

CHAPTER 84

DEPARTMENT OF NATURAL RESOURCES

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84.027 POWERS AND DUTIES.

[For text of subs 1 to 12, see M.S.1996]

Subd. 13. Game and fish rules. (a) The commissioner of natural resources may adopt rules under sections 97A.0451 to 97A.0459 and this subdivision that are authorized under:

(1) chapters 97A, 97B, and 97C to set open seasons and areas, to close seasons and areas, to select hunters for areas, to provide for tagging and registration of game, to prohibit or allow taking of wild animals to protect a species, and to prohibit or allow importation, transportation, or possession of a wild animal;

(2) sections 84.093, 84.15, and 84.152 to set seasons for harvesting wild ginseng roots and wild rice and to restrict or prohibit harvesting in designated areas; and

(3) section 84D.12 to designate prohibited exotic species, regulated exotic species, unregulated exotic species, limited infestations of Eurasian water milfoil, and infested waters.

(b) If conditions exist that do not allow the commissioner to comply with sections 97A.0451 to 97A.0459, the commissioner may adopt a rule under this subdivision by submitting the rule to the attorney general for review under section 97A.0455, publishing a notice in the State Register and filing the rule with the secretary of state and the legislative coordinating commission, and complying with section 97A.0459, and including a statement of the emergency conditions and a copy of the rule in the notice. The notice may be published after it is received from the attorney general or five business days after it is submitted to the attorney general, whichever is earlier.

(c) Rules adopted under paragraph (b) are effective upon publishing in the State Register and may be effective up to seven days before publishing and filing under paragraph (b), if:

(1) the commissioner of natural resources determines that an emergency exists;

(2) the attorney general approves the rule; and

(3) for a rule that affects more than three counties the commissioner publishes the rule once in a legal newspaper published in Minneapolis, St. Paul, and Duluth, or for a rule that affects three or fewer counties the commissioner publishes the rule once in a legal newspaper in each of the affected counties.

(d) Except as provided in paragraph (e), a rule published under paragraph (c), clause (3), may not be effective earlier than seven days after publication.

(e) A rule published under paragraph (c), clause (3), may be effective the day the rule is published if the commissioner gives notice and holds a public hearing on the rule within 15 days before publication.

(f) The commissioner shall attempt to notify persons or groups of persons affected by rules adopted under paragraphs (b) and (c) by public announcements, posting, and other appropriate means as determined by the commissioner.

(g) Notwithstanding section 97A.0458, a rule adopted under this subdivision is effective for the period stated in the notice but not longer than 18 months after the rule is adopted.

[For text of subd 14, see M.S.1996]

Subd. 15. **Electronic transactions.** (a) The commissioner may receive an application for, sell, and issue any license, stamp, permit, registration, or transfer under the jurisdiction of the commissioner by electronic means, including by telephone. The commissioner may:

- (1) provide for the electronic transfer of funds generated by electronic transactions, including by telephone;
 - (2) assign a license identification number to an applicant who purchases a hunting or fishing license by electronic means, to serve as temporary authorization to engage in the licensed activity until the license is received or expires;
 - (3) charge and permit agents to charge a fee of individuals who make electronic transactions, and transactions by telephone, including a transaction fee under section 97A.485, subdivision 6, and a credit card fee not to exceed \$3.50 for electronic transactions;
 - (4) select up to four volunteer counties, not more than two in the metropolitan area, to participate in this pilot project and the counties shall select the participating agents; and
 - (5) adopt rules to administer the provisions of this subdivision.
- (b) A county shall not collect a commission for the sale of licenses or permits made by agents selected by the participating counties under this subdivision.

History: 1997 c 7 art 1 s 20; 1997 c 216 s 58

84.0273 ESTABLISHMENT OF BOUNDARY LINES RELATING TO CERTAIN STATE LANDHOLDINGS.

In order to resolve boundary line issues affecting the ownership interests of the state and adjacent landowners, the commissioner of natural resources may, in the name of the state upon terms the commissioner deems appropriate, convey, by a boundary line agreement, quitclaim deed, or management agreement in such form as the attorney general approves, such rights, titles, and interests of the state in state lands for such rights, titles and interests in adjacent lands as are necessary for the purpose of establishing boundaries. A notice of the proposed conveyance and a brief statement of the reason therefor shall be published once in the State Register by the commissioner between 15 and 30 days prior to conveyance. The provisions of this section are not intended to replace or supersede laws relating to land exchange or disposal of surplus state property.

History: 1997 c 216 s 59

84.035 PEATLAND PROTECTION.

[For text of subds 1 to 4, see M.S.1996]

Subd. 5. **Activities in peatland scientific and natural areas.** Areas designated in subdivision 4 as peatland scientific and natural areas are subject to the following conditions:

(a) Except as provided in paragraph (b), all restrictions otherwise applicable to scientific and natural areas designated under section 86A.05, subdivision 5, apply to the surface use and to any use of the mineral estate which would significantly modify or alter the peatland water levels or flows, peatland water chemistry, plant or animal species or communities, or other natural features of the peatland scientific and natural areas, including, but not limited to, the following prohibitions:

- (1) construction of any new public drainage systems after the effective date of Laws 1991, chapter 354, or improvement or repair to a public drainage system in existence on the effective date of Laws 1991, chapter 354, under authority of chapter 103E, or any other alteration of surface water or ground water levels or flows unless specifically permitted under paragraph (b), clause (5) or (6);
- (2) removal of peat, sand, gravel, or other industrial minerals;
- (3) exploratory boring or other exploration or removal of oil, natural gas, radioactive materials or metallic minerals which would significantly modify or alter the peatland water levels or flows, peatland water chemistry, plant or animal species or communities, or natural

features of the peatland scientific and natural areas, except in the event of a national emergency declared by Congress;

(4) commercial timber harvesting;

(5) construction of new corridors of disturbance, of the kind defined in subdivision 3, after June 5, 1991; and

(6) ditching, draining, filling, or any other activities which modify or alter the peatland water levels or flows, peatland water chemistry, plant or animal species or communities, or other natural features of the peatland scientific and natural areas.

(b) The following activities are allowed:

(1) recreational activities, including hunting, fishing, trapping, cross-country skiing, snowshoeing, nature observation, or other recreational activities permitted in the management plan approved by the commissioner;

(2) scientific and educational work and research;

(3) maintenance of corridors of disturbance, including survey lines and preparation of winter roads, consistent with protection of the peatland ecosystem;

(4) use of corridors of disturbance unless limited by a management plan adopted by the commissioner under subdivision 6;

(5) improvements to a public drainage system in existence on the effective date of Laws 1991, chapter 354, only when it is for the protection and maintenance of the ecological integrity of the peatland scientific and natural area and when included in a management plan adopted by the commissioner under subdivision 6;

(6) repairs to a public drainage system in existence on the effective date of Laws 1991, chapter 354, which crosses a peatland scientific and natural area and is used for the purposes of providing a drainage outlet for lands outside of the peatland scientific and natural area, provided that there are no other feasible and prudent alternative means of providing the drainage outlet. The commissioner shall cooperate with the ditch authority in the determination of any feasible and prudent alternatives. No repairs which would significantly modify or alter the peatland water levels or flows, peatland water chemistry, plant or animal species or communities, or other natural features of the peatland scientific and natural areas shall be made unless approved by the commissioner;

(7) motorized uses on a corridor of disturbance, if the corridor existed on or before January 1, 1992, provided that recreational motorized uses may occur only when the substrate is frozen, or the corridor is snow packed, subject to a management plan developed in accordance with subdivision 6;

(8) control of forest insects, disease, and wildfires, as described in a management plan adopted by the commissioner under subdivision 6; and

(9) geological and geophysical surveys which would not significantly modify or alter the peatland water levels or flows, peatland water chemistry, plant or animal species or communities, or other natural features of the peatland scientific and natural areas.

[For text of subs 6 to 10, see M.S.1996]

History: 1997 c 2 s 7

84.0855 SALES; RECEIPTS; APPROPRIATION.

Subdivision 1. **Sales authorized; gift certificates.** The commissioner may sell natural resources-related publications and maps; federal migratory waterfowl, junior duck, and other federal stamps; and other nature-related merchandise, and may rent or sell items for the convenience of persons using department of natural resources facilities or services. The commissioner may sell gift certificates for any items rented or sold. Notwithstanding section 16A.1285, a fee charged by the commissioner under this section may include a reasonable amount in excess of the actual cost to support department of natural resources programs. The commissioner may advertise the availability of a program or item offered under this section.

Subd. 2. **Receipts; appropriation.** Money received by the commissioner under this section or to buy supplies for the use of volunteers, may be credited to one or more special accounts in the state treasury and is appropriated to the commissioner for the purposes for which the money was received. Money received from sales at the state fair shall be available for state fair related costs.

History: 1997 c 226 s 6

84.0887 YOUTH PROGRAMS.

[For text of subd 1, see M.S.1996]

Subd. 2. **Additional services; corps to career community service.** (a) In addition to services under subdivision 1, youth corps programs may coordinate with or provide services to:

- (1) making public facilities accessible to individuals with disabilities;
- (2) federal, state, local, and regional governmental agencies;
- (3) nursing homes, hospices, senior centers, hospitals, local libraries, parks, recreational facilities, child and adult day care centers, programs servicing individuals with disabilities, and schools;
- (4) law enforcement agencies, and penal and probation systems;
- (5) private nonprofit organizations that primarily focus on social service such as community action agencies;
- (6) activities that focus on the rehabilitation or improvement of public facilities, neighborhood improvements, literacy training that benefits educationally disadvantaged individuals, weatherization of and basic repairs to low-income housing including housing occupied by older adults, activities that focus on drug and alcohol abuse education, prevention, and treatment; and
- (7) any other nonpartisan civic activities and services that the commissioner determines to be of a substantial social benefit in meeting unmet human, educational, or environmental needs, particularly needs related to poverty, or in the community where volunteer service is to be performed.

(b) Youth and young adults may provide full-time or part-time youth community service in a program known as "corps to career" if the individual:

- (1) is an unemployed high school dropout and is a parent of a minor member of an assistance unit under the AFDC, MFIP, or MFIP-R programs under chapter 256 or under the MFIP-S program under chapter 256J, or is a person who is a member of an assistance unit under the AFDC, MFIP, or MFIP-R programs under chapter 256 or under the MFIP-S program under chapter 256J;
- (2) agrees to only use the individual's postservice benefit under the federal Americorps Act to complete a customized job training program that requires 20 percent of the individual's time to be spent in the corps to career program and that is consistent with the work requirements of the employment and training services component of the MFIP-S program under chapter 256J or, if a customized job training program is unavailable, agrees to use the postservice benefit consistent with the federal education award; and
- (3) during the entire time the individual completes the individual's job training program, resides within an enterprise zone as defined in section 469.303.

To be eligible under this paragraph, any individual who receives assistance under clause (1) after MFIP-S has been implemented in the individual's county of financial responsibility, and who meets the requirements in clauses (2) and (3), also must meet the requirements of the employment and training services component of the MFIP-S program under chapter 256J.

(c) The commissioner of natural resources shall ensure that the corps to career program will not decrease employment opportunities that would be available without the program; will not displace current employees including any partial displacement in the form of reduced hours of work other than overtime, wages, employment benefits, or regular seasonal work; will not impair existing labor agreements; and will not result in the substitution of project funding for preexisting funds or sources of funds for ongoing work.

[For text of subd 3, see M.S.1996]

Subd. 4. Advisory committee. The commissioner shall establish a youth corps advisory committee with broad state representation including youth. The committee expires June 30, 2001.

[For text of subds 5 to 8, see M.S.1996]

Subd. 9. Contracts; grants. The commissioner of natural resources may contract with and make grants to nonprofit agencies to assist in carrying out the purposes, plans, and programs of the office of youth programs, Minnesota conservation corps.

History: 1997 c 46 s 1,2; 1997 c 216 s 60

84.82 SNOWMOBILE REGISTRATION.

[For text of subd 1a, see M.S.1996]

Subd. 2. Application, issuance, reports, additional fee. (a) 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 legal name and address of every owner of the snowmobile and be signed by at least one owner.

(b) A person who purchases a snowmobile from a retail dealer shall make application for registration to the dealer at the point of sale. The dealer shall issue a temporary registration permit to each purchaser who applies to the dealer for registration. The temporary registration is valid for 60 days from the date of issue. Each retail dealer shall submit completed registration and fees to the deputy registrar at least once a week. 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 a clearly visible and permanent manner for enforcement purposes as the commissioner of natural resources shall prescribe.

(c) 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.

(d) A fee of \$2 in addition to that otherwise prescribed by law shall be charged for:

(1) each snowmobile registered by the registrar or a deputy registrar and the additional fee shall be disposed of in the manner provided in section 168.33, subdivision 2; or

(2) each snowmobile registered by the commissioner and the additional fee shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund.

Subd. 3. Fees for registration. (a) The fee for registration of each snowmobile, other than those used for an agricultural purpose, as defined in section 84.92, subdivision 1c, or those registered by a dealer or manufacturer pursuant to clause (b) or (c) shall be as follows: \$45 for three years and \$4 for a duplicate or transfer.

(b) The total registration fee for all snowmobiles owned by a dealer and operated for demonstration or testing purposes shall be \$50 per year.

(c) The total registration fee for all snowmobiles owned by a manufacturer and operated for research, testing, experimentation, or demonstration purposes shall be \$150 per year. Dealer and manufacturer registrations are not transferable.

[For text of subds 4 to 10, see M.S.1996]

History: 1997 c 216 s 61; 1997 c 226 s 7

84.8205 SNOWMOBILE STATE TRAIL PERMIT.

A snowmobile that is not registered in this state may not be operated on a state or grant-in-aid snowmobile trail unless the snowmobile operator has in possession a snowmobile state trail permit. The commissioner of natural resources shall issue a permit upon application and payment of a \$15 fee. The permit is valid from November 1 through April 30. Fees collected under this section shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund.

History: 1997 c 216 s 62

84.83 DISPOSITION OF RECEIPTS; DEDICATED ACCOUNT.

[For text of subd 1, see M.S.1996]

Subd. 2. Money deposited in the account. Fees from the registration of snowmobiles and the unrefunded gasoline tax attributable to snowmobile use pursuant to section 296.16, as well as the net proceeds from the sale of snowmobiles forfeited pursuant to section 169.1217, shall be deposited in the state treasury and credited to the snowmobile trails and enforcement account.

[For text of subds 3 and 4, see M.S.1996]

Subd. 5. Fines and forfeited bail. The disposition of fines and forfeited bail collected from prosecutions of violations of sections 84.81 to 84.91, and violations of section 169.121 that involve off-road recreational vehicles, as defined in section 169.01, subdivision 86, are governed by section 97A.065.

History: 1Sp1997 c 2 s 1,67

84.86 RULES.

Subdivision 1. With a view of achieving maximum use of snowmobiles consistent with protection of the environment the commissioner of natural resources shall adopt rules in the manner provided by chapter 14, for the following purposes:

- (1) Registration of snowmobiles and display of registration numbers.
- (2) Use of snowmobiles insofar as game and fish resources are affected.
- (3) Use of snowmobiles on public lands and waters, or on grant-in-aid trails.
- (4) Uniform signs to be used by the state, counties, and cities, which are necessary or desirable to control, direct, or regulate the operation and use of snowmobiles.
- (5) Specifications relating to snowmobile mufflers.
- (6) A comprehensive snowmobile information and safety education and training program, including but not limited to the preparation and dissemination of snowmobile information and safety advice to the public, the training of snowmobile operators, and the issuance of snowmobile safety certificates to snowmobile operators who successfully complete the snowmobile safety education and training course. For the purpose of administering such program and to defray a portion of the expenses of training and certifying snowmobile operators, the commissioner shall collect a fee of not to exceed \$5 from each person who receives the youth and young adult training and a fee established under chapter 16A from each person who receives the adult training. The commissioner shall deposit the fee in the snowmobile trails and enforcement account and the amount thereof is appropriated annually to the commissioner of natural resources for the administration of such programs. The commissioner shall cooperate with private organizations and associations, private and public corporations, and local governmental units in furtherance of the program established under this clause. The commissioner shall consult with the commissioner of public safety in regard to training program subject matter and performance testing that leads to the certification of snowmobile operators.
- (7) The operator of any snowmobile involved in an accident resulting in injury requiring medical attention or hospitalization to or death of any person or total damage to an extent of \$500 or more, shall forward a written report of the accident to the commissioner on such form

as the commissioner shall prescribe. If the operator is killed or is unable to file a report due to incapacitation, any peace officer investigating the accident shall file the accident report within ten business days.

[For text of subd 2, see M.S.1996]

History: 1997 c 216 s 63

84.862 SNOWMOBILE TRAINING REQUIRED.

Subdivision 1. Youth and young adult safety training. Effective October 1, 1998, any resident born after December 31, 1979, who operates a snowmobile in Minnesota, must possess a valid snowmobile safety certificate or a driver's license or identification card with a valid snowmobile qualification indicator issued under section 171.07, subdivision 12. The certificate or qualification indicator may only be issued upon successful completion of the course authorized under section 84.86.

Subd. 2. Adult safety training. Effective October 1, 2002, any resident born after December 31, 1976, and before December 31, 1983, who operates a snowmobile in Minnesota, must possess a valid operator's permit or driver's license or identification card with a valid snowmobile qualification indicator issued under section 171.07, subdivision 12, showing successful completion of a safety course designed for adults. Whenever possible, the course shall include a riding component that stresses stopping distances.

Subd. 3. Training for offenders. Any person who is convicted for a second or subsequent speeding violation in a snowmobile season, or any conviction for careless or reckless operation of a snowmobile, must successfully complete the training course in subdivision 1 or 2 before continuing operation of a snowmobile.

History: 1997 c 216 s 64

84.87 OPERATION; REGULATIONS BY MUNICIPALITIES.

[For text of subds 1 and 1a, see M.S.1996]

Subd. 2. Operation generally. It shall be unlawful for any person to drive or operate any snowmobile in the following unsafe or harassing ways:

- (1) at a rate of speed greater than reasonable or proper under all the surrounding circumstances;
- (2) in a careless, reckless or negligent manner so as to endanger the person or property of another or to cause injury or damage thereto;
- (3) without a lighted head and taillight when required for safety; or
- (4) in any tree nursery or planting in a manner which damages or destroys growing stock.

[For text of subds 2a to 3, see M.S.1996]

History: 1997 c 226 s 8

84.872 YOUTHFUL SNOWMOBILE OPERATORS; PROHIBITIONS.

[For text of subd 1, see M.S.1996]

Subd. 1a. Helmet required. (a) No person under the age of 18 shall operate or ride a snowmobile in this state without wearing protective headgear that complies with standards established by the commissioner of public safety.

(b) The provisions of this subdivision shall not apply to persons during their participation in a parade that has been granted a permit or other official authorization by a local unit of government or to a person operating a snowmobile on land that is owned by the person or the person's parents, grandparents, siblings, uncles, or aunts.

[For text of subds 2 and 3, see M.S.1996]

History: 1997 c 226 s 9

84.873 [Repealed, 1Sp1997 c 2 s 69]

NOTE: This section was also amended by Laws 1997, chapter 226, section 10, to read as follows:

"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 (1) operate a snowmobile in willful or wanton disregard of such signal, or (2) interfere with or endanger the law enforcement officer or any other person or vehicle."

84.91 OPERATION OF SNOWMOBILES AND ALL-TERRAIN VEHICLES BY PERSONS UNDER THE INFLUENCE OF ALCOHOL OR CONTROLLED SUBSTANCES.

Subdivision 1. Acts prohibited. (a) No owner or other person having charge or control of any snowmobile or all-terrain vehicle shall authorize or permit any individual the person knows or has reason to believe is under the influence of alcohol or a controlled substance or other substance to operate the snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state.

(b) No owner or other person having charge or control of any snowmobile or all-terrain vehicle shall knowingly authorize or permit any person, who by reason of any physical or mental disability is incapable of operating the vehicle, to operate the snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state.

(c) A person who operates or is in physical control of a snowmobile or all-terrain vehicle anywhere in this state or on the ice of any boundary water of this state is subject to sections 169.121 to 169.1218 and 169.123 to 169.129. In addition to the applicable sanctions under chapter 169, a person who is convicted of violating section 169.121 while operating a snowmobile or all-terrain vehicle, or who refuses to comply with a lawful request to submit to testing under section 169.123, shall be prohibited from operating the snowmobile or all-terrain vehicle for a period of one year. The commissioner shall notify the convicted person of the period during which the person is prohibited from operating a snowmobile or all-terrain vehicle.

(d) Administrative and judicial review of the operating privileges prohibition is governed by section 97B.066, subdivisions 7 to 9, if the person does not have a prior impaired driving conviction or prior license revocation, as defined in section 169.121, subdivision 3. Otherwise, administrative and judicial review of the prohibition is governed by section 169.123.

(e) The court shall promptly forward to the commissioner and the department of public safety copies of all convictions and criminal and civil sanctions imposed under this section and chapter 169 relating to snowmobiles and all-terrain vehicles.

(f) A person who violates paragraph (a) or (b), or an ordinance in conformity with either of them, is guilty of a misdemeanor.

Subd. 2. [Repealed, 1Sp1997 c 2 s 69]

Subd. 3. [Repealed, 1Sp1997 c 2 s 69]

Subd. 4. [Repealed, 1Sp1997 c 2 s 69]

Subd. 5. [Repealed, 1Sp1997 c 2 s 69]

Subd. 5a. [Repealed, 1Sp1997 c 2 s 69]

Subd. 6. [Repealed, 1Sp1997 c 2 s 69]

Subd. 7. [Repealed, 1Sp1997 c 2 s 69]

Subd. 8. [Repealed, 1Sp1997 c 2 s 69]

History: 1Sp1997 c 2 s 2

84.911 CHEMICAL TESTING.

Subdivision 1. [Repealed, 1Sp1997 c 2 s 69]

Subd. 2. [Repealed, 1Sp1997 c 2 s 69]

Subd. 3. [Repealed, 1Sp1997 c 2 s 69]

Subd. 4. [Repealed, 1Sp1997 c 2 s 69]

Subd. 5. [Repealed, 1Sp1997 c 2 s 69]

Subd. 6. [Repealed, 1Sp1997 c 2 s 69]

Subd. 7. **Coroner to report death.** Every coroner or medical examiner shall report in writing to the department of natural resources the death of any person within the jurisdiction of the coroner or medical examiner as the result of an accident involving an off-road recreational vehicle, as defined in section 169.01, subdivision 86, and the circumstances of the accident. The report shall be made within 15 days after the death.

In the case of drivers killed in off-road recreational vehicle accidents and of the death of passengers 14 years of age or older, who die within four hours after accident, the coroner or medical examiner shall examine the body and shall make tests as are necessary to determine the presence and percentage concentration of alcohol, and drugs if feasible, in the blood of the victim. This information shall be included in each report submitted pursuant to the provisions of this subdivision and shall be tabulated by the department of natural resources. Periodically, the commissioner of natural resources must transmit a summary of the reports to the commissioner of public safety.

History: 1Sp1997 c 2 s 3

84.912 [Repealed, 1Sp1997 c 2 s 69]

NOTE: Subdivision 1 was also amended by Laws 1997, chapter 12, article 3, section 2, to read as follows:

"Subdivision 1. **Definitions.** As used in this section, the following terms have the meanings given them:

- (a) "All-terrain vehicle" has the meaning given in section 84.92, subdivision 8.
- (b) "Appropriate agency" means a law enforcement agency that has the authority to make an arrest for a violation of a designated offense.
- (c) "Designated offense" means a violation of section 84.91 or an ordinance in conformity with it:
 - (1) occurring within five years of the first of three prior impaired driving convictions or the first of three prior license revocations based on separate impaired driving incidents;
 - (2) occurring within 15 years of the first of four or more prior impaired driving convictions or the first of four or more prior license revocations based on separate impaired driving incidents;
 - (3) by a person whose driver's license or driving privileges have been canceled under section 171.04, subdivision 1, clause (9); or
 - (4) by a person who is subject to a restriction on the person's driver's license under section 171.09 that provides that the person may not use or consume any amount of alcohol or a controlled substance.
- (d) "Owner" means the registered owner of the snowmobile or all-terrain vehicle according to records of the department of natural resources and includes a lessee of a snowmobile or all-terrain vehicle if the lease agreement has a term of 180 days or more.
- (e) "Prior impaired driving conviction" has the meaning given in section 169.121, subdivision 3.
- (f) "Prior license revocation" has the meaning given in section 169.121, subdivision 3.
- (g) "Prosecuting authority" means the attorney in the jurisdiction in which the designated offense occurred who is responsible for prosecuting violations of a designated offense.
- (h) "Snowmobile" has the meaning given in section 84.81, subdivision 3.
- (i) "Vehicle" means a snowmobile or an all-terrain vehicle."

84.9254 [Repealed, 1Sp1997 c 2 s 69]

84.927 REGISTRATION FEES; UNREFUNDED GASOLINE TAX; ALLOCATION.

Subdivision 1. **Registration revenue.** Fees from the registration of all-terrain vehicles and the unrefunded gasoline tax attributable to all-terrain vehicle use under section 296.16, as well as the net proceeds from the sale of all-terrain vehicles forfeited pursuant to section 169.1217, shall be deposited in the state treasury and credited to the all-terrain vehicle account in the natural resources fund.

[For text of subd 2, see M.S.1996]

History: 1Sp1997 c 2 s 4

84.98 MINNESOTA CONSERVATION CORPS.

[For text of subd 1, see M.S.1996]

Subd. 2. **Plan.** (a) The commissioner of natural resources shall develop a plan for the Minnesota conservation corps to provide:

(1) equal opportunities of employment for youths with preference given to youths who are economically, socially, physically, or educationally disadvantaged and youths residing in areas of substantial unemployment;

(2) equal opportunity for female and male youths;

(3) summer youth programs and year-round young adult programs;

(4) ways in which exclusive bargaining representatives are to be involved in regard to the planning and implementation of positions and job duties of persons employed in projects;

(5) methods for coordinating the programs of the Minnesota conservation corps with other publicly authorized or subsidized programs in cooperation with the commissioners of children, families, and learning and economic security, the workforce development council, and other state and local youth service and education entities;

(6) programs for participants to be assisted in gaining employment or training upon completing the projects, including, where feasible, in cooperation with the department of economic security and educational agencies, arranging for career assessment and planning services designed to enhance participant transition from the Minnesota conservation corps to future employment or education;

(7) a remedial education component utilizing, as resources permit and where feasible, the services of the department of economic security and educational agencies including instruction in life skills and basic remedial skills for participants who are deficient in the skills or who have not completed high school;

(8) the manner of allocating the services of Minnesota conservation corps members to the various divisions of the department of natural resources, to other state, local, and federal governmental conservation and natural resource managers, and to federally recognized Indian tribes or bands;

(9) standards of conduct and other operating guidelines for Minnesota conservation corps members; and

(10) a determination of preference for projects that will provide long-term benefits to the public, will provide productive work and public service experience to Minnesota conservation corps members, will be primarily labor intensive, and will provide a significant return on taxpayer investment.

(b) No later than July 1, 1990, the plan established under this subdivision shall be adopted under the rulemaking provisions of chapter 14.

Subd. 3. **Criteria for determining economic, social, physical, or educational disadvantage.** (a) The criteria for determining economic, social, physical, or educational disadvantage shall be determined as provided in this subdivision.

(b) Economically disadvantaged are persons who meet the criteria for disadvantaged established by the department of economic security or persons receiving services provided by the department of human services such as welfare payments, food stamps, aid to families with dependent children or Minnesota family investment program—statewide.

(c) Socially disadvantaged are persons who have been classified as persons in need of supervision by the court system.

(d) Physically disadvantaged are persons who have been identified as having special needs by public agencies that deal with employment for the disabled.

(e) Educationally disadvantaged are persons who have dropped out of school or are at risk of dropping out of school and persons with learning disabilities or in need of special education classes.

[For text of subs 4 to 8, see M.S.1996]

History: 1997 c 85 art 4 s 3; 1997 c 187 art 1 s 7

84.99 WORK CREWS; ALLOCATION OF FUNDS.

The commissioner of natural resources is authorized to provide Minnesota conservation corps crew services to the 14 forested counties that operate land departments under

chapter 282. Crews shall work on natural resources projects including, but not limited to, forestry projects.

All participating counties will be eligible to receive a minimum of four weeks of three-person crew service. In determining the allocation of additional crew services, the commissioner will apportion the remaining crew time to participating counties in the proportion of the managed commercial forest land in each participating county to the total managed commercial forest land in all participating counties. Participating counties shall submit a two-year work plan to the commissioner in the first year of the biennium. The plan must describe proposed natural resources projects having demonstrable results and long-term benefits. Eligible counties shall notify the commissioner of their intention to participate by April 1 of each odd-numbered year. Crew time not fully utilized by a participating county in the first year of the biennium will be available to that participating county in the second year of the biennium.

History: 1997 c 46 s 3