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State of Minnesota HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **1285**

March 5, 2009

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The bill was read for the first time and referred to the Committee on Environment Policy and Oversight

1.1 A bill for an act
1.2 relating to natural resources; eliminating managed forests for purposes of
1.3 off-highway vehicle travel; modifying forest classification requirements;
1.4 amending Minnesota Statutes 2008, section 84.926, subdivisions 2, 4; Laws
1.5 2003, chapter 128, article 1, section 167, subdivision 1, as amended.
1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2008, section 84.926, subdivision 2, is amended to read:

1.8 Subd. 2. **All-terrain vehicles; ~~managed or~~ limited forests; off trail.**

1.9 Notwithstanding section 84.777, but subject to the commissioner's authority under
1.10 subdivision 5, on state forest lands classified as ~~managed or~~ limited, other than the Richard
1.11 J. Dorer Memorial Hardwood Forest, a person may use an all-terrain vehicle off forest
1.12 trails or forest roads when:

1.13 (1) hunting big game or transporting or installing hunting stands during October,
1.14 November, and December, when in possession of a valid big game hunting license;

1.15 (2) retrieving big game in September, when in possession of a valid big game
1.16 hunting license;

1.17 (3) tending traps during an open trapping season for protected furbearers, when in
1.18 possession of a valid trapping license; or

1.19 (4) trapping minnows, when in possession of a valid minnow dealer, private fish
1.20 hatchery, or aquatic farm license.

1.21 Sec. 2. Minnesota Statutes 2008, section 84.926, subdivision 4, is amended to read:

1.22 Subd. 4. **Off-road and all-terrain vehicles; limited ~~or managed~~ forests; trails.**

1.23 Notwithstanding section 84.777, but subject to the commissioner's authority under
1.24 subdivision 5, on state forest lands classified as limited ~~or managed~~, other than the Richard

J. Dorer Memorial Hardwood Forest, a person may use vehicles registered under chapter 168 or section 84.798 or 84.922, including class 2 all-terrain vehicles, on forest trails that are not designated for a specific use when:

(1) hunting big game or transporting or installing hunting stands during October, November, and December, when in possession of a valid big game hunting license;

(2) retrieving big game in September, when in possession of a valid big game hunting license;

(3) tending traps during an open trapping season for protected furbearers, when in possession of a valid trapping license; or

(4) trapping minnows, when in possession of a valid minnow dealer, private fish hatchery, or aquatic farm license.

Sec. 3. Laws 2003, chapter 128, article 1, section 167, subdivision 1, as amended by Laws 2005, First Special Session chapter 1, article 2, section 152, is amended to read:

Sec. 167. **FOREST LAND OFF-HIGHWAY VEHICLE USE RECLASSIFICATION.**

Subdivision 1. **Forest classification status review.** (a) By December 31, 2006, the commissioner of natural resources shall complete a review of the forest classification status of all state forests classified as managed or limited, all forest lands under the authority of the commissioner as defined in Minnesota Statutes, section 89.001, subdivision 13, and lands managed by the commissioner under Minnesota Statutes, section 282.011. The review must be conducted on a forest-by-forest and area-by-area basis in accordance with the process and criteria under Minnesota Rules, part 6100.1950. ~~Except as provided in paragraph (d),~~ After each forest is reviewed, the commissioner must change its status to limited or closed, and must provide a similar status for each of the other areas subject to review under this section after each individual review is completed.

(b) If the commissioner determines on January 1, 2005, that the review required under this section cannot be completed by December 31, 2006, the completion date for the review shall be extended to December 31, 2008. By January 15, 2005, the commissioner shall report to the chairs of the legislative committees with jurisdiction over natural resources policy and finance regarding the status of the process required by this section.

(c) Until December 31, 2010, the state forests and areas subject to review under this section are exempt from Minnesota Statutes, section 84.777, unless an individual forest or area has been classified as limited or closed.

~~(d) Notwithstanding the restrictions in paragraph (a), and Minnesota Statutes, section 84.777, all forest lands under the authority of the commissioner as defined in Minnesota~~

3.1 ~~Statutes, section 89.001, subdivision 13, and lands managed by the commissioner under~~
3.2 ~~Minnesota Statutes, section 282.011, that are north of U.S. Highway 2 shall maintain their~~
3.3 ~~present classification unless the commissioner reclassifies the lands under Minnesota~~
3.4 ~~Rules, part 6100.1950. The commissioner shall provide for seasonal trail closures when~~
3.5 ~~conditions warrant them. By December 31, 2008, the commissioner shall complete the~~
3.6 ~~review and designate trails on forest lands north of Highway 2 as provided in this section.~~

3.7 Sec. 4. **EFFECTIVE DATE.**

3.8 Sections 1 to 3 are effective the day following final enactment.