

## CHAPTER 85

## DIVISION OF PARKS AND RECREATION

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**85.016 BICYCLE TRAIL PROGRAM.**

The commissioner of natural resources shall establish a program for the development of bicycle trails utilizing the state trails authorized by section 85.015, other state parks and recreation land, and state forests. "Bicycle trail," as used in this section, has the meaning given in section 169.01. The program shall be coordinated with the local park trail grant program established by the commissioner of energy and economic development pursuant to section 116J.406, with the bikeway program established by the commissioner of transportation pursuant to section 160.265, and with existing and proposed local bikeways. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. The commissioner shall provide technical assistance to local units of government in planning and developing bicycle trails in local parks. The bicycle trail program shall, as a minimum, describe the location, design, construction, maintenance, and land acquisition needs of each component trail and shall give due consideration to the model standards for the establishment of recreational vehicle lanes promulgated by the commissioner of transportation pursuant to section 160.262. The program shall be developed after consultation with the state trail council and regional and local units of government and bicyclist organizations.

*History:* 1987 c 255 s 1

**85.05** [Repealed, 1987 c 253 s 5]

**85.0505 SALE OF WINE AT DOUGLAS LODGE IN ITASCA STATE PARK.**

Wine may be sold and consumed by the drink at the restaurant in Douglas Lodge in Itasca State Park, subject to other laws relating to the sale of intoxicating liquor.

*History:* 1987 c 128 s 6

**85.052 SPECIAL USES OF STATE PARKS.**

Subdivision 1. **Rules.** The commissioner may make rules for the use of state parks including:

- (1) special parking space for automobiles or other motor-driven vehicles in a state park or state recreation area;
- (2) special parking spurs, campgrounds for automobiles, sites for tent camping, and special auto trailer coach parking spaces, for the use of the individual charged for the space;
- (3) improvement and maintenance of golf courses already established in state parks, and charging reasonable use fees;
- (4) state park pageant areas that may be established in a state park to have historical or other pageants conducted by the commissioner of a state agency or other public agency; and
- (5) providing water, sewer, and electric service to trailer or tent campsites and charging a reasonable use fee.

Subd. 2. **State park pageants.** The commissioner may stage state park pageants in

a state park, municipal park, or on other land near or adjoining a state park and charge an entrance or use fee for the pageant. All receipts from the pageants must be used in the same manner as though the pageants were conducted in a state park.

**Subd. 3. Fee for certain parking and campsite use.** (a) An individual using spaces in state parks under subdivision 1, clause (2), shall be charged daily rates determined and set by the commissioner in a manner and amount consistent with the type of facility provided for the accommodation of guests in a particular park and with similar facilities offered for tourist camping and similar use in the area.

(b) The fee for special parking spurs, campgrounds for automobiles, sites for tent camping, and special auto trailer coach parking spaces is one-half of the fee set in paragraph (a) on Sunday through Thursday of each week for:

(1) an individual age 65 or over who is a resident of the state and who furnishes satisfactory proof of age and residence;

(2) a physically handicapped person with a motor vehicle that has special plates issued under section 168.021, subdivision 1; or

(3) a physically handicapped person who possesses a certificate issued under section 169.345, subdivision 3.

**Subd. 4. Deposit of fees.** (a) Fees paid for special state park uses under this section shall be deposited in the state treasury and credited to the state park maintenance and operation account.

(b) Gross receipts derived from sales, rentals, or leases of natural resources within state parks, recreation areas, and waysides, other than those on trust fund lands, must be deposited in the state treasury and be credited to the state park maintenance and operation account.

**History:** 1987 c 253 s 1

### 85.053 STATE PARK PERMITS.

**Subdivision 1. Form, issuance, validity.** (a) The commissioner shall prepare and provide state park permits for each calendar year that state a motor vehicle may enter and use state parks, state recreation areas, and state waysides over 50 acres in area. State park permits must be available and placed on sale by October 1 of the year preceding the calendar year that the permit is valid.

(b) A state park permit may be affixed when purchased and used from the time it is affixed until the end of the calendar year for which it is issued. State park permits in each category must be numbered consecutively for each year of issue.

(c) State park permits shall be issued by employees of the division of parks and recreation as designated by the commissioner.

**Subd. 2. Requirement.** Except as provided in section 85.054, a motor vehicle may not enter a state park, state recreation area, or state wayside over 50 acres in area, without a state park permit issued under this section. The state park permit must be affixed to the lower right corner windshield of the motor vehicle and must be completely affixed by its own adhesive to the windshield.

**Subd. 3. Second vehicle permits.** The commissioner shall prescribe and issue second vehicle state park permits for persons who own more than one motor vehicle and who request a second permit for the second vehicle on a form prescribed by the commissioner. The commissioner may issue an applicant only one second vehicle permit.

**Subd. 4. Two-day permits.** The commissioner shall prescribe a special state park permit for use of state parks, state recreation areas, or state waysides up to two days under conditions prescribed by the commissioner.

**Subd. 5. Daily vehicle permit for groups.** The commissioner may authorize special daily vehicle state park permits for groups by rule.

**Subd. 6. Employee's permit.** (a) The commissioner shall prescribe and issue an employee's state park permit to state employees, peace officers, and contractors, that

must enter areas where state park permits are required to perform official duties. An employee, peace officer, or contractor must display the special permit on the motor vehicle in the same manner as state park permits are displayed.

(b) A motor vehicle displaying only an employee's state park permit may not enter a place where state park permits are required if the vehicle is used for purposes other than performing official duties.

**Subd. 7. Handicapped persons and persons over age 65.** (a) The commissioner shall prescribe and issue special state park permits for:

(1) an individual age 65 years or older who furnishes satisfactory proof of age and is a resident of the state;

(2) a physically handicapped person with a motor vehicle that has special plates issued under section 168.021, subdivision 1; and

(3) up to two days for a physically handicapped person who possesses a certificate issued under section 169.345, subdivision 3.

(b) The permit or the decal issued under this subdivision is valid only when displayed on a vehicle owned and occupied by the person to whom the permit is issued.

**History:** 1987 c 253 s 2

#### **85.054 STATE PARK PERMIT EXEMPTIONS.**

**Subdivision 1. State park open house day.** (a) A state park permit is not required for a motor vehicle to enter 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. The commissioner may designate two consecutive days as state park open house day, if the open house is held in conjunction with a special pageant described in section 85.052, subdivision 2.

(b) The commissioner shall announce the date of state park open house day at least 30 days in advance of the date it occurs.

(c) The state park open house day is to acquaint the public with state parks, recreation areas, and waysides.

**Subd. 2. Fort Snelling Memorial Chapel Island.** A state park permit is not required and a fee may not be charged for motor vehicle entry or parking at the Fort Snelling Memorial Chapel Island portion of Fort Snelling State Park.

**Subd. 3. Interstate Park.** A Minnesota state park permit is not required at Interstate Park if a valid, current, Wisconsin state park permit or sticker authorizing entry of a motor vehicle into Wisconsin state parks is appropriately displayed on the vehicle and the commissioner has entered into an agreement with appropriate officials of the state of Wisconsin that authorizes motor vehicles displaying Minnesota state park permits free entry into Interstate State Park of Wisconsin on a reciprocal basis.

**History:** 1987 c 253 s 3

#### **85.055 STATE PARK PERMIT FEES.**

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

(1) an annual use of state parks is \$15;

(2) a second vehicle state park permit is one-half the annual state park permit fee in clause (1);

(3) a special state park permit valid up to two days is \$3;

(4) a special daily vehicle state park permit for groups is as prescribed by the commissioner;

(5) an employee's state park permit is without charge;

(6) a special state park permit for handicapped persons and persons over age 65 under section 85.053, subdivision 7, clauses (1) and (2), is one-half the annual state park permit fee in clause (1); and

(7) a special state park permit valid up to two days for handicapped persons and

persons over age 65 under section 85.053, subdivision 7, clauses (1) and (3), is one-half of the special state park permit fee in clause (3).

**Subd. 2. Fee deposit and appropriation.** The fees collected under this section shall be deposited in the state treasury and credited to the state park maintenance and operation account. Appropriations from the account shall be for state park maintenance and operation.

**History:** 1987 c 253 s 4

### 85.30 STATE PARK MAINTENANCE FUND.

Any balance remaining in the state park finance fund after all the obligations and appropriations hereinbefore made payable therefrom have been met shall be transferred to the state park maintenance fund. Interest earned on money in the state park maintenance fund accrues to the fund and is available for expenditure upon appropriation.

**History:** 1987 c 404 s 100

### 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 in immediate possession a valid cross country ski pass. A landowner who grants an easement for a grant-in-aid ski trail is not required to have a pass when skiing on the landowner's property.

**Subd. 2. License agents.** County auditors are appointed agents of the commissioner for the sale of cross country ski passes. A county auditor may appoint subagents within the county or within adjacent counties to sell passes. 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 pass 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 rules as provided in section 97A.485, subdivision 11.

Any resident desiring to sell cross country ski passes may either purchase for cash or obtain on consignment pass blanks from a county auditor in groups of not less than ten individual blanks. In selling passes, the resident shall be deemed a subagent of the county auditor and the commissioner, and shall observe all rules promulgated by the commissioner for the accounting and handling of licenses pursuant to section 97A.485, subdivision 11.

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

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 and residents of a state or local government operated correctional facility are exempt from the pass requirement in subdivision 1 if a special use permit has been

obtained by the organizers of the event or those in an official capacity 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 passes by the commissioner. The pass shall be with the skier and available for inspection by any peace or conservation officer. The pass shall include the applicant's name and other information deemed necessary by the commissioner.

**Subd. 5. Agent's fee.** The fee for a cross country ski pass shall be increased by the amount of an issuing fee of 50 cents per pass. The issuing fee may be retained by the seller of the pass. A pass shall indicate the amount of the fee that is retained by the seller. This subdivision does not apply to any pass sold by the state.

**History:** 1987 c 149 art 2 s 6; 1987 c 404 s 101

#### **85.42 USER FEE.**

The fee for an annual cross country ski pass is \$5 for an individual pass or \$7.50 for a combination husband and wife pass. The fee for a three-year pass is \$14 for an individual pass or \$21 for a combination husband and wife pass. 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. Passes are not transferable.

The cost for a daily cross country skier pass is \$1. 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.

**History:** 1987 c 404 s 102

#### **85.43 DISPOSITION OF RECEIPTS; PURPOSE.**

Fees from cross country ski passes shall be deposited in the state treasury and credited to a cross country ski account and are appropriated to the commissioner of natural resources 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:** 1987 c 404 s 103

#### **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 cross country ski pass. Effective July 1, 1984, any person who violates the provision of this section is guilty of a petty misdemeanor.

**History:** 1987 c 404 s 104