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Page No. **111**

State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1507**

March 1, 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 as Amended

Read Second Time

A bill for an act

relating to natural resources; modifying acquisition authority for state trails; modifying requirements for certain recreational vehicles; establishing an off-highway vehicle safety and conservation program; modifying certain state trails; amending Minnesota Statutes 2006, sections 84.029, subdivision 2; 84.788, subdivision 1; 84.82, subdivision 6; 84.8205, subdivision 1; 84.925, subdivision 5; 85.015, subdivision 14; proposing coding for new law in Minnesota Statutes, chapter 84; repealing Minnesota Statutes 2006, section 85.015, subdivision 11.

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

Section 1. Minnesota Statutes 2006, section 84.029, subdivision 2, is amended to read:

Subd. 2. **Acquisition of land for trails.** The commissioner may acquire, by gift, purchase, or lease, easements or other interests in land for trails, and recreational uses related to trails, where necessary to complete trails established primarily in state forests, state parks, or other public land under the jurisdiction of the commissioner, when railroad rights-of-way are abandoned, when the use of township roads is compatible with vehicular travel, ~~and~~ or when needed to complete trails established by the legislature.

Sec. 2. Minnesota Statutes 2006, section 84.788, subdivision 1, is amended to read:

Subdivision 1. **General requirements.** Unless exempted in subdivision 2, ~~after January 1, 1994,~~ a person may not operate and an owner may not give permission for another to operate an off-highway motorcycle ~~on public lands or waters~~ unless the vehicle has been registered under this section.

Sec. 3. Minnesota Statutes 2006, section 84.82, subdivision 6, is amended to read:

Subd. 6. **Exemptions.** Registration is not required under this section for:

- 2.1 (1) a snowmobile owned and used by the United States, another state, or a political
2.2 subdivision thereof;
- 2.3 (2) a snowmobile registered in a country other than the United States temporarily
2.4 used within this state;
- 2.5 (3) a snowmobile that is covered by a valid license of another state and has not been
2.6 within this state for more than 30 consecutive days;
- 2.7 (4) a snowmobile used exclusively in organized track racing events;
- 2.8 (5) a snowmobile in transit by a manufacturer, distributor, or dealer; ~~or~~
- 2.9 (6) a snowmobile at least 15 years old in transit by an individual for use only on
2.10 land owned or leased by the individual; or
- 2.11 (7) a snowmobile while being used to groom a state or grant-in-aid trail.

2.12 Sec. 4. Minnesota Statutes 2006, section 84.8205, subdivision 1, is amended to read:

2.13 Subdivision 1. **Sticker required; fee.** (a) Except as provided in paragraph (b), a
2.14 person may not operate a snowmobile on a state or grant-in-aid snowmobile trail unless a
2.15 snowmobile state trail sticker is affixed to the snowmobile. The commissioner of natural
2.16 resources shall issue a sticker upon application and payment of a \$15 fee. The fee for a
2.17 three-year snowmobile state trail sticker that is purchased at the time of snowmobile
2.18 registration is \$30. In addition to other penalties prescribed by law, a person in violation
2.19 of this subdivision must purchase an annual state trail sticker for a fee of \$30. The sticker
2.20 is valid from November 1 through April 30. Fees collected under this section, except for
2.21 the issuing fee for licensing agents, shall be deposited in the state treasury and credited
2.22 to the snowmobile trails and enforcement account in the natural resources fund and,
2.23 except for the electronic licensing system commission established by the commissioner
2.24 under section 84.027, subdivision 15, must be used for grants-in-aid, trail maintenance,
2.25 grooming, and easement acquisition.

2.26 (b) A state trail sticker is not required under this section for:

- 2.27 (1) a snowmobile owned by the state or a political subdivision of the state that is
2.28 registered under section 84.82, subdivision 5;
- 2.29 (2) a snowmobile that is owned and used by the United States, another state, or
2.30 a political subdivision thereof that is exempt from registration under section 84.82,
2.31 subdivision 6;
- 2.32 (3) a collector snowmobile that is operated as provided in a special permit issued for
2.33 the collector snowmobile under section 84.82, subdivision 7a; ~~or~~
- 2.34 (4) a person operating a snowmobile only on the portion of a trail that is owned by
2.35 the person or the person's spouse, child, or parent; or

3.1 (5) a snowmobile while being used to groom a state or grant-in-aid trail.

3.2 Sec. 5. **[84.9011] OFF-HIGHWAY VEHICLE SAFETY AND CONSERVATION**
3.3 **PROGRAM.**

3.4 Subdivision 1. **Creation.** The commissioner of natural resources shall establish
3.5 a program to promote the safe and responsible operation of off-highway vehicles in a
3.6 manner that does not harm the environment. The commissioner shall coordinate the
3.7 program through the regional offices of the Department of Natural Resources.

3.8 Subd. 2. **Purpose.** The purpose of the program is to encourage off-highway vehicle
3.9 clubs to assist, on a volunteer basis, in improving, maintaining, and monitoring of trails on
3.10 state forest land and other public lands.

3.11 Subd. 3. **Agreements.** (a) The commissioner shall enter into informal agreements
3.12 with off-highway vehicle clubs for volunteer services to maintain, make improvements to,
3.13 and monitor trails on state forest land and other public lands. The off-highway vehicle
3.14 clubs shall promote the operation of off-highway vehicles in a safe and responsible manner
3.15 that complies with the laws and rules that relate to the operation of off-highway vehicles.

3.16 (b) The off-highway vehicle clubs may provide assistance to the department in
3.17 locating, recruiting, and training instructors for off-highway vehicle training programs.

3.18 (c) The commissioner may provide assistance to enhance the comfort and safety
3.19 of volunteers and to facilitate the implementation and administration of the safety and
3.20 conservation program.

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

3.29 Sec. 6. Minnesota Statutes 2006, section 84.925, subdivision 5, is amended to read:

3.30 Subd. 5. **Training requirements.** (a) An individual who was born after July 1,
3.31 1987, and who is 16 years of age or older, must successfully complete the independent
3.32 study course component of all-terrain vehicle safety training before operating an all-terrain
3.33 vehicle on public lands or waters, public road rights-of-way, or state or grant-in-aid trails.

4.1 (b) An individual who is convicted of violating a law related to the operation of an
 4.2 all-terrain vehicle must successfully complete the independent study course component of
 4.3 all-terrain vehicle safety training before continuing operation of an all-terrain vehicle.

4.4 (c) An individual who is convicted for a second or subsequent excess speed, trespass,
 4.5 or wetland violation in an all-terrain vehicle season, or any conviction for careless or
 4.6 reckless operation of an all-terrain vehicle, must successfully complete the independent
 4.7 study and the testing and operating course components of all-terrain vehicle safety training
 4.8 before continuing operation of an all-terrain vehicle.

4.9 (d) An individual who receives three or more citations and convictions for violating a
 4.10 law related to the operation of an all-terrain vehicle in a two-year period must successfully
 4.11 complete the independent study and the testing and operating course components of
 4.12 all-terrain vehicle safety training before continuing operation of an all-terrain vehicle.

4.13 (e) An individual must present evidence of compliance with this subdivision before
 4.14 an all-terrain vehicle registration is issued or renewed.

4.15 Sec. 7. Minnesota Statutes 2006, section 85.015, subdivision 14, is amended to read:

4.16 Subd. 14. ~~Gateway Trail~~ **Willard Munger Trail System, Chisago, Ramsey,**
 4.17 **Pine, St. Louis, Carlton, and Washington Counties.** (a) The trail shall consist of six
 4.18 segments. One segment shall be known as the Gateway Trail and shall originate at the
 4.19 State Capitol and shall extend northerly and northeasterly to William O'Brien State Park,
 4.20 thence northerly to Taylors Falls in Chisago County, and there terminate. One segment
 4.21 shall be known as the Boundary Trail and shall originate in Chisago County and extend
 4.22 into Duluth in St. Louis County. One segment shall be known as the Browns Creek Trail
 4.23 and shall originate at Duluth Junction and extend into Stillwater in Washington County.
 4.24 One segment shall be known as the Munger Trail and shall originate at Hinckley in Pine
 4.25 County and extend through Moose Lake in Carlton County to Duluth in St. Louis County.
 4.26 One segment shall be known as the Alex Laveau Trail and shall originate in Carlton
 4.27 County at Carlton and extend through Wrenshall to the Minnesota-Wisconsin border. One
 4.28 segment shall be established that extends the trail to include the cities of Proctor, Duluth,
 4.29 and Hermantown in St. Louis County.

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

4.31 (c) In addition to the authority granted in subdivision 1, lands and interests in lands
 4.32 for the ~~trail~~ Gateway and Browns Creek Trails may be acquired by eminent domain.

4.33 ~~(d) The commissioner of natural resources, after consulting with all local units of~~
 4.34 ~~government affected by the trail, and with the commissioner of transportation and the~~
 4.35 ~~Metropolitan Council, shall prepare a master plan for the trail. After completion of the~~

5.1 ~~master plan, any land or interest in land not needed for the trail may be disposed of by the~~
5.2 ~~commissioner of natural resources as follows:~~

5.3 ~~(1) by transfer to the Department of Transportation, the Historical Society, or~~
5.4 ~~another state agency;~~

5.5 ~~(2) by sale at not less than the purchase price to a city, town, school district, park~~
5.6 ~~district, or other political subdivision whose boundaries include or are adjacent to the land,~~
5.7 ~~for public purposes only, after written notice to each of these political subdivisions; or~~

5.8 ~~(3) if no offer to purchase is received from any political subdivision within one year~~
5.9 ~~after the completion of the master plan, then by public sale, at not less than the purchase~~
5.10 ~~price, upon notice published in the manner provided in section 92.14, and otherwise in the~~
5.11 ~~same manner as trust fund lands are sold, so far as applicable.~~

5.12 ~~All proceeds derived from sales of unneeded land and interest in land shall be~~
5.13 ~~deposited in the state bond fund. For the purposes of United States Code, title 23, section~~
5.14 ~~138, and title 49, section 1653(f), any land or interest in land not needed for the trail and~~
5.15 ~~transferred to another state agency, or sold, does not constitute permanent park, recreation~~
5.16 ~~area, or wildlife or waterfowl refuge facility land.~~

5.17 **Sec. 8. REPEALER.**

5.18 Minnesota Statutes 2006, section 85.015, subdivision 11, is repealed.

85.015 STATE TRAILS.

Subd. 11. **Willard Munger Trail, Ramsey, Washington, Chisago, Pine, St. Louis, and Carlton Counties.** (a) The trail shall consist of four segments. One segment shall be known as the "Gateway segment" and shall originate at the State Capitol, then extend northerly and northeasterly to William O'Brien State Park, and then extend northerly to Taylors Falls in Chisago County. One segment shall originate in Chisago County and extend into Duluth in St. Louis County. One segment shall originate at Hinckley in Pine County and extend through Moose Lake in Carlton County to Duluth in St. Louis County. One segment shall originate in Carlton County at Carlton and extend through Wrenshall to the Minnesota-Wisconsin border.

(b) The Gateway segment shall be developed primarily for hiking and nonmotorized riding, and the remaining segments of the trail shall be developed primarily for riding and hiking.

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