county. The commissioner may promulgate additional regulations pursuant to section 98.50, subdivision 2.

Any resident desiring to sell annual cross country ski licenses and daily permits may either purchase for cash or obtain on consignment license and permit blanks from a county auditor in groups of not less than ten individual blanks. In selling licenses, the resident shall be deemed a subagent of the county auditor and the commissioner, and he shall observe all rules and regulations promulgated by the commissioner for the accounting and handling of licenses pursuant to section 98.50, subdivision 10.

The county auditor shall promptly deposit all monies received from the sale of licenses and permits with the county treasurer, and shall promptly transmit any reports required by the commissioner, plus 96 percent of the price to each annual licensee, exclusive of the issuing fee, for each annual license sold or consigned by him and subsequently sold to a licensee during the accounting period. The county auditor shall retain as a commission four percent of all annual license fees, excluding the issuing fee for licenses consigned to subagents.

Unsold blanks in the hands of any subagent shall be redeemed by the commissioner if presented for redemption within the time prescribed by the commissioner. Any blanks not presented for redemption within the period prescribed shall be conclusively presumed to have been sold, and the subagent possessing the same or to whom they are charged shall be accountable.

Subd. 3. Exemptions. Participants in cross country ski races and official school activities are exempt from the license requirement in subdivision 1 if a special use permit has been obtained by the organizers of the event in advance from the agency with jurisdiction over the cross country ski trail. Permits shall require that permit holders return the trail and any associated facility to its original condition if any damage is done by the permittee. Limited permits for special events may be issued and shall require the removal of any trail markers, banners, and other material used in connection with the special event.

Subd. 4. Form. The department shall provide forms and blanks to all agents authorized to issue licenses and daily permits by the commissioner. The license and daily permit shall attach to the skier's clothing to visibly identify the holder as a licensed skier, and be easily transferable from garment to garment by means of a device prescribed by the commissioner in consultation with the advisory task force. The license and permit shall include the applicant's name and other information deemed necessary by the commissioner.

Subd. 5. Agent's fee. The fee for an annual cross country ski license and a daily permit shall be increased by the amount of an issuing fee of 50 cents per license. The issuing fee may be retained by the county auditor or his agent or subagent who sells the license or permit. A license or permit shall indicate the amount of the fee that is retained by the agent. This subdivision does not apply to any license or permit sold by the state, or at a park.

History: 1983 c 325 s 3

85.42 USER FEE.

The fee for an annual cross country ski license is \$5 for an individual license, or \$7.50 for a combination husband and wife license. This fee shall be collected at the time the license is purchased. Annual licenses are valid from July 1 through June 30 of the following year. Licenses are not transferable.

The cost for a daily cross country skier permit is \$1. This fee shall be collected at the time the permit is purchased. The daily permit is valid only for the date designated on the permit form.

History: 1983 c 325 s 4

85.43 DISPOSITION OF RECEIPTS; PURPOSE.

Fees from cross country ski licenses and permits shall be deposited in the state treasury and may be expended only as appropriated by law for:

(a) grants-in-aid for cross country ski trails sponsored by local units of government and special park districts as provided in section 85.44; and

(b) maintenance, winter grooming, and associated administrative costs for cross country ski trails under the jurisdiction of the commissioner.

History: 1983 c 325 s 5

85.44 CROSS COUNTRY SKI TRAIL GRANT-IN-AID PROGRAM.

The commissioner shall establish a grant-in-aid program for local units of government and special park districts for the acquisition, development, and maintenance of cross country ski trails. Grants shall be available for acquisition of trail easements but may not be used to acquire any lands in fee title. The department shall reimburse all public sponsors of grants-in-aid cross country ski trails based upon criteria established by the department. Prior to the use of any reimbursement criteria, a certain proportion of the revenues shall be allocated on the basis of user fee sales location.

History: 1983 c 325 s 6

85.45 PENALTY.

No person may ski on a public cross country ski trail, including a grant-in-aid cross country ski trail, without a valid annual cross-country ski license or daily permit. Effective July 1, 1984, any person who violates the provision of this section is guilty of a petty misdemeanor. Any person who violates the provisions of this section before July 1, 1984, shall be issued a warning statement.

History: 1983 c 325 s 7