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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **419**

January 29, 2007

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The bill was read for the first time and referred to the Committee on Environment and Natural Resources

March 21, 2007

Committee Recommendation and Adoption of Report:

To Pass and re-referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to natural resources; modifying the off-highway vehicle damage account;
1.3 amending Minnesota Statutes 2006, section 84.780.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. Minnesota Statutes 2006, section 84.780, is amended to read:

1.6 **84.780 OFF-HIGHWAY VEHICLE DAMAGE ACCOUNT.**

1.7 (a) The off-highway vehicle damage account is created in the natural resources fund.

1.8 Money in the off-highway vehicle damage account is appropriated to the commissioner of
1.9 natural resources for the repair or restoration of property damaged by the illegal operation
1.10 of off-highway vehicles ~~in an unpermitted area~~ after August 1, 2003, and for the costs
1.11 of administration for this section. Before the commissioner may make a payment from
1.12 this account, the commissioner must determine whether the damage to the property was
1.13 caused by the ~~unpermitted~~ illegal use of off-highway vehicles, that the applicant has made
1.14 reasonable efforts to identify the responsible individual and obtain payment from the
1.15 individual, and that the applicant has made reasonable efforts to prevent reoccurrence.

1.16 ~~By June 30, 2008, the commissioner of finance must transfer the remaining balance in the~~
1.17 ~~account to the off-highway motorcycle account under section 84.794, the off-road vehicle~~
1.18 ~~account under section 84.803, and the all-terrain vehicle account under section 84.927.~~
1.19 ~~The amount transferred to each account must be proportionate to the amounts received in~~
1.20 ~~the damage account from the relevant off-highway vehicle accounts.~~

1.21 (b) Determinations of the commissioner under this section may be made by written
1.22 order and are exempt from the rulemaking provisions of chapter 14. Section 14.386
1.23 does not apply.

- 2.1 (c) ~~This section expires July 1, 2008~~ Money in the account is available until
- 2.2 expended.