

## Recreation

## CHAPTER 85

## DIVISION OF PARKS AND RECREATION

85.011	Confirmation of creation and establishment of state parks, monuments, recreation reserves and waysides.	85.055	State park permit fees.
85.0115	Notice of additions and deletions.	85.06	Schoolhouses in certain state parks.
85.012	State parks.	85.20	Violations of rules; littering; penalties.
85.013	State monuments, recreation areas, and waysides.	85.205	Receptacles for recycling.
85.014	Prior laws not altered; revisor's duties.	85.21	State operation of park, monument, recreation area and wayside facilities; license not required.
85.015	State trails.	85.22	State parks working capital fund.
85.0155	Lake Superior water trail.	85.23	Cooperative leases of agricultural lands.
85.0156	Mississippi Whitewater Trail.	85.32	Canoe and boating routes.
85.016	Bicycle trail program.	85.33	St. Croix wild river area: limitations on power boating.
85.017	Trail registry.	85.34	Fort Snelling lease.
85.018	Trail use; vehicles regulated, restricted.	85.40	Definitions.
85.019	Local recreation grants.	85.41	Cross-country ski passes.
85.021	Acquisition of land, Minnesota Valley Trail.	85.42	User fee; validity.
85.04	Enforcement Division employees.	85.43	Disposition of receipts; purpose.
85.045	Adopt-a-park program.	85.44	Cross-country ski trail grant-in-aid program.
85.0505	Food and beverage service in state parks.	85.45	Penalties.
85.052	Uses of state parks; fees.	85.50	Definition.
85.053	State park permits.	85.51	Planning; coordination.
85.054	State park permit exemptions.	85.52	Grants; priorities.

**85.01** [Repealed, 1943 c 60 s 12]

**85.011 CONFIRMATION OF CREATION AND ESTABLISHMENT OF STATE PARKS, MONUMENTS, RECREATION RESERVES AND WAYSIDES.**

The legislature of this state has provided for the creation and establishment of state parks, designated monuments, recreation reserves and waysides for the purpose of conserving the scenery, natural and historic objects and wildlife and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations.

The establishment of such state parks, designated monuments, recreation reserves and waysides is hereby confirmed as provided in this section and sections 85.012 and 85.013 and they shall remain perpetually dedicated for the use of the people of the state for park purposes.

The enumerated state parks, state monuments, state recreation areas, and state waysides shall consist of the lands and other property authorized therefor before January 1, 1969, together with such other lands and properties as may be authorized therefor on or after January 1, 1969.

**History:** 1969 c 524 s 1

**85.0115 NOTICE OF ADDITIONS AND DELETIONS.**

The commissioner of natural resources shall publish a notice and description of proposed additions to and deletions from legislatively designated boundaries of state parks in a legal newspaper of general circulation in each county that is affected, and shall mail a copy of such notice and description to the chair of the affected county board or boards and to each affected landowner.

**History:** 1977 c 431 s 3; 1986 c 444

**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 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.

Subd. 1a. Afton State Park, Washington County.

**History:** 1969 c 979 s 1; 1973 c 436 s 1; 1979 c 170 s 1; 1979 c 320 s 4

Subd. 2. Banning State Park, Pine County.

**History:** 1963 c 790 art 5 s 1 subd 1(11); 1965 c 810 s 9 subd 14; 1965 c 901 s 77 subd 6; 1967 c 787 s 3 subd 2; 1969 c 524 s 2; 1971 c 859 s 1 subd 2; 1Sp1985 c 13 s 196; 1991 c 275 s 1 subd 1; 1999 c 157 s 2 subd 1

Subd. 3. [Repealed, 1979 c 301 s 10 subd 6]

Subd. 4. Bear Head Lake State Park, St. Louis County.

**History:** 1961 c 385 s 1; 1963 c 790 art 5 s 1 subd 1(1); 1969 c 524 s 2; 1997 c 236 s 4 subd 1; 2001 c 182 s 3 subd 1

Subd. 5. Beaver Creek Valley State Park, Houston County.

**History:** 1937 c 474 s 1(a); 1955 c 683 s 1(3); 1963 c 790 art 5 s 1 subd 1(2); 1967 c 787 s 3 subd 3; 1969 c 524 s 2; 1969 c 879 s 1 subd 3

Subd. 6. Big Stone Lake State Park, Big Stone County.

**History:** 1961 c 449; 1963 c 790 art 5 s 1 subd 1(3); 1965 c 609 s 1; 1969 c 524 s 2; 1971 c 859 s 1 subd 3; 1977 c 431 s 2 subd 7; 2002 c 366 s 8

Subd. 7. [Repealed, 1976 c 106 s 6]

Subd. 8. Blue Mounds State Park, Rock County.

**History:** 1937 c 474 s 1(f); 1945 c 556; 1955 c 683 s 1(4); 1961 c 183; Ex1961 c 60 s 4; 1963 c 790 art 5 s 1 subd 1(4); 1965 c 810 s 9 subd 13; 1969 c 524 s 2; 1969 c 879 s 1 subd 4; 1971 c 859 s 1 subd 4; 1980 c 489 s 1; 1985 c 81 s 1; 1999 c 157 s 5; 1999 c 231 s 98

Subd. 9. Buffalo River State Park, Clay County.

**History:** 1937 c 474 s 1(b); Ex1961 c 60 s 4; 1967 c 787 s 3 subd 4; 1969 c 524 s 2; 1969 c 879 s 1 subd 5; 1989 c 259 s 1 subd 1

Subd. 10. Camden State Park, Lyon County.

**History:** 1935 c 320; 1963 c 790 art 5 s 1 subd 1(5); 1965 c 810 s 9 subd 15; 1965 c 901 s 77 subd 7; 1967 c 787 s 3 subd 5; 1969 c 524 s 2; 1980 c 489 s 1 subd 2; 1984 c 599 s 1 subd 2; 1989 c 259 s 1 subd 2; 1999 c 157 s 2 subd 2

Subd. 11. Carley State Park, Wabasha County.

**History:** 1949 c 339 s 1; 1969 c 524 s 2

Subd. 12. Cascade River State Park, Cook County.

**History:** 1957 c 420 s 1; 1969 c 524 s 2; 1992 c 451 s 1 subd 1; 1999 c 157 s 2 subd 3; 2001 c 182 s 3 subd 2

Subd. 13. Charles A. Lindbergh State Park, Morrison County.

**History:** 1931 c 53; 1965 c 810 s 9 subd 10; 1967 c 787 s 3 subd 6; 1969 c 524 s 2; 1969 c 956 s 1 subd 3; 1993 c 43 s 1; 1996 c 372 s 1 subd 1; 1999 c 157 s 2 subd 4; 2000 c 486 s 2 subd 1; 2004 c 262 art 2 s 11 subd 1

Subd. 14. Crow Wing State Park, Crow Wing, Cass, and Morrison Counties.

**History:** Ex1959 c 90 s 4 subd 3; 1963 c 790 art 5 s 1 subd 1(6); 1965 c 810 s 9 subd 2; 1965 c 901 s 77 subd 5; 1969 c 524 s 2; 1971 c 859 s 1 subd 5; 1998 c 391 s 2 subd 1; 2001 c 182 s 6; 2002 c 366 s 7 subd 1; 2004 c 262 art 2 s 11 subd 2

Subd. 15. Father Hennepin State Park, Mille Lacs County, which is hereby renamed from Father Hennepin State Memorial Wayside Park.

**History:** 1941 c 520; 1955 c 683 s 1(6); Ex1961 c 60 s 4; 1963 c 790 art 5 s 1 subd 1(7); 1965 c 810 s 9 subd 3; 1965 c 901 s 77 subd 2; 1967 c 787 s 3 subd 7; 1969 c 524 s 2; 1971 c 859 s 5(b); 1989 c 259 s 1 subd 3; 1991 c 275 s 1 subd 2; 1992 c 451 s 1 subd 2

Subd. 16. Flandrau State Park, Brown County.

**History:** 1937 c 474 s 1(c); 1945 c 70 s 1; 1969 c 524 s 2; 1984 c 599 s 1 subd 3; 2000 c 486 s 2 subd 2

Subd. 17. Fort Ridgely State Park, Nicollet and Renville Counties.

**History:** 1911 c 355; 1937 c 126; Ex1961 c 60 s 4; 1963 c 790 art 5 s 1 subd 1(8); 1965 c 810 s 9 subd 11; 1969 c 524 s 2; 1969 c 956 s 1 subd 5; 1969 c 1029 s 1 subd 2; 2001 c 182 s 1,3 subd 3

Subd. 18. Fort Snelling State Park, Ramsey, Hennepin and Dakota Counties, which is hereby renamed from Fort Snelling State Historical Park.

**History:** 1961 c 570; 1967 c 787 s 3 subd 22; 1969 c 524 s 2; 1969 c 956 s 1 subd 2; 1973 c 225 s 1,2; 1980 c 489 s 1 subd 3; 1982 c 639 s 29; 1984 c 599 s 1 subd 4; 1991 c 275 s 4; 1Sp2003 c 13 s 7 subd 1

Subd. 19. Forestville Mystery Cave State Park, Fillmore County.

**History:** 1963 c 790 art 5 s 1 subd 1(4); 1965 c 810 s 9; 1969 c 524 s 2; 1969 c 879 s 1 subd 6; 1987 c 400 s 32; 1995 c 215 s 1 subd 1; 1997 c 236 s 4 subd 2; 1999 c 157 s 1,2 subd 5; 2001 c 182 s 3 subd 4; 2004 c 262 art 2 s 11 subd 3

Subd. 20. Franz Jevne State Park, Koochiching County, which is hereby renamed from Franz Jevne State Wayside Park.

**History:** 1967 c 707 s 1; 1969 c 524 s 2

Subd. 21. Frontenac State Park, Goodhue County.

**History:** 1957 c 783; 1961 c 528; 1965 c 810 s 9 subd 12; 1969 c 524 s 2; 1969 c 879 s 1 subd 7; 1971 c 859 s 1 subd 6; 1986 c 432 s 1 subd 2

Subd. 22. George H. Crosby Manitou State Park, Lake County.

**History:** 1955 c 144; Ex1959 c 90 s 4 subd 2; 1969 c 524 s 2; 1994 c 448 s.1; 2001 c 182 s 7; 2004 c 262 art 2 s 11 subd 4

Subd. 23. Glacial Lakes State Park, Pope County.

**History:** 1963 c 790 art 5 s 1 subd 1(3); 1969 c 524 s 2; 1987 c 128 s 2 subd 2; 1989 c 259 s 1 subd 4

Subd. 23a. Glendalough State Park, Otter Tail County.

**History:** 1991 c 254 art 2 s 47 subd 1; 1998 c 391 s 2 subd 2

Subd. 24. Grand Mound State Park, Koochiching County.

**History:** 1963 c 790 art 5 s 1 subd 1(2); 1965 c 810 s 9; 1969 c 524 s 2; 1969 c 956 s 1 subd 6

Subd. 24a. Great River Bluffs State Park, Winona County, which is renamed from O.L. Kipp State Park.

**History:** 1963 c 790 art 5 s 1 subd 1(12); 1969 c 524 s 2; 1971 c 859 s 2; 1997 c 236 s

Subd. 24b. Greenleaf Lake State Park, Meeker County.

**History:** *1Sp2003 c 13 s 6; 2004 c 262 art 2 s 10*

Subd. 25. Gooseberry Falls State Park, Lake County.

**History:** *1937 c 474 s 1(j); 1955 c 683 s 1(1); 1967 c 787 s 3 subd 8; 1969 c 524 s 2; 1971 c 859 s 1 subd 7; 1995 c 215 s 1 subd 2*

Subd. 26. Hayes Lake State Park, Roseau County.

**History:** *1967 c 787 s 2; 1969 c 524 s 2; 1969 c 879 s 1 subd 15; 1971 c 859 s 5(e)*

Subd. 27. Myre-Big Island State Park, Freeborn County.

**History:** *1947 c 403; 1953 c 12; 1957 c 409; 1963 c 790 art 5 s 1 subd 1(9); 1967 c 787 s 3 subd 9; Ex1967 c 48 s 76; 1969 c 524 s 2; 1986 c 432 s 1 subd 3; 1990 c 437 s 1; 2000 c 486 s 2 subd 3; 2002 c 366 s 7 subd 2*

Subd. 27a. Grand Portage State Park, Cook County.

**History:** *1989 c 259 s 6*

Subd. 27b. Hill-Annex Mine State Park, Itasca County.

**History:** *1988 c 686 art 1 s 50,51; 1989 c 259 s 8*

Subd. 28. Interstate Park, Chisago County, which is hereby renamed from Dalles of Saint Croix State Park.

**History:** *1895 c 169 s 1; 1935 c 320 s 7(A1); 1969 c 524 s 2; 1971 c 859 s 4; 1977 c 431 s 2 subd 5; 1989 c 259 s 4; 1991 c 275 s 3; 1998 c 401 s 61*

Subd. 29. Itasca State Park, Hubbard, Clearwater, and Becker Counties.

**History:** *1891 c 56; 1893 c 15; 1901 c 52; 1903 c 218; 1905 c 277; 1907 c 90; 1919 c 190; 1919 c 306 s 1; 1931 c 395 s 7; 1943 c 178; 1943 c 301; 1945 c 240; Ex1959 c 90 s 4 subd 2; 1963 c 790 art 5 s 1 subd 1(10); 1969 c 524 s 2; 1969 c 879 s 1 subd 16; 1976 c 110 s 2; 1978 c 534 s 1,2; 1980 c 489 s 1 subd 4; 1985 c 81 s 2; 1991 c 307 s 2; 2004 c 262 art 2 s 11 subd 5*

Subd. 30. Jay Cooke State Park, Carlton County.

**History:** *1915 c 374; 1919 c 463; 1951 c 703; 1967 c 787 s 4; 1969 c 524 s 2; 1971 c 859 s 1 subd 8; 1980 c 489 s 1 subd 5; 1984 c 599 s 1 subd 5; 1988 c 498 s 1*

Subd. 30a. John A. Latsch State Park, Winona County.

**History:** *1995 c 215 s 1 subd 3; 1997 c 236 s 4 subd 3*

Subd. 31. Judge C. R. Magney State Park, Cook County.

**History:** *1957 c 585; 1963 c 265; 1965 c 810 s 9 subd 17; 1969 c 524 s 2; 1979 c 320 s 3; 1999 c 157 s 2 subd 7*

Subd. 32. Kilen Woods State Park, Jackson County.

**History:** *1945 c 477; 1951 c 529; 1955 c 683 s 1(7); 1969 c 524 s 2; 1976 c 110 s 1; 1998 c 391 s 2 subd 3*

Subd. 32a. Lac qui Parle State Park, Lac qui Parle and Chippewa Counties, which is hereby renamed from Lac qui Parle State Recreation Area.

**History:** *1959 c 360; 1967 c c 787 s 3 subd 21; 1969 c 524 s 3; 1994 c 448 s 1,5; 1996 c 372 s 1 subd 2; 2000 c 486 s 1; s 2 subd 4; s 3 subd 1*

Subd. 33. Lake Bemidji State Park, Beltrami County.

**History:** *1923 c 444 s 16(15); 1945 c 332; 1955 c 759; 1961 c 392; 1969 c 524 s 2; 1971 c 859 s 1 subd 9; 1977 c 431 s 2 subd 2; 1979 c 320 s 5; 1998 c 391 s 2 subd 4; 2000 c 486 s 3 subd 2; 1Sp2003 c 13 s 7 subd 2*

Subd. 34. Lake Bronson State Park, Kittson County.

**History:** *1937 c 474 s 1(i); 1945 c 70 s 2; 1961 c 489; 1965 c 901 s 80; 1967 c 787 s 3 subd 10; 1969 c 524 s 2; 1969 c 879 s 1 subd 8; 1971 c 859 s 3; 1977 c 431 s 2 subd 3; 1999 c 157 s 2 subd 8; s 3; 2001 c 182 s 3 subd 5*

Subd. 35. Lake Carlos State Park, Douglas County.

**History:** 1935 c 340; Ex1961 c 60 s 4; 1963 c 790 art 5 s 1 subd 1(12); 1967 c 787 s 3 subd 11; 1969 c 524 s 2; 1977 c 431 s 2 subd 4; 1989 c 259 s 1 subd 5; 1996 c 372 s 1 subd 3

Subd. 36. Lake Louise State Park, Mower County.

**History:** 1963 c 790 art 5 s 1 subd 1(7); 1967 c 787 s 3 subd 12; 1969 c 524 s 2

Subd. 37. Lake Maria State Park, Wright County.

**History:** 1947 c 401; 1963 c 790 art 5 s 1 subd 1(8); 1969 c 524 s 2; 1971 c 859 s 5(a); 1980 c 489 s 1 subd 6; 1991 c 275 s 2

Subd. 38. Lake Shetek State Park, Murray County.

**History:** 1937 c 474 s 1(d); 1947 c 394; 1963 c 790 art 5 s 1 subd 1(13); 1965 c 810 s 9 subd 16; 1967 c 787 s 3 subd 13; 1969 c 524 s 2; 1989 c 259 s 1 subd 6; 2001 c 182 s 3 subd 6

Subd. 39. [Repealed, 1989 c 259 s 10]

Subd. 40. McCarthy Beach State Park, St. Louis County, which is hereby renamed from McCarthy Beach Memorial State Park.

**History:** 1945 c 484; Ex1961 c 60 s 4; 1969 c 524 s 2; 1969 c 879 s 1 subd 9; 1971 c 159 s 1-3; 1977 c 431 s 1; 1989 c 259 s 1 subd 7; 1992 c 451 s 1 subd 3; 2

Subd. 41. Maplewood State Park, Otter Tail County.

**History:** 1963 c 790 art 5 s 1 subd 1(1); 1965 c 810 s 9 subd 4; 1969 c 524 s 2; 1971 c 859 s 1 subd 10; 2004 c 262 art 2 s 11 subd 6

Subd. 42. Mille Lacs Kathio State Park, Mille Lacs County.

**History:** 1957 c 645; Ex1959 c 90 s 4 subd 2; 1969 c 524 s 2; 1971 c 859 s 1 subd 11; 1980 c 489 s 1 subd 7

Subd. 43. Minneopa State Park, Blue Earth County.

**History:** 1905 c 297; 1909 c 409; 1917 c 157; 1931 c 7; 1935 c 320 s 7; 1947 c 215; Ex1961 c 60 s 4; 1967 c 787 s 3 subd 15; Ex1967 c 48 s 77; 1969 c 524 s 2; 1969 c 1075 s 1; 1998 c 391 s 2 subd 5; 2000 c 486 s 2 subd 5

Subd. 44. Monson Lake State Park, Swift County, which is hereby renamed from Monson Lake Memorial State Park.

**History:** 1937 c 474 s 1(e); 1965 c 810 s 9; 1969 c 524 s 2; 2004 c 262 art 2 s 11 subd 7

Subd. 44a. Moose Lake State Park, Carlton County, which is hereby renamed from Moose Lake State Recreation Area.

**History:** 1971 c 280 s 1; 1971 c 859 s 12; 1986 c 432 s 2; 1994 c 448 s 1,5

Subd. 45. Nerstrand Big Woods State Park, Rice County.

**History:** 1945 c 153; 1955 c 683 s 1(2); 1969 c 524 s 2; 1971 c 859 s 5(d); 1990 c 437 s 2; 1992 c 451 s 1 subd 4; 2001 c 182 s 3 subd 7

Subd. 46. [Repealed, 1997 c 236 s 6]

Subd. 47. Old Mill State Park, Marshall County.

**History:** 1951 c 237; 1969 c 524 s 2; 1994 c 448 s 1

Subd. 48. Rice Lake State Park, Steele and Dodge Counties.

**History:** 1963 c 790 art 5 s 1 subd 1(9); 1965 c 810 s 9 subd 7; 1965 c 901 s 77 subd 3; 1967 c 787 s 3 subd 16; 1969 c 524 s 2

Subd. 49. St. Croix State Park, Pine County.

**History:** 1943 c 293; 1945 c 356; 1969 c 524 s 2; 1969 c 879 s 1 subd 14; 1991 c 275 s 1 subd 3

Subd. 49a. St. Croix Wild River State Park, Chisago County.

**History:** 1973 c 567 s 4; 1977 c 109 s 1; 1980 c 489 s 1 subd 8; 1999 c 157 s 2 subd 9

# MINNESOTA STATUTES 2004

Subd. 50. Sakatah Lake State Park, Le Sueur and Rice Counties.

**History:** 1963 c 790 art 5 s 1 subd 1(6); 1965 c 810 s 9 subd 8; 1965 c 901 s 77 subd 4; 1969 c 524 s 2; 1991 c 275 s 1 subd 4

Subd. 51. Savanna Portage State Park, Aitkin and St. Louis Counties.

**History:** 1961 c 226; 1963 c 790 art 5 s 1 subd 1(14); 1967 c 787 s 3 subd 17; 1969 c 524 s 2; 1996 c 372 s 1 subd 4; 1998 c 391 s 2 subd 6

Subd. 52. Scenic State Park, Itasca County.

**History:** 1921 c 345; 1923 c 444; 1935 c 320 s 7(A5); 1969 c 524 s 2; 1980 c 489 s 1 subd 9; 1987 c 128 s 2 subd 3; 1999 c 157 s 2 subd 10

Subd. 52a. Schoolcraft State Park, Cass and Itasca Counties, which is hereby renamed from Schoolcraft State Recreation Area.

**History:** 1959 c 102 s 1; 1969 c 524 s 3; 1994 c 448 s 1,5

Subd. 53. Sibley State Park, Kandiyohi County.

**History:** 1919 c 463; 1931 c 292; 1957 c 63; Ex1959 c 90 s 4 subd 2; Ex1961 c 60 s 4; 1963 c 790 art 5 s 1 subd 1(15); 1965 c 810 s 9 subd 5; 1967 c 787 s 3 subd 18; 1969 c 524 s 2; 1969 c 879 s 1 subd 11; 1973 c 628 s 1; 1974 c 406 s 79; 1980 c 489 s 1 subd 10; s 2; 2000 c 486 s 2 subd 6

Subd. 53a. Soudan Underground Mine State Park, St. Louis County.

**History:** 1963 c 790 art 6; 1965 c 415 s 1; 1969 c 524 s 2; 1982 c 477 s 1,2; 1987 c 128 s 3,7

Subd. 53b. Split Rock Creek State Park, Pipestone County, which is hereby renamed from Split Rock Creek State Recreation Area.

**History:** 1937 c 474 s 1(h); 1945 c 215 s 1; 1969 c 524 s 3; 1982 c 502 s 1,2; 1994 c 448 s 1,5; 1996 c 372 s 1 subd 5

Subd. 54. Split Rock Lighthouse State Park, Lake County.

**History:** 1945 c 256 s 2; 1967 c 787 s 1; 1969 c 524 s 2; 1979 c 320 s 1,2; 1997 c 236 s 4 subd 4; 2001 c 182 s 3 subd 8

Subd. 55. Temperance River State Park, Cook County.

**History:** 1957 c 421 s 1; 1969 c 524 s 2; 1984 c 599 s 1 subd 6; 1994 c 448 s 1; 1999 c 157 s 2 subd 11; s 4 subds 1,2

Subd. 55a. Tettegouche State Park, Lake County.

**History:** 1945 c 256 s 1; 1969 c 524 s 2; 1969 c 879 s 1 subd 2; 1979 c 301 s 10; 1981 c 110 s 1; 1984 c 599 s 1 subd 7; 1991 c 275 s 1 subd 5; 1994 c 448 s 1; 1998 c 391 s 2 subd 7; 1Sp2003 c 13 s 7 subd 3, s 8; 2004 c 262 art 2 s 11 subd 8

Subd. 56. [Repealed, 1980 c 489 s 7]

Subd. 57. [Renumbered subd 53a]

Subd. 58. Upper Sioux Agency State Park, Yellow Medicine County.

**History:** 1963 c 790 art 5 s 1 subd 1(5); 1969 c 524 s 2; 1969 c 956 s 1 subd 4; 1969 c 1029 s 1 subd 3; 1971 c 859 s 1 subd 12

Subd. 59. Whitewater State Park, Winona County.

**History:** 1919 c 463; Ex1961 c 60 s 4; 1963 c 810 s 9 subd 9; 1965 c 810 s 9 subd 9; 1967 c 787 s 3 subd 19; 1969 c 524 s 2; 1969 c 879 s 1 subd 12; 1971 c 859 s 5(c); 1980 c 489 s 3; 1984 c 599 s 1 subd 8; 1999 c 157 s 2 subd 12

Subd. 60. William O'Brien State Park, Washington County.

**History:** 1947 c 271; 1955 c 683 s 1(5); Ex1959 c 90 s 4 subd 2; 1963 c 790 art 5 s 1 subd 1(16); 1969 c 524 s 2; 1973 c 482 s 2; 1979 c 320 s 6; 1986 c 432 s 1 subd 4; 1994 c 448 s 1; 1995 c 215 s 1 subd 4; 1996 c 372 s 1 subd 6; 1999 c 157 s 2 subd 13

Subd. 61. Zippel Bay State Park, Lake of the Woods County, which is hereby renamed from Zippel Bay State Recreation Area.

**History:** 1959 c 63; Ex1961 c 60 s 4; 1969 c 524 s 3; 1969 c 879 s 1 subd 13; 1986 c 432 s 4; 1994 c 448 s 1,5

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

Subdivision 1. **Names, acquisition; administration.** (a) Designated monuments, recreation reserves, and waysides heretofore established and hereby confirmed as state monuments, state recreation areas and state waysides together with the counties in which they are situated are listed in this section and shall hereafter be named as indicated in this section.

(b) Any land that now is or hereafter becomes tax-forfeited land and is located within the described boundaries of a state recreation area as defined by session laws 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.

**History:** 1969 c 524 s 3; 1Sp2003 c 13 s 2

Subd. 2. [Repealed, 1975 c 353 s 41]

Subd. 2a. Belle Plaine State Wayside, Carver, Scott and Sibley Counties.

**History:** 1969 c 879 s 2 subd 2(d)

Subd. 2b. Blakeley State Wayside, Scott County.

**History:** 1969 c 879 s 2 subd 2(e); 1984 c 599 s 2

Subd. 2c. Big Bog State Recreation Area, Beltrami County.

**History:** 2000 c 488 art 3 s 20; 2000 c 492 art 1 s 37; 2001 c 182 s 4 subd 1; s 5; 2002 c 366 s 10 subd 1; 1Sp2003 c 13 s 9 subd 1

Subd. 3. [Repealed, 1975 c 353 s 41]

Subd. 4. [Repealed, 1975 c 353 s 41]

Subd. 5. Caribou Falls State Wayside, Lake County, which is hereby renamed from Caribou Falls State Park.

**History:** 1947 c 179 s 1; 1969 c 524 s 3

Subd. 5a. Carver Rapids State Wayside, Scott County.

**History:** 1969 c 879 s 2 subd 2(b)

Subd. 5b. [Repealed, 1975 c 353 s 41]

Subd. 5c. Cuyuna Country State Recreation Area, Crow Wing County.

**History:** 1993 c 172 s 34; 2002 c 366 s 10 subd 2; 2002 c 366 s 11; 2004 c 262 art 2.s

12

Subd. 6. [Repealed, 1975 c 353 s 41]

Subd. 7. [Repealed, 1975 c 353 s 41]

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

Subd. 9. Devils Track Falls State Wayside, Cook County, which is hereby renamed from Devils Track Falls State Park.

**History:** Ex1961 c 60 s 4; 1969 c 524 s 3

Subd. 10. Flood Bay State Wayside, Lake County, which is hereby renamed from Flood Bay Wayside Park.

**History:** 1965 c 566 s 1; 1969 c 524 s 3; 1984 c 599 s 3; 1986 c 432 s 3

Subd. 11. [Repealed, 1975 c 353 s 41]

Subd. 11a. Garden Island State Recreation Area; Lake of the Woods County.

**History:** 1998 c 391 s 3; 2001 c 182 s 4 subd 2

Subd. 12. Inspiration Peak State Wayside, Otter Tail County, which is hereby renamed from Inspiration Peak Park.

**History:** 1931 c 395 s 7(15); 1969 c 524 s 3

Subd. 12a. Iron Range Off-Highway Vehicle Recreation Area, St. Louis County.

**History:** 1996 c 407 s 32; 1997 c 192 s 2; 1999 c 231 s 99 subd 1; 2000 c 393 s 1; 1Sp2003 c 13 s 9 subd 2

Subd. 13. [Repealed, 1995 c 215 s 3]

Subd. 14. Joseph R. Brown State Wayside, Renville County, which is hereby renamed from Joseph R. Brown Memorial Park.

**History:** Ex1937 c 87 s 1; 1969 c 524 s 3

Subd. 15. Kodonce River State Wayside, Cook County, which is hereby renamed from Kodonce River State Park.

**History:** 1947 c 180 s 1; 1969 c 524 s 3

Subd. 16. [Repealed, 1994 c 448 s 4]

Subd. 16a. Lawrence State Wayside, Scott County.

**History:** 1969 c 879 s 2 subd 2(c)

Subd. 17. [Repealed, 1975 c 353 s 41]

Subd. 17a. Minnesota Valley State Recreation Area, Hennepin, Dakota, Scott, Carver, Sibley, and Le Sueur Counties.

**History:** 1994 c 448 s 2; 2003 c 24 s 1

Subd. 18. [Repealed, 1975 c 353 s 41]

Subd. 18a. [Repealed, 1994 c 448 s 4]

Subd. 19. [Repealed, 1987 c 128 s 4]

Subd. 20. [Repealed, 1995 c 215 s 3]

Subd. 20a. Red River State Recreation area, Polk County.

**History:** 2000 c 488 art 3 s 21; 2000 c 492 art 1 s 38

Subd. 21. Ray Berglund State Wayside, Cook County, which is hereby renamed from Ray Berglund State Scenic Memorial Wayside.

**History:** 1951 c 207; 1967 c 787 s 3 subd 20; 1969 c 524 s 3; 1969 c 879 s 1 subd 10

Subd. 21a. [Repealed, 1987 c 128 s 5]

Subd. 21b. Rush River State Wayside, Sibley County.

**History:** 1969 c 879 s 2 subd 2(f)

Subd. 22. Saint Croix Islands Recreation Area, Washington County, which is hereby renamed from Saint Croix Islands Scenic Reserve.

**History:** 1935 c 340 s 1; 1969 c 524 s 3; 1994 c 448 s 2

Subd. 23. Sam Brown Memorial State Wayside, Traverse County, which is hereby renamed from Sam Brown State Park.

**History:** 1929 c 357 s 1; 1969 c 524 s 3

Subd. 24. [Repealed, 1994 c 448 s 1]

Subd. 25. [Repealed, 1975 c 353 s 41]

Subd. 25a. [Repealed, 1975 c 353 s 41]

Subd. 26. [Repealed, 1994 c 448 s 1]

Subd. 27. [Repealed, 1975 c 353 s 41]

Subd. 28. [Repealed, 1994 c 448 s 1]



**85.014 PRIOR LAWS NOT ALTERED; REVISOR'S DUTIES.**

In compiling the next and subsequent editions of Minnesota Statutes the revisor of statutes shall substitute the provisions of sections 85.011 to 85.013, in accordance with the statutory numbering proposed therein, for sections 85.07 to 85.197. Such substitution shall in no way alter the effect of the laws from which said sections 85.07 to 85.197 are derived nor operate as a repeal of any of the provisions of said sections. The revisor may include as a note after each of the above named state parks, monuments, recreation areas and waysides a reference to the various laws establishing and relating to said park, monument, recreation area and wayside and shall make such rearrangement of the material in this chapter, as is necessary to carry out the provisions of this section. To the extent possible, the revisor shall include, in sections 85.012 and 85.013, new state parks, monuments, recreation areas, and waysides when established pursuant to law.

**History:** 1969 c 524 s 4

**85.015 STATE TRAILS.**

Subdivision 1. **Acquisition.** (a) 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 natural resources may acquire lands by gift or purchase, in fee or easement, for the trail and facilities related to the trail.

(b) Notwithstanding the offering to public entities, public sale, and related notice and publication requirements of sections 94.09 to 94.165, the commissioner of natural resources, in the name of the state, may sell surplus lands not needed for trail purposes at private sale to adjoining property owners and leaseholders. The conveyance must be by quitclaim in a form approved by the attorney general for a consideration not less than the appraised value.

Subd. 1a. **Private subsurface use of trails.** Notwithstanding section 272.68, subdivision 3, the commissioner may issue a permit, without a fee, to allow a person who owns land adjacent to a trail established under this section on land owned by the state in fee to continue a subsurface use of the trail right-of-way, if:

(1) the person was carrying on the use when the state acquired the land for the trail; and

(2) the use does not interfere with the public's use of the trail.

Subd. 1b. **Easements for ingress and egress.** Notwithstanding section 16A.695, when a trail is established under this section, a private property owner who has a preexisting right of ingress and egress over the trail right-of-way is granted, without charge, a permanent easement for ingress and egress purposes only. The easement is limited to the preexisting crossing and reverts to the state upon abandonment. Nothing in this subdivision is intended to diminish or alter any written or recorded easement that existed before the state acquired the land for the trail.

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

Subd. 2. **Casey Jones Trail, Murray, Redwood, and Pipestone Counties.** (a) The trail shall originate in Lake Shetek State Park in Murray County and include the six-mile loop between Currie in Murray County and Lake Shetek State Park. From there, the first half of the trail shall trail southwesterly to Slayton in Murray County; thence westerly to the point of intersection with the most easterly terminus of the state-owned abandoned railroad right-of-way, commonly known as the Casey Jones unit; thence westerly along said Casey Jones unit to Pipestone in Pipestone County; thence southwesterly to Split Rock Creek State Park in Pipestone County, and there terminate. The second half of the trail shall commence in Lake Shetek State Park in Murray County and trail northeasterly to Walnut Grove in Redwood County and there terminate.

(b) The trail shall be developed as a multiuse, multiseasonal, dual treadway trail. Nothing herein shall abrogate the purpose for which the Casey Jones unit was originally established, and the use thereof shall be concurrent.

Subd. 3. **Countryview Bicycle Trail, Ramsey and Washington Counties.** (a) The trail shall originate at Phalen Park in St. Paul and thence extend easterly through Oakdale and Lake Elmo to a point near South Twin Lake, and thence extend to Stillwater in Washington County and there terminate.

(b) The trail shall be developed primarily for the use of bicycles.

The commissioner may contract and enter into other agreements with state and local road authorities and with local governments in regard to the establishment, development, maintenance, and operation of the trail, including but not limited to speed regulation and signing of the trail.

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 Surface Transportation Board or the former Interstate Commerce Commission.

Subd. 5. **Glacial Lakes Trail, Kandiyohi, Pope, and Douglas Counties.** (a) The trail shall originate at Kandiyohi County Park on the north shore of Green Lake in Kandiyohi County and thence extend northwesterly to Sibley State Park, thence northwesterly to Glacial Lakes State Park in Pope County, thence northeasterly to Lake Carlos State Park in Douglas County, and there terminate.

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

Subd. 6. **Minnesota Valley Trail, Hennepin, Dakota, Scott, Carver, Sibley and Le Sueur Counties.** (a) The trail shall originate at Fort Snelling State Park and thence extend generally southwesterly along the Minnesota River Valley through Hennepin, Dakota, Scott, Carver, Sibley, and Le Sueur Counties to the city of Le Sueur, and there terminate. The trail shall include the following state waysides: (a) Rice Lake Wayside, in Scott County; (b) Carver Rapids Wayside, in Scott County; (c) Lawrence wayside, in Scott county; (d) Belle Plaine Wayside, in Carver, Scott, and Sibley Counties; (e) Blakeley Wayside, in Scott County; and (f) Rush River Wayside, in Sibley County.

(b) The trail shall be developed primarily for riding and hiking. Motorized vehicles are prohibited from that portion of the trail on the north side of the Minnesota River, lying between Fort Snelling State Park and Rice Lake Wayside.

(c) In establishing, developing, maintaining, and operating the trail the commissioner shall cooperate with local units of government and private individuals and groups whenever feasible.

Subd. 7. **Blufflands Trail system, Fillmore, Olmsted, Winona, and Houston Counties.** (a) The Root River Trail shall originate at Chatfield in Fillmore County, and thence extend easterly in the Root River Valley to the intersection of the river with Minnesota Trunk Highway No. 26 in Houston County, and extend to the Mississippi River.

(b) Additional trails may be established that extend the Blufflands Trail system to include La Crescent, Hokah, Caledonia, and Spring Grove in Houston County; Preston, Harmony, Fountain, Wykoff, Spring Valley, Mabel, Canton, and Ostrander in Fillmore County; Dover, Eyota, Stewartville, Byron, and Chester Woods County Park in Olmsted County; and Winona, Minnesota City, Rollingstone, Altura, Lewiston, Utica,

St. Charles, and Elba in Winona 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 trails shall be developed primarily for nonmotorized riding and hiking.

Subd. 8. **Sakatah Singing Hills trail, Blue Earth, Le Sueur, and Rice Counties.** (a) The trail shall originate at mile post 4.1 of the Chicago and Northwestern Railway Company right-of-way in the junction of Benning, Blue Earth County, and shall extend in a northeasterly direction along the railroad right-of-way to mile post 46.01 of the Chicago and Northwestern Railway at a point commonly known as Faribault Junction in Rice County, a distance of approximately 42 miles, and there terminate.

(b) The trail shall be developed primarily for riding and hiking. Motorized vehicles, except snowmobiles, are prohibited from the trail.

Subd. 8a. **Mill Towns Trail.** (a) The trail shall originate at a point commonly known as Faribault Junction in Rice County, the termination point of the Sakatah Singing Hills Trail, and shall extend through the towns of Faribault, Dundas, Northfield, Waterford, and Randolph, to the termination point of the Cannon Valley Trail in Cannon Falls. The trail may be located within the Cannon River Wild, Scenic, and Recreational Land Use District.

(b) The trail shall be developed primarily for riding and hiking. Motorized vehicles, except snowmobiles, are prohibited from the trail.

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 multiuse 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 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 Surface Transportation Board or the former 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.

Subd. 11. **Willard Munger 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.

(c) Additional trails shall be established that extend the Willard Munger Trail to include Proctor and Hermantown in St. Louis County.

**Subd. 12. Heartland Trail, Hubbard and Cass Counties.** (a) The trail shall originate at mile post 90.92 at Park Rapids in Hubbard County and shall extend in an easterly direction along the Burlington Northern Railroad right-of-way through Walker in Cass County. The trail shall then continue in a northerly direction along the Burlington Northern Railroad right-of-way to Cass Lake in Cass County, and there terminate.

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

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Heartland Trail may be acquired by eminent domain. Before acquiring any land or interest in land by eminent domain the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the Legislative Advisory Commission before granting approval. Recommendations of the Legislative Advisory Commission shall be advisory only. Failure or refusal of the commission to make a recommendation shall be deemed a negative recommendation.

**Subd. 13. Arrowhead Region Trails, in Cook, Lake, St. Louis, Koochiching and Itasca Counties.** (a)(1) The Taconite Trail shall originate at Ely in St. Louis County and extend southwesterly to Tower in St. Louis County, thence westerly to McCarthy Beach State Park in St. Louis County, thence southwesterly to Grand Rapids in Itasca County and there terminate;

(2) The Northshore Trail shall originate in Duluth in St. Louis County and extend northeasterly to Two Harbors in Lake County, thence northeasterly to Grand Marais in Cook County, thence northeasterly to the international boundary in the vicinity of the north shore of Lake Superior, and there terminate;

(3) The Grand Marais to International Falls Trail shall originate in Grand Marais in Cook County and extend northwesterly, outside of the Boundary Waters Canoe Area, to Ely in St. Louis County, thence southwesterly along the route of the Taconite Trail to Tower in St. Louis County, thence northwesterly through the Pelican Lake area in St. Louis County to International Falls in Koochiching County, and there terminate.

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

(c) In addition to the authority granted in subdivision 1, lands and interests in lands for the Arrowhead Region trails may be acquired by eminent domain. Before acquiring any land or interest in land by eminent domain the commissioner of administration shall obtain the approval of the governor. The governor shall consult with the Legislative Advisory Commission before granting approval. Recommendations of the Legislative Advisory Commission shall be advisory only. Failure or refusal of the commission to make a recommendation shall be deemed a negative recommendation.

**Subd. 14. State Trail, Chisago, Ramsey, and Washington Counties.** (a) The trail shall originate at the State Capitol and shall extend northerly and northeasterly to William O'Brien State Park, thence northerly to Taylors Falls in Chisago County, and there terminate.

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

(c) In addition to the authority granted in 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.

**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.

**Subd. 16. Superior Vista Trail; St. Louis and Lake Counties.** The trail shall originate at the city of Duluth and shall extend in a northeasterly direction along the shoreline of Lake Superior to the city of Two Harbors. The trail shall be designed for bicycles and hikers, shall utilize existing highway and railroad right-of-way where possible, and shall be laid out in a manner to maximize the view of Lake Superior while traversing the length of the trail.

**Subd. 17. Shooting Star Trail, Mower County.** (a) The trail shall originate in the city of LeRoy and extend in a northwesterly direction through Lake Louise State Park and the cities of Taopi, Adams, Rose Creek, and Lyle, to the city of Austin.

(b) Additional trails shall be established to connect with the Bluffland Trail system in Fillmore County and the trail from Riceville, Iowa.

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

**Subd. 18. Prairie Wildflower Trail, Mower, Dodge, Steele and Rice Counties.** (a) The trail shall follow an abandoned railroad line originating in the city of Austin and extending northwesterly through Blooming Prairie and Owatonna to the city of Faribault.

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

**Subd. 19. Blazing Star Trail, Freeborn and Mower Counties.** (a) The trail shall originate in the city of Albert Lea and extend to the city of Austin.

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

**Subd. 20. Stagecoach Trail; Steele, Dodge, and Olmsted Counties.** The trail shall originate at the Douglas Trail near the city of Rochester in Olmsted County and extend westerly along the Zumbro River Valley to the city of Mantorville and the village of Wasioja in Dodge County, following as closely as possible the Historic Stagecoach Trail to Wasioja, through Rice Lake State Park to the city of Owatonna in Steele County.

**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.

**Subd. 22. Minnesota River Trail.** The trail shall originate at the entrance to Big Stone Lake State Park and extend along the Minnesota River Valley to connect to the Minnesota Valley Trail at the city of Le Sueur.

**Subd. 23. Central Lakes Trail; Otter Tail, Grant, and Douglas Counties.** The trail shall originate at the city of Fergus Falls and extend in a southeasterly direction through Grant and Douglas Counties to the eastern boundary of Douglas County.

Subd. 24. **Cuyuna Lakes Trail, Crow Wing and Aitkin Counties.** (a) The trail alignments shall originate in Crow Wing County at the Paul Bunyan Trail in the city of Baxter and shall extend in an east-northeasterly direction to the city of Riverton, Crow Wing County, where they shall connect to the Sagamore Mine segment of the Cuyuna Country State Recreation Area. The trail alignments shall then continue in a northeasterly direction, generally along and using former railroad rights-of-way insofar as practical, to connect with the main body of the Cuyuna Country State Recreation Area, the communities of Ironton and Crosby in Crow Wing County, and the Croft Mine Historical Park. The trail alignments shall then continue in an east-northeasterly direction, generally along and using former railroad rights-of-way insofar as practical, to the city of Cuyuna in Crow Wing County, and then continue east to the city of Aitkin, Aitkin County, and there terminate.

(b) The trail shall be developed as a multiuse, multiseasonal, dual treadway trail.

**History:** 1971 c 859 s 6-8; Ex1971 c 3 s 96; 1973 c 684 s 1,2; 1973 c 743 s 1; 1974 c 407 s 1,2; 1975 c 113 s 1; 1975 c 271 s 6; 1980 c 458 s 12; 1982 c 639 s 30,31; 1983 c 344 s 23; 1986 c 444; 1988 c 436 s 1; 1988 c 628 s 4; 1988 c 679 s 1,2; 1991 c 254 art 2 s 13; 1992 c 456 s 1; 1993 c 285 s 4; 1994 c 391 s 1-3; 1994 c 632 art 2 s 21; 1994 c 643 s 47; 1995 c 26 s 1; 1995 c 220 s 66,67; 1996 c 407 s 33,34; 1997 c 216 s 65,66; 1998 c 318 s 1; 1998 c 401 s 25; 1999 c 95 s 1; 1999 c 231 s 100,101; 2000 c 488 art 3 s 22; 2000 c 492 art 1 s 39; 2001 c 27 s 1; 1Sp2001 c 2 s 84,85; 2002 c 366 s 2,3; 2003 c 2 art 4 s 2,3; 2004 c 262 art 1 s 9

**NOTE:** Subdivision 23, as added by Laws 2001, First Special Session chapter 2, section 85, is effective August 1, 2005. Laws 2001, First Special Session chapter 2, section 85, the effective date.

#### 85.0155 LAKE SUPERIOR WATER TRAIL.

Subdivision 1. **Creation.** A water trail is created along the Lake Superior shoreline from Park Point in Duluth to the border with Canada. The trail must be primarily developed for kayakers and campers, using existing public lands for designated rest areas.

Subd. 2. **Commissioner's duties.** The commissioner of natural resources must coordinate the creation of the water trail by placing signs for rest areas along the lake and working with other public agencies and private resorts owning land along the lake to do the same. At the earliest opportunity, the commissioner shall make available a water trail map depicting the designated rest areas for the touring public.

Subd. 3. **Gifts; donations.** The commissioner of natural resources is authorized to accept donations of land, or easements in land, for rest areas along the Lake Superior water trail, and may seek and accept money for this purpose from other public and private sources.

**History:** 1993 c 143 s 1

#### 85.0156 MISSISSIPPI WHITEWATER TRAIL.

Subdivision 1. **Creation.** An urban whitewater trail is created along the Mississippi River in the St. Anthony Falls area in Minneapolis. The trail must be primarily developed for whitewater rafters, canoers, and kayakers.

Subd. 2. **Commissioner's duties.** (a) The commissioner of natural resources must coordinate the creation of the Whitewater Trail by placing designation signs near and along the river and must publicize the designation.

(b) In designating the Mississippi Whitewater Trail, the commissioner must work with other federal, state, and local agencies and private businesses and organizations interested in the trail.

Subd. 3. **Gifts; donations.** The commissioner of natural resources is authorized to accept, on behalf of a nonprofit corporation, donations of land or easements in land for the Whitewater Trail and may seek and accept money for the trail from other public and private sources.

**History:** 1998 c 401 s 26; 1Sp2003 c 13 s 3

**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 pursuant to section 85.019, 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:** 1976 c 166 s 7; 1976 c 199 s 17; 1977 c 421 s 3; 1981 c 356 s 102,248; 1983 c 289 s 115 subd 1; 1984 c 558 art 4 s 10; 1987 c 255 s 1; 1987 c 312 art 1 s 26 subd 2; 1995 c 186 s 24

**85.017 TRAIL REGISTRY.**

The commissioner of natural resources shall compile and maintain a current registry of cross-country skiing, hiking, horseback riding and snowmobiling trails in the state and shall publish and distribute the information in the manner prescribed in section 86A.11. The Metropolitan Council, the commissioner of employment and economic development, the Minnesota Historical Society, and local units of government shall cooperate with and assist the commissioner in preparing the registry.

**History:** 1977 c 421 s 4; 1981 c 356 s 103; 1983 c 289 s 115 subd 1; 1987 c 312 art 1 s 26 subd 2; 1Sp2003 c 4 s 1

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

Subdivision 1. **Definitions.** For the purposes of this section:

- (a) "All-terrain vehicle" has the meaning given in section 84.92, subdivision 8.
- (b) "Commissioner" means the commissioner of the state agency from which the grants-in-aid are received.
- (c) "Off-road vehicle" has the meaning given in section 84.797, subdivision 7.
- (d) "Snowmobile" has the meaning given in section 84.81, subdivision 3.
- (e) "Trail" means a recreational trail that is funded in whole or in part by state grants-in-aid to a local unit of government.

Subd. 2. **Authority of local government.** (a) A local government unit that receives state grants-in-aid for any trail, with the concurrence of the commissioner, and the landowner or land lessee, may:

(1) designate the trail for use by snowmobiles or for nonmotorized use from December 1 to April 1 of any year; and

(2) issue any permit required under subdivisions 3 to 5.

(b) A local government unit that receives state grants-in-aid under section 84.794, subdivision 2, 84.803, subdivision 2, or 84.927, subdivision 2, for any trail, with the concurrence of the commissioner, and landowner or land lessee, may:

(1) designate the trail specifically for use at various times of the year by all-terrain or off-road vehicles or off-highway motorcycles, for nonmotorized use such as ski touring, snowshoeing, and hiking, and for multiple use, but not for motorized and nonmotorized use at the same time; and

(2) issue any permit required under subdivisions 3 to 5.

(c) A local unit of government that receives state grants-in-aid for any trail, with the concurrence of the commissioner and landowner or land lessee, may designate certain trails for joint use by snowmobiles, off-highway motorcycles, all-terrain and off-road vehicles.

Subd. 3. **Motorized use; permits, restrictions.** Permits may be issued for motorized vehicles, other than those designated, to use a trail designated for use by snowmobiles, off-highway motorcycles, all-terrain or off-road vehicles. Notice of the permit must be conspicuously posted, at the expense of the permit holder, at no less than one-half mile intervals along the trail, for the duration of the permit. Permits shall require that permit holders return the trail and any associated facility to their original condition if any damage is done by the permittee. Limited permits for special events such as races 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. **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.

Subd. 5. **Motorized vehicle trails restricted.** (a) From December 1 to April 1 in any year no use of a motorized vehicle other than a snowmobile, unless authorized by permit, lease or easement, shall be permitted on a trail designated for use by snowmobiles.

(b) From December 1 to April 1 in any year no use of a motorized vehicle other than an all-terrain or off-road vehicle and an off-highway motorcycle, unless authorized by permit, shall be permitted on a trail designated for use by all-terrain vehicles, off-road vehicles, or both, and off-highway motorcycles.

Subd. 6. **Exceptions.** The following motor vehicles are exempt from the provisions of subdivisions 3 to 5:

(a) military, fire, emergency or law enforcement vehicles used for official or emergency purposes;

(b) vehicles registered to the county, state or federal government;

(c) vehicles authorized by permit, lease or contract;

(d) vehicles owned by private persons engaged in the upkeep and maintenance of the trail systems under the direction of the local unit of government that manages the trail; and

(e) vehicles registered to or operated with the permission of a land owner on whose lands the trail system has been constructed, but only with respect to operation on the land of that owner.

Subd. 7. **Streets and highways.** This section does not apply to any portion of a trail located on any street or highway as defined in section 169.01.

Subd. 8. **Enforcement.** The provisions of this section may be enforced by officers of the Department of Natural Resources as provided in sections 97A.201 to 97A.235.

**History:** 1981 c 215 s 2; 1984 c 609 s 5; 1986 c 386 art 4 s 17; 1986 c 452 s 16; 1993 c 311 art 1 s 11-13; art 2 s 10-13; 1999 c 95 s 2

### 85.019 LOCAL RECREATION GRANTS.

Subdivision 1. **Definition.** For purposes of this section, "unit of government" means a county, statutory or home rule charter city, or town.

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.

Subd. 3. [Repealed by amendment, 1995 c 220 s 68]

Subd. 4. [Repealed by amendment, 1995 c 220 s 68]



Subd. 4a. **Natural and scenic areas.** The commissioner shall administer a program to provide grants to units of government and school districts for the acquisition and betterment of natural and scenic areas such as blufflands, prairies, shorelands, wetlands, and wooded areas. A grant may not exceed 50 percent or \$500,000, whichever is less, of the costs of acquisition and betterment of land acquired under this subdivision. The commissioner shall make payment to a unit of government upon receiving documentation of reimbursable expenditures.

Subd. 4b. **Regional trails.** The commissioner shall administer a program to provide grants to units of government for acquisition and betterment of public land and improvements needed for trails outside the metropolitan area deemed to be of regional significance according to criteria published by the commissioner. Recipients must provide a nonstate cash match of at least one-half of total eligible project costs. 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. The commissioner shall make payment to a unit of government upon receiving documentation of reimbursable expenditures. A unit of government may enter into a lease or management agreement for the trail, subject to section 16A.695.

Subd. 4c. **Trail connections.** The commissioner shall administer a program to provide grants to units of government for 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. Recipients must provide a nonstate cash match of at least one-half of total eligible project costs. 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. The commissioner shall make payment to a unit of government upon receiving documentation of reimbursable expenditures. A unit of government may enter into a lease or management agreement for the trail, subject to section 16A.695.

Subd. 5. **Powers; rules.** The commissioner has all powers necessary and convenient to implement this section, including the authority to adopt rules for the program under chapter 14.

**History:** 1993 c 172 s 35; 1994 c 643 s 48; 1995 c 220 s 68; 1996 c 407 s 35; 1998 c 404 s 35; 1999 c 231 s 102-104; 2000 c 492 art 1 s 40; 2002 c 393 s 42,43

**85.02** [Repealed, 1943 c 60 s 12]

## **85.021 ACQUISITION OF LAND, MINNESOTA VALLEY TRAIL.**

Subdivision 1. **Acquisition of entire tract.** The commissioner of natural resources on determining that it is necessary to acquire any interest in a part of a tract or parcel of real estate for purposes of the Minnesota Valley Trail, may acquire in fee the whole or any additional parts of the tract or parcel that the commissioner deems to be in the best interests of the state.

Subd. 2. **Conveyance of excess.** Within one year after acquiring excess real estate pursuant to subdivision 1, the commissioner of natural resources shall notify the governor that the excess real estate is available for sale. The commissioner shall then publish notice of sale for three successive weeks in a newspaper of general circulation in the territory from which bids are likely to be received. After receipt of sealed bids, and upon recommendation of the commissioner of natural resources, the governor shall convey the excess real estate by quitclaim deed in a form approved by the attorney general in the name of the state to the highest responsible bidder. The deed may contain restrictive clauses limiting the use of the real estate in the interest of preserving the integrity of the trail when the commissioner finds that the restrictions are reasonably necessary.

Subd. 3. **Leasing.** The commissioner may lease for the term between the acquisition and sale thereof and for a fair rental rate and upon terms and conditions that the commissioner deems proper, any excess real estate acquired under the provisions of this section and any real estate acquired in fee for natural resources purposes and not

presently needed therefor. All rents received from the leases shall be paid into the state treasury.

**History:** 1975 c 144 s 2; 1980 c 458 s 13,14; 1986 c 444

**85.03** [Repealed, 1969 c 524 s 5]

#### **85.04 ENFORCEMENT DIVISION EMPLOYEES.**

Subdivision 1. **Peace officer employment.** The commissioner of natural resources may employ peace officers as defined under section 626.84, subdivision 1, paragraph (c), to enforce laws governing the use of state parks, state monuments, state recreation areas, and state waysides.

Subd. 2. **Other employees.** The commissioner of natural resources may designate certain employees according to section 84.0835 to enforce laws governing the use of state parks, state monuments, state recreation areas, state waysides, state forest lands when incidental to normal forestry duties, and state forest subareas.

**History:** (6461) 1923 c 430 s 9; 1969 c 525 s 1; 2003 c 128 art 1 s 42; 2004 c 260 s 8

**85.041** [Repealed, 1980 c 384 s 3]

#### **85.045 ADOPT-A-PARK PROGRAM.**

Subdivision 1. **Creation.** The Minnesota adopt-a-park program is established. The commissioner shall coordinate the program through the regional offices of the Department of Natural Resources.

Subd. 2. **Purpose.** The purpose of the program is to encourage business and civic groups or individuals to assist, on a volunteer basis, in improving and maintaining state parks, state recreation areas, monuments, historic sites, and trails.

Subd. 3. **Agreements.** (a) The commissioner shall enter into informal agreements with business and civic groups or individuals for volunteer services to maintain and make improvements to real and personal property in state parks, monuments, historic sites, and trails in accordance with plans devised by the commissioner after consultation with the groups.

(b) The commissioner may erect appropriate signs to recognize and express appreciation to groups and individuals providing volunteer services under the adopt-a-park program.

(c) The commissioner may provide assistance to enhance the comfort and safety of volunteers and to facilitate the implementation and administration of the adopt-a-park program.

Subd. 4. **Worker displacement prohibited.** The commissioner may not enter into any agreement that has the purpose of or results in the displacement of public employees by volunteers participating in the adopt-a-park program under this section. The commissioner must certify to the appropriate bargaining agent that the work performed by a volunteer will not result in the displacement of currently employed workers or workers on seasonal layoff or layoff from a substantially equivalent position, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits.

**History:** 1991 c 242 s 1; 1993 c 172 s 36; 1997 c 187 art 3 s 22

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

#### **85.0505 FOOD AND BEVERAGE SERVICE IN STATE PARKS.**

Subdivision 1. **Itasca State Park.** Minnesota produced wine and beer 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.

Subd. 2. **John A. Latsch State Park.** (a) Liquor may be sold and consumed by the drink at the restaurant in John A. Latsch State Park, subject to other laws relating to

the sale of intoxicating liquor, and provided that the restaurant is operated by a private entity as provided in paragraph (b).

(b) The commissioner of natural resources may contract with a private person, firm, or corporation to operate the restaurant in John A. Latsch State Park.

**History:** 1987 c 128 s 6; 1997 c 236 s 2

**85.051** [Repealed, 1989 c 335 art 4 s 109]

**85.052 USES OF STATE PARKS; FEES.**

Subdivision 1. **Authority to establish.** (a) The commissioner may establish, by written order, provisions for the use of state parks for the following:

(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; and

(4) providing water, sewer, and electric service to trailer or tent campsites and charging a reasonable use fee.

(b) Provisions established under paragraph (a) are exempt from section 16A.1283 and the rulemaking provisions of chapter 14. Section 14.386 does not apply.

Subd. 2. **State park pageants.** (a) 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.

(b) The commissioner may establish, by written order, state park pageant areas to hold historical or other pageants conducted by the commissioner of a state agency or other public agency. Establishment of the areas is exempt from the rulemaking provisions of chapter 14 and section 14.386 does not apply.

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 a physically handicapped person:

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

(2) who possesses a certificate issued under section 169.345, subdivision 3.

Subd. 4. **Deposit of fees.** (a) Fees paid for providing contracted products and services within a state park, state recreation area, or wayside, and for special state park uses under this section shall be deposited in the natural resources fund and credited to a state parks 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 credited to the general fund.

Subd. 5. **Establishing fees.** Except as otherwise specified in law, and notwithstanding sections 16A.1283 and 16A.1285, subdivision 2, the commissioner shall, by written order, establish fees providing for the use of state parks and state recreation areas. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

Subd. 6. **State park reservation system.** The commissioner may, by written order, develop reasonable reservation policies for campsites and other lodging. These policies are exempt from rulemaking provisions under chapter 14 and section 14.386 does not apply.

**History:** 1987 c 253 s 1; 1989 c 335 art 4 s 106; 1Sp2001 c 2 s 86; 2003 c 128 art 1 s 43; 2004 c 221 s 16-19; 2004 c 255 s 14

### 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 January 1 of the calendar year that the permit is valid. A separate motorcycle permit may be prepared and provided by the commissioner.

(b) An annual state park permit must be affixed when purchased and may be used from the time it is affixed for a 12-month period. 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. State park permits also may be consigned to and issued by agents designated by the commissioner who are not employees of the Division of Parks and Recreation. All proceeds from the sale of permits and all unsold permits consigned to agents shall be returned to the commissioner at such times as the commissioner may direct, but no later than the end of the calendar year for which the permits are effective. No part of the permit fee may be retained by an agent. An additional charge or fee in an amount to be determined by the commissioner, but not to exceed four percent of the price of the permit, may be collected and retained by an agent for handling or selling the permits.

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. Except for vehicles permitted under subdivision 7, paragraph (a), clause (2), 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. 2a. **Split Rock Lighthouse State Park.** Notwithstanding subdivision 2, the commissioner of natural resources may negotiate with the Minnesota Historical Society a special fee structure for the Split Rock Lighthouse state historic site within Split Rock Lighthouse State Park.

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. **One-day permits.** The commissioner shall prescribe a special state park permit for use of state parks, state recreation areas, or state waysides for one day under conditions prescribed by the commissioner. For campers, the permit shall allow for the use of the park where camped from the time of purchase until the camping check-out time of the following day.

Subd. 5. **Daily vehicle permit for groups.** The commissioner shall prescribe a special daily vehicle state park permit for groups for use of state parks, state recreation areas, or state waysides for up to one day under conditions prescribed by the commissioner.

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.** (a) The commissioner shall prescribe and issue special state park permits for:

(1) a physically handicapped person with a motor vehicle (i) that has special plates issued under section 168.021, subdivision 1, or (ii) who has a permanent disability certificate issued under section 169.345, subdivision 3, and who can demonstrate proof of ownership of the vehicle for which the state park permit is being purchased or proof of a leasehold interest in the vehicle for a term at least as long as the term of the permit; and

(2) a physically handicapped person who: (i) does not own or operate a motor vehicle; (ii) possesses a statement certified under section 169.345, subdivision 2a; and (iii) applies to the commissioner in writing.

(b) Except for vehicles permitted under paragraph (a), clause (2), 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; 1989 c 137 s 1; 1990 c 427 s 1; 1991 c 254 art 2 s 15; 1992 c 481 s 1; 1994 c 458 s 1,2; 1996 c 407 s 36; 2000 c 278 s 1,2; 2003 c 128 art 1 s 44; 2004 c 228 art 1 s 19

#### 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.

Subd. 4. **Jay Cooke State Park.** A state park permit is not required and a fee must not be charged for motor vehicle entry or parking at the Veterans Memorial scenic overlook portion of Jay Cooke State Park.

Subd. 5. **Gooseberry Falls State Park.** A state park permit is not required and a fee must not be charged for motor vehicle entry or parking at the Class I highway rest area parking lot located adjacent to U.S. Route No. 61 and the Gooseberry River at Gooseberry Falls State Park.

Subd. 6. **Iron Range off-highway vehicle recreation area.** A state park permit is not required and a fee may not be charged for motor vehicle entry or parking at the Iron Range off-highway vehicle recreation area, except that the commissioner may establish special event fees.

Subd. 7. **Tettegouche State Park.** A state park permit is not required and a fee may not be charged for motor vehicle entry at Palisade Head in Tettegouche State Park, provided that motor vehicles entering the park under this provision may not be parked

at Palisade Head for more than one hour. A state park permit is not required and a fee may not be charged for the Class I rest area parking area at Tettegouche State Park.

Subd. 8. **Zippel Bay State Park.** A state park permit is not required and a fee may not be charged for motor vehicle entry or parking at the parking area located adjacent to County State Aid Highway No. 4 at Zippel Bay State Park, Lake of the Woods County.

Subd. 9. **Lake Bemidji State Park.** A state park permit is not required and a fee may not be charged for motor vehicle entry to, use of roads to, or parking at the Department of Natural Resources regional headquarters portion of Lake Bemidji State Park.

Subd. 10. **Red River State Recreation Area.** A state park permit is not required and a fee may not be charged for any portion of the Red River State Recreation Area located outside of the campground.

**History:** 1987 c 253 s 3; 1994 c 448 s 3; 1995 c 215 s 2; 1996 c 407 s 37; 1997 c 236 s 3; 1998 c 391 s 1; 2002 c 376 s 3; 2004 c 255 s 15,16

### 85.055 STATE PARK PERMIT FEES.

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

- (1) an annual use of state parks is \$25;
- (2) a second vehicle state park permit is \$18;
- (3) a state park permit valid for one day is \$7;
- (4) a daily vehicle state park permit for groups is \$5;
- (5) an employee's state park permit is without charge; and
- (6) a state park permit for handicapped persons under section 85.053, subdivision 7, clauses (1) and (2), is \$12.

The fees specified in this subdivision include any sales tax required by state law.

Subd. 1a. **Patron permit fee.** Notwithstanding section 16A.1283, the commissioner of natural resources may, by written order, provide a special patron permit allowing persons to pay an additional amount above the annual permit fee required in subdivision 1. The additional amount paid under this subdivision is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

Subd. 2. **Fee deposit and appropriation.** The fees collected under this section shall be deposited in the natural resources fund and credited to a state parks account.

**History:** 1987 c 253 s 4; 1988 c 686 art 1 s 55; 1989 c 335 art 4 s 22; 1991 c 254 art 2 s 16; 1994 c 458 s 3; 1996 c 407 s 38; 1997 c 216 s 67; 2001 c 7 s 22; 1Sp2001 c 2 s 87; 2003 c 128 art 1 s 45; 2004 c 221 s 20

### 85.06 SCHOOLHOUSES IN CERTAIN STATE PARKS.

The commissioner is hereby authorized to allow the construction and use of schoolhouses in any state park the area of which is not less than 3,000 acres.

**History:** (6472) 1919 c 368 s 1

85.07 [Renumbered 85.012, subd 29]

85.071 [Renumbered 85.012, subd 21]

85.08 [Renumbered 85.012, subd 28]

85.081 [Renumbered 85.012, subd 31]

85.082 [Renumbered 85.013, subd 9]

85.083 [Renumbered 85.012, subd 22]

85.085 [Renumbered 85.012, subd 49]

# MINNESOTA STATUTES 2004

- 85.09 [Renumbered 85.012, subd 43]
- 85.10 [Alexander Ramsey State Park transferred to Redwood Falls, 1957 c 230]
- 85.101 [Renumbered 85.012, subd 40]
- 85.102 Subdivision 1. [Renumbered 85.012, subd 3]
  - Subd. 2. [Renumbered 85.012, subd 54]
  - Subd. 3. [Obsolete, 1969 c 524 s 4]
- 85.103 [Renumbered 85.10, subd 4]
- 85.11 [Renumbered 85.012, subd 17]
- 85.111 [Renumbered 85.012, subd 14]
- 85.12 [Horace Austin State Park transferred to city of Austin, 1949 c 425 s 1; 1959 c 4 s 1,2]
- 85.122 [Renumbered 85.012, subd 42]
- 85.13 [Renumbered 85.012, subd 7]
- 85.14 [Renumbered 85.013, subd 23]
- 85.15 [Renumbered 85.012, subd 13]
- 85.16 [Oronoco Park conveyed to Olmsted County pursuant to Laws 1965 c 810 s 9]
- 85.161 [Renumbered 85.012, subd 33]
- 85.162 [Renumbered 85.012, subd 45]
- 85.163 [Renumbered 85.012, subd 32]
- 85.164 [Renumbered 85.012, subd 11]
- 85.165 [Renumbered 85.012, subd 47]
- 85.17 [Renumbered 85.013, subd 14]
- 85.171 [Renumbered 85.012, subd 15]
- 85.172 [Renumbered 85.013, subd 7]
- 85.173 [Renumbered 85.013, subd 20]
- 85.174 [Renumbered 85.013, subd 5]
- 85.175 [Renumbered 85.013, subd 15]
- 85.176 [Renumbered 85.012, subd 60]
- 85.177 [Renumbered 85.012, subd 27]
- 85.178 [Renumbered 85.012, subd 12]
- 85.179 [Renumbered 85.012, subd 55]
- 85.18 Subdivision 1. [Obsolete, 1969 c 524 s 4]
  - Subd. 2. [Renumbered 85.012, subd 5]
  - Subd. 3. [Renumbered 85.012, subd 9]
  - Subd. 4. [Renumbered 85.012, subd 16]

- Subd. 5. [Renumbered 85.012, subd 38]
- Subd. 6. [Renumbered 85.012, subd 44]
- Subd. 7. [Renumbered 85.012, subd 8]
- Subd. 8. [Pomme de Terre recreation reserve conveyed to city of Morris pursuant to Laws 1965 c 810 s 9]
- Subd. 9. [Renumbered 85.013, subd 26]
- Subd. 10. [Renumbered 85.012, subd 34]
- Subd. 11. [Renumbered 85.012, subd 25]
- 85.181** [Renumbered 85.012, subd 51]
- 85.182** [Renumbered 85.012, subd 4]
- 85.183** [Renumbered 85.012, subd 6]
- 85.184** [Renumbered 85.012, subd 18]
- 85.185** Subdivision 1. [Obsolete, 1969 c 524 s 4]
  - Subd. 2. [Obsolete, 1969 c 524 s 4]
  - Subd. 3. [Renumbered 85.012, subd 41]
  - Subd. 4. [Renumbered 85.012, subd 24]
  - Subd. 5. [Renumbered 85.012, subd 23]
  - Subd. 6. [Renumbered 85.012, subd 19]
  - Subd. 7. [Renumbered 85.012, subd 58]
  - Subd. 8. [Renumbered 85.012, subd 50]
  - Subd. 9. [Renumbered 85.012, subd 36]
  - Subd. 10. [Renumbered 85.012, subd 37]
  - Subd. 11. [Renumbered 85.012, subd 48]
  - Subd. 12. [Renumbered 85.012, subd 39]
  - Subd. 13. [Renumbered 85.012, subd 2]
  - Subd. 14. [Renumbered 85.012, subd 46]
  - Subd. 15. [Renumbered 85.012, subd 56]
- 85.186** [Renumbered 85.012, subd 57]
- 85.1865** [Obsolete, 1969 c 524 s 4]
- 85.187** [Obsolete, 1969 c 524 s 4]
- 85.1871** Subdivision 1. [Renumbered 85.012, subd 54]
  - Subd. 2. [Renumbered 85.012, subd 26]
  - Subd. 3. [Obsolete, 1969 c 524 s 4]
  - Subd. 4. [Renumbered 85.012, subd 30]
- 85.188** [Obsolete, 1969 c 524 s 4]
- 85.189** [Obsolete, 1969 c 524 s 4]
- 85.19** [Obsolete, 1969 c 524 s 4]
- 85.191** [Renumbered 85.013, subd 28]
- 85.192** [Renumbered 85.013, subd 24]
- 85.193** [Renumbered 85.013, subd 16]
- 85.194** [Renumbered 85.013, subd 8]
- 85.195** [Renumbered 85.013, subd 10]



**85.196** [Renumbered 85.012, subd 20]

**85.197** [Renumbered 85.013, subd 21]

**85.198** [Repealed, 1971 c 859 s 14]

### **85.20 VIOLATIONS OF RULES; LITTERING; PENALTIES.**

Subdivision 1. **Violation of rules.** Any person who, within the limits of any state park, state monument, state recreation area, state wayside, or area of state land reserved from sale, as provided by Laws 1923, chapter 430, shall willfully cut, injure, or destroy any live tree, shrub, timber, evergreen, or ornamental plant of any kind, or who shall willfully injure, remove, destroy, deface, or mutilate any guideboard, guidepost, furniture, fixture, improvement, monument, tablet, or other property of the state of any kind, or who shall willfully violate, or fail to comply with, any rule of the commissioner adopted and promulgated in accordance with the provisions of Laws 1923, chapter 430, shall be guilty of a misdemeanor.

Subd. 2. [Repealed, 1975 c 353 s 41]

Subd. 3. [Repealed, 1975 c 353 s 41]

Subd. 4. [Repealed, 1975 c 353 s 41]

Subd. 5. [Repealed, 1975 c 353 s 41]

Subd. 6. **Littering; penalty.** (a) No person shall drain, throw, or deposit upon the lands and waters within any unit of the outdoor recreation system as defined in section 86A.04 any substance, including cigarette filters and debris from fireworks, that would mar the appearance, create a stench, destroy the cleanliness or safety of the land, or would be likely to injure any animal, vehicle, or person traveling upon those lands and waters. The operator of a vehicle or watercraft, except a school bus or a vehicle transporting passengers for hire and regulated by a successor agency of the former Interstate Commerce Commission, shall not permit articles to be thrown or discarded from the vehicle upon any lands or waters within any unit of the outdoor recreation system.

(b) Violation of this subdivision is a misdemeanor. Any person sentenced under this subdivision shall in lieu of the sentence imposed be permitted, under terms established by the court, to work under the direction of the Department of Natural Resources at clearing rubbish, trash, and debris from any unit of the outdoor recreation system. The court may for any violation of this subdivision order the offender to perform such work under terms established by the court with the option of a jail sentence being imposed.

(c) In lieu of enforcement under paragraph (b), this subdivision may be enforced by imposition of a civil penalty and an action for damages for littering under section 115A.99.

**History:** (6462, 6467-6, 6471, 6490, 6496, 6500, 6504, 6508) RL s 2500,2503; 1905 c 297 s 5; 1911 c 259 s 5; 1911 c 355 s 5; 1913 c 361 s 5; 1923 c 430 s 10; 1933 c 396 s 6; 1969 c 525 s 3,4; 1975 c 168 s 1; 1985 c 248 s 70; 1994 c 412 s 1; 2002 c 351 s 2; 2003 c 2 art 4 s 4; 2003 c 28 art 1 s 9

### **85.205 RECEPTACLES FOR RECYCLING.**

The commissioner of natural resources must provide recycling conveniences at all state parks.

(a) State park managers must provide and maintain adequate receptacles for collection of food containers for recycling in all state parks.

(b) Appropriate recycling information must be available to all state park visitors.

(c) State park managers must post a notice of recycling availability at appropriate locations within each state park.

(d) State park managers must where practicable recycle the gathered recyclable materials, provide for the local unit of government to recycle the gathered materials, or contract with private nonprofit groups for recycling.

(e) Money collected by state park managers for recycling must be deposited in the state treasury and credited to the general fund.

**History:** 1989 c 205 s 1; 1990 c 594 art 3 s 3

### 85.21 STATE OPERATION OF PARK, MONUMENT, RECREATION AREA AND WAYSIDE FACILITIES; LICENSE NOT REQUIRED.

The state, in its operation of state park, state monument, state recreation area, and state wayside facilities, shall not be required to obtain or pay for permits or licenses required by statute or by ordinance of governmental subdivisions of private operators in conducting or maintaining similar business or facilities.

**History:** 1945 c 370 s 1; 1969 c 525 s 5

### 85.22 STATE PARKS WORKING CAPITAL FUND.

Subdivision 1. **Designation.** The revolving fund established under Laws 1941, chapter 548, section 37, subdivision E, item 4 is the state parks working capital account. The account is to be used to maintain and operate the revenue producing facilities and to operate the resource management and interpretive programs in the state parks within the limits in this section.

Subd. 2. [Repealed, 1965 c 901 s 72]

Subd. 2a. **Receipts, appropriation.** All receipts derived from the rental or sale of state park items, tours at Forestville State Park, and operation of Douglas Lodge shall be deposited in the state treasury and be credited to the state parks working capital account. Receipts and expenses from Douglas Lodge shall be tracked separately within the account. Money in the account is annually appropriated for the purchase and payment of expenses attributable to items for resale or rental and operation of Douglas Lodge. Any excess receipts in this account are annually appropriated for state park management and interpretive programs.

Subd. 3. **Charges sufficient to defray expenses.** Notwithstanding section 16A.1283, the commissioner of natural resources shall, by written order, adjust the schedule of charges for operating facilities within state parks so as to produce income sufficient to defray all expenses required to provide proper operations of said facilities. An adjustment to the schedule of charges is not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

Subd. 4. [Repealed, 1965 c 901 s 72]

Subd. 5. **Exemption.** Purchases made from the state parks working capital fund are exempt from competitive bidding, notwithstanding chapter 16C.

**History:** 1951 c 460 s 1-4; 1965 c 901 s 71; 1969 c 399 s 1; 1969 c 1129 art 10 s 2; 1981 c 356 s 276; 1Sp1985 c 13 s 199; 1986 c 444; 1989 c 335 art 4 s 23,24; 1991 c 254 art 2 s 17,18; 1993 c 172 s 37; 2003 c 28 art 1 s 10; 2004 c 221 s 21; 2004 c 255 s 17

### 85.23 COOPERATIVE LEASES OF AGRICULTURAL LANDS.

On any agricultural lands however acquired, located within a state park, where the use of the lands would not conflict with normal park uses, cooperative farming leases on a sharecrop basis may be completed with nearby farmers to provide needed park services such as grassland restoration or development, weed control, and the provision of food plots, such as corn, for deer, pheasants and other wildlife species that are indigenous to the habitats existing in state parks and which are of value and interest to state park visitors and the general public.

The sharecropping leases may be entered into for state park lands in lieu of any rental arrangement established for use with respect to state lands in any other provision of law.

**History:** 1977 c 249 s 1

85.26 [Expired]

85.27 [Expired]

85.28 [Expired]

85.29 [Expired]

85.30 [Repealed, 1990 c 594 art 3 s 15]

85.31 [Expired]

### 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, Pomme de Terre within Swift County, Watonwan, Cottonwood, Whitewater, Chippewa from Benson in Swift County to Montevideo in Chippewa County, Long Prairie, Red River of the North, 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.

Subd. 2. **Camp sites, rest areas, river accesses and portages, land acquisition.** The commissioner may, in cooperation with local units of government as provided in subdivision 1, acquire land by purchase, grant, gift, devise, exchange, lease or easement for camp sites, rest areas, river accesses and portages. The acquisition of any parcel of land pursuant to this subdivision shall not exceed 20 acres, unless it will or should require a land survey or a larger parcel will be in the best interest of the state, in which case the commissioner may acquire land not to exceed 40 acres or unless specifically authorized by the executive council. The commissioner may also develop and be responsible for the maintenance of campsites, rest areas, river accesses, and portages on the areas acquired, or in cooperation with local units of government, organizations, or individuals, along those rivers designated in subdivision 1.

Subd. 3. **Dedication, application of statute.** Areas acquired by easement or lease or areas designated and marked under this section shall not be subject to the provisions of section 160.06.

**History:** 1963 c 386 s 1; 1967 c 862 s 1-3; 1967 c 905 s 5; 1969 c 1129 art 10 s 2; 1975 c 37 s 1,2; 1976 c 24 s 1; 1976 c 346 s 3; 1977 c 224 s 1; 1983 c 116 s 1; 1995 c 220 s 69; 1996 c 280 s 1; 2000 c 381 s 1; 1Sp2001 c 2 s 88

### 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 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, in the manner provided by chapter 14, which limit or prohibit the operation or use of motorboats 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. **Rules below the mouth of the Snake River.** After October 1, 1974, if the commissioner of natural resources has not established rules 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 86B.205, subdivision 9, the commissioner may establish such rules pursuant to section 86B.205, subdivision 9, notwithstanding the absence of a request from a local governmental unit and notwithstanding the absence of approval of the rules by a majority of the counties affected.

**Subd. 4. Concurrent rules required.** Rules promulgated by the commissioner pursuant to this section are effective upon adoption of laws or rules 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 promulgated thereunder by the commissioner is guilty of a misdemeanor.

**History:** 1973 c 557 s 1; 1982 c 424 s 130; 1985 c 248 s 70; 1986 c 444; 1990 c 391 art 8 s 16

### 85.34 FORT SNELLING LEASE.

**Subdivision 1. Upper bluff; lease terms.** The commissioner of natural resources with the approval of the Executive Council may lease for purposes of restoration, preservation, historical, recreational, educational, and commercial use and development, that portion of Fort Snelling State Park known as the upper bluff consisting of officer's row, area J, the polo grounds, the adjacent golf course, and all buildings and improvements located thereon, all lying within an area bounded by Minneapolis-St. Paul International Airport, Trunk Highways numbered 5 and 55, and Bloomington Road. The lease or leases shall be in a form approved by the attorney general and for a term of not to exceed 99 years. The lease or leases may provide for the provision of capital improvements or other performance by the tenant or tenants in lieu of all or some of the payments of rent that would otherwise be required.

**Subd. 2. Admission.** Admission to the property leased pursuant to subdivision 1 shall be exempt from any state park permit or admission fees imposed pursuant to law.

**Subd. 3. Sale of intoxicating liquor.** The commissioner of public safety with the approval of the Executive Council may issue to the lessee or developer of the property leased pursuant to subdivision 1, an on-sale license for the sale of intoxicating liquor upon the leased property. The annual fee for the license issued pursuant to this subdivision shall be set by the commissioner of public safety at an amount comparable to the fee charged by municipalities in the surrounding area for a similar license. All provisions of chapter 340 shall apply to the sale of intoxicating liquor upon the leased property.

**Subd. 4.** [Repealed, 2004 c 255 s 51]

**Subd. 5. Rule exception.** The commissioner of natural resources may provide an exception, in whole or in part, to the rules for use of state parks and other recreational areas for property leased pursuant to subdivision 1. The exception may be provided by commissioner's order and shall be effective for the term of the lease or such lesser period of time specified by the commissioner.

**Subd. 6. Minneapolis lease.** A lease to the Minneapolis Park and Recreation Board for the purposes of athletic fields and golf course operations is subject to subdivisions 1 to 5, except as provided in this subdivision. Approval of the Executive Council is not required for the lease or the issuance of a liquor license. A lease of any portion of Officer's Row or Area J may include a charge to be paid by the tenant for repayment of a portion of the costs incurred by the Minneapolis Park and Recreation Board for the installation of a new water line on the upper bluff. The total amount to be repaid to the Minneapolis Park and Recreation Board by tenants of Officer's Row and Area J shall not exceed \$450,000.

**Subd. 7. Disposition of proceeds.** (a) All revenue derived from the lease of the Fort Snelling upper bluff, with the exception of payment for costs of the water line as

described in subdivision 6, shall be deposited in the natural resources fund and credited to a state park account.

(b) Revenue and expenses from the upper bluff shall be tracked separately within the account. Money in the account derived from the leasing or operation of the property described in subdivision 1 may be appropriated for the payment of expenses attributable to the leasing and operation of the property described in subdivision 1, including, but not limited to, the maintenance, repair, and rehabilitation of historic buildings and landscapes.

**History:** 1978 c 573 s 1; 2000 c 488 art 3 s 23-25; 2004 c 255 s 18,19

#### 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 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.

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; 1984 c 654 art 2 s 86; 1999 c 231 s 105

#### 85.41 CROSS-COUNTRY SKI PASSES.

Subdivision 1. **Pass in possession.** While skiing on cross-country ski trails, a person age 16 or 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.

Subd. 2. **License agents.** (a) The commissioner may appoint agents to issue and sell cross-country ski passes. The commissioner may revoke the appointment of an agent at any time.

(b) The commissioner may promulgate additional rules as provided in section 97A.485, subdivision 11. An agent shall observe all rules promulgated by the commissioner for the accounting and handling of licenses pursuant to section 97A.485, subdivision 11.

(c) An agent must promptly deposit and remit all moneys received from the sale of passes, except issuing fees, to the commissioner.

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. **Issuance.** The commissioner and agents shall issue and sell cross-country ski passes. 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.** In addition to the fee for a cross-country ski pass, an issuing fee of \$1 per pass shall be charged. The issuing fee shall be retained by the seller of the pass. Issuing fees for passes issued by the commissioner shall be deposited in the cross-country ski account in the natural resources fund and retained for the operation of the electronic licensing system. A pass shall indicate the amount of the fee that is retained by the seller.

**History:** 1983 c 325 s 3; 1984 c 654 art 2 s 87-89; 1985 c 248 s 70; 1986 c 444; 1987 c 149 art 2 s 6; 1987 c 404 s 101; 1993 c 231 s 3; 1999 c 231 s 106-108; 2000 c 260 s 14; 2004 c 255 s 20-22

#### **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:** 1983 c 325 s 4; 1987 c 404 s 102; 1999 c 231 s 109

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

(a) Fees from cross-country ski passes shall be deposited in the state treasury and credited to a cross-country ski account in the natural resources fund and, except as provided in paragraph (b), are appropriated to the commissioner of natural resources for:

(1) 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

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

(b) The commissioner shall retain for the operation of the electronic licensing system a commission of 4.7 percent of all cross-country ski pass fees collected.

**History:** 1983 c 325 s 5; 1Sp1985 c 13 s 200; 1987 c 404 s 103; 2004 c 255 s 23

#### **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:** 1983 c 325 s 6; 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.

Subd. 2. **False statements.** A person who knowingly makes a false statement related to an application for a cross-country ski pass is guilty of a petty misdemeanor.

**History:** 1983 c 325 s 7; 1987 c 404 s 104; 1993 c 231 s 4; 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