

## CHAPTER 85

## DIVISION OF PARKS AND RECREATION

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**85.012 STATE PARKS.**

*[For text of subds 1 and 1a, see M.S.1998]*

Subd. 2. Banning state park, Pine county.

**History:** 1999 c 157 s 2 subd 1

*[For text of subds 4 to 6, see M.S.1998]*

Subd. 8. Blue Mounds state park, Rock county.

**History:** 1999 c 157 s 5; 1999 c 231 s 98

*[For text of subd 9, see M.S.1998]*

Subd. 10. Camden state park, Lyon county.

**History:** 1999 c 157 s 2 subd 2

*[For text of subd 11, see M.S.1998]*

Subd. 12. Cascade River state park, Cook county.

**History:** 1999 c 157 s 2 subd 3

Subd. 13. Charles A. Lindbergh state park, Morrison county.

**History:** 1999 c 157 s 2 subd 4

*[For text of subds 14 to 18, see M.S.1998]*

Subd. 19. Forestville Mystery Cave state park, Fillmore county.

**History:** 1999 c 157 s 1,2 subd 5

*[For text of subds 20 to 30a, see M.S.1998]*

Subd. 31. Judge C. R. Magney state park, Cook county.

**History:** 1999 c 157 s 2 subd 7

*[For text of subds 32 to 33, see M.S.1998]*

Subd. 34. Lake Bronson state park, Kittson county.

**History:** 1999 c 157 s 2 subd 8; s 3

*[For text of subds 35 to 49, see M.S.1998]*

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

**History:** 1999 c 157 s 2 subd 9

*[For text of subds 50 and 51, see M.S.1998]*

Subd. 52. Scenic state park, Itasca county.

**History:** 1999 c 157 s 2 subd 10

*[For text of subds 52a to 54, see M.S.1998]*

Subd. 55. Temperance River state park, Cook county.

**History:** 1999 c 157 s 2 subd 11; s 4 subds 1,2

*[For text of subds 55a to 58, see M.S.1998]*

Subd. 59. Whitewater state park, Winona county.

**History:** 1999 c 157 s 2 subd 12

Subd. 60. William O'Brien state park, Washington county.

**History:** 1999 c 157 s 2 subd 13

*[For text of subd 61, see M.S.1998]*

### 85.013 STATE MONUMENTS, RECREATION AREAS, AND WAYSIDES.

*[For text of subds 1 to 5c, see M.S.1998]*

Subd. 8. [Repealed, 1999 c 157 s 7]

*[For text of subds 9 to 12, see M.S.1998]*

Subd. 12a. Iron Range off-highway vehicle recreation area, St. Louis county.

**History:** 1999 c 231 s 99 subd 1

*[For text of subds 14 to 23, see M.S.1998]*

### 85.015 STATE TRAILS.

*[For text of subds 1 to 1b, see M.S.1998]*

Subd. 1c. [Repealed, 1999 c 4 s 5]

*[For text of subds 2 and 3, see M.S.1998]*

Subd. 4. **Douglas trail, Olmsted, Wabasha, and Goodhue counties.** (a) The trail shall originate at Rochester in Olmsted county and shall follow the route of the Chicago Great Western Railroad to Pine Island in Goodhue county and there terminate.

(b) Additional trails may be established that extend the Douglas trail system to include Pine Island, Mazeppa in Wabasha county to Zumbrota, Bellechester, Goodhue, and Red Wing in Goodhue county. In addition to the criteria in section 86A.05, subdivision 4, these trails must utilize abandoned railroad rights-of-way where possible.

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

(d) Under no circumstances shall the commissioner acquire any of the right-of-way of the Chicago Great Western Railroad until the abandonment of the line of railway described in this subdivision has been approved by the Interstate Commerce Commission.

*[For text of subds 5 to 14, see M.S.1998]*

Subd. 15. **Paul Bunyan trail, Crow Wing, Cass, Hubbard, and Beltrami counties.** The trail shall originate in Crow Wing state park in Crow Wing county and shall extend through the city of Baxter and in a northerly direction along the Burlington Northern Railroad right-of-way, intersecting the Heartland state trail southwest of the city of Walker in Cass county. The trail shall continue on the Heartland state trail through the city of Walker, then in a northwesterly direction along the Burlington Northern Railroad right-of-way to the city of Bemidji in Beltrami county and terminate in Lake Bemidji state park.

*[For text of subds 16 to 20, see M.S.1998]*

Subd. 21. **Gitchi-Gami trail, Lake and Cook counties.** (a) The trail shall originate in the city of Two Harbors and shall extend in a northeasterly direction along the shore of Lake Superior, running parallel to state highway 61 to the city of Grand Marais.

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

**History:** 1999 c 95 s 1; 1999 c 231 s 100,101

#### 85.018 TRAIL USE; VEHICLES REGULATED, RESTRICTED.

*[For text of subs 1 to 3, see M.S.1998]*

Subd. 4. **Nonmotorized use trails.** No motorized vehicle shall be operated on a trail designated for nonmotorized use. This subdivision does not apply to motorized wheelchairs or other motorized devices operated by an individual who is physically disabled.

*[For text of subs 5 to 8, see M.S.1998]*

**History:** 1999 c 95 s 2

#### 85.019 LOCAL RECREATION GRANTS.

*[For text of subd 1, see M.S.1998]*

Subd. 2. **Parks and outdoor recreation areas.** The commissioner shall administer a program to provide grants to units of government for up to 50 percent of the costs of acquisition and betterment of public land and improvements needed for parks and other outdoor recreation areas and facilities.

*[For text of subd 4a, see M.S.1998]*

Subd. 4b. **Regional trails.** The commissioner shall administer a program to provide grants to units of government for up to 50 percent of the costs of acquisition and betterment of public land and improvements needed for trails deemed to be of regional significance according to criteria published by the commissioner. If land used for the trails is not in full public ownership, then the recipients must prove it is dedicated to the purposes of the grants for at least 20 years.

Subd. 4c. **Local trail connections.** The commissioner shall administer a program to provide grants to units of government for up to 50 percent of the costs of acquisition and betterment of public land and improvements needed for trails that connect communities, trails, and parks and thereby increase the effective length of trail experiences. If land used for the trails is not in full public ownership, then the recipients must prove it is dedicated to the purposes of the grants for at least 20 years.

*[For text of subd 5, see M.S.1998]*

**History:** 1999 c 231 s 102-104

#### 85.40 DEFINITIONS.

*[For text of subs 1 to 4, see M.S.1998]*

Subd. 5. **Cross-country ski trail.** "Cross-country ski trail" means a public pathway designated and promoted for cross-country skiing in state parks as defined in section 85.012, on state forest lands as defined in section 89.001, on state trails as defined in section 85.015, on elements of the regional recreation open space system as defined in section 473.147, or on trails within the cross-country ski grant-in-aid program as defined in section 85.44.

*[For text of subs 6 and 7, see M.S.1998]*

**History:** 1999 c 231 s 105

#### 85.41 USER FEES.

Subdivision 1. **On person.** While skiing on cross-country ski trails, a person age 16 and over shall carry in immediate possession a valid, signed 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.

[For text of subs 2 and 3, see M.S.1998]

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 signature and other information deemed necessary by the commissioner.

Subd. 5. **Issuing fee.** The fee for a cross-country ski pass shall be increased by the amount of an issuing fee of \$1 per pass. The issuing fee shall be retained by the seller of the pass. A pass shall indicate the amount of the fee that is retained by the seller.

**History:** 1999 c 231 s 106-108

#### 85.42 USER FEE; VALIDITY.

(a) The fee for an annual cross-country ski pass is \$9 for an individual age 16 and over. The fee for a three-year pass is \$24 for an individual age 16 and over. 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.

(b) The cost for a daily cross-country skier pass is \$2 for an individual age 16 and over. 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.

(c) A pass must be signed by the skier across the front of the pass to be valid and becomes nontransferable on signing.

**History:** 1999 c 231 s 109

#### 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. Local units of government and special park districts applying for and receiving grants under this section shall be considered to have cross-country ski trails for one year following the expiration of their last grant. 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:** 1999 c 231 s 110

#### 85.45 PENALTIES.

Subdivision 1. **Skiing without pass.** No person may ski on a cross-country ski trail without a valid, signed cross-country ski pass. Any person who violates this subdivision is guilty of a petty misdemeanor.

[For text of subd 2, see M.S.1998]

**History:** 1999 c 231 s 111

#### 85.50 DEFINITION.

For purposes of sections 85.50 to 85.52, "central Minnesota regional parks and trails plan" or "plan" means a recreational park and trail plan in the counties of Stearns, Benton, and Sherburne that includes, at a minimum, existing regionally significant parks and trails that are identified in the plan under a local unit of government jurisdiction and includes newly developed parks and trails or trail connections to communities, parks, or public open space.

**History:** 1999 c 65 s 1

#### 85.51 PLANNING; COORDINATION.

Plan development, adoption, and amendments shall be coordinated with the counties of Stearns, Benton, and Sherburne by an appropriate regional parks and trail coordination board that is created under a joint powers agreement.

**History:** 1999 c 65 s 2

**85.52 GRANTS; PRIORITIES.**

The regional parks and trail coordination board under section 85.51 may administer grants from the United States, the state, or other sources to develop, enhance, or maintain the central Minnesota regional parks and trails plan, and must dispose of grant money in accordance with the acceptance of any agreement or contract.

In developing, enhancing, and maintaining the plan, the parks and trails coordination board must develop priorities for expenditure of grant money.

**History:** 1999 c 65 s 3