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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **2348**

April 24, 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; requiring a state trail pass; appropriating money;
1.3 amending Minnesota Statutes 2008, section 84.0835, subdivision 3; proposing
1.4 coding for new law in Minnesota Statutes, chapter 85.

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

1.6 Section 1. Minnesota Statutes 2008, section 84.0835, subdivision 3, is amended to read:

1.7 Subd. 3. **Citation authority.** Employees designated by the commissioner under
1.8 subdivision 1 may issue citations, as specifically authorized under this subdivision, for
1.9 violations of:

1.10 (1) sections 85.0175 (state trail pass), 85.052, subdivision 3 (payment of camping
1.11 fees in state parks), 85.45, subdivision 1 (cross-country ski pass), and 85.46 (horse trail
1.12 pass);

1.13 (2) rules relating to hours and days of operation, restricted areas, noise, fireworks,
1.14 environmental protection, fires and refuse, pets, picnicking, camping and dispersed
1.15 camping, nonmotorized uses, construction of unauthorized permanent trails, mooring of
1.16 boats, fish cleaning, swimming, storage and abandonment of personal property, structures
1.17 and stands, animal trespass, state park individual and group motor vehicle permits,
1.18 licensed motor vehicles, designated roads, and snowmobile operation off trails;

1.19 (3) rules relating to off-highway vehicle registration, display of registration numbers,
1.20 required equipment, operation restrictions, off-trail use for hunting and trapping, and
1.21 operation in lakes, rivers, and streams;

1.22 (4) rules relating to off-highway vehicle and snowmobile operation causing damage
1.23 or in closed areas within the Richard J. Dorer Memorial Hardwood State Forest;

1.24 (5) rules relating to parking, snow removal, and damage on state forest roads; and

2.1 (6) rules relating to controlled hunting zones on major wildlife management units.

2.2 Sec. 2. **[85.0175] STATE TRAIL PASS.**

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

2.4 (1) "bicycle" has the meaning given in section 169.01; and

2.5 (2) "skating" means using roller skates or in-line skates.

2.6 Subd. 2. **Pass in possession.** While riding a bicycle or skating on state trails, a
2.7 person 16 years of age or over shall carry in immediate possession a valid state trail pass.
2.8 The pass must be available for inspection by a peace officer, a conservation officer, or an
2.9 employee designated under section 84.0835.

2.10 Subd. 3. **License agents.** (a) The commissioner of natural resources may appoint
2.11 agents to issue and sell trail passes. The commissioner may revoke the appointment
2.12 of an agent at any time.

2.13 (b) The commissioner may adopt additional rules as provided in section 97A.485,
2.14 subdivision 11. An agent shall observe all rules adopted by the commissioner for the
2.15 accounting and handling of passes according to section 97A.485, subdivision 11.

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

2.18 Subd. 4. **Issuance.** The commissioner of natural resources and agents shall issue
2.19 and sell state trail passes. The pass shall include the applicant's signature and other
2.20 information deemed necessary by the commissioner.

2.21 Subd. 5. **Pass fees.** (a) The fee for an annual state trail pass is \$20 for an individual
2.22 16 years of age and over. The fee shall be collected at the time the pass is purchased.
2.23 Annual passes are valid for one year beginning January 1 and ending December 31.

2.24 (b) The fee for a daily state trail pass is \$4 for an individual 16 years of age and over.
2.25 The fee shall be collected at the time the pass is purchased. The daily pass is valid only
2.26 for the date designated on the pass form.

2.27 Subd. 6. **Issuing fee.** In addition to the fee for a state trail pass, an issuing fee of
2.28 \$1 per pass shall be charged. The issuing fee shall be retained by the seller of the pass.
2.29 Issuing fees for passes sold by the commissioner of natural resources shall be deposited in
2.30 the state treasury and credited to the state trails account in the natural resources fund and
2.31 are appropriated to the commissioner for the operation of the electronic licensing system.
2.32 A pass shall indicate the amount of the fee that is retained by the seller.

2.33 Subd. 7. **Disposition of receipts.** Fees collected under this section, except for the
2.34 issuing fee, shall be deposited in the state treasury and credited to the state trails account
2.35 in the natural resources fund. Except for the electronic licensing system commission

3.1 established by the commissioner under section 84.027, subdivision 15, the fees are
3.2 appropriated to the commissioner of natural resources for maintenance and repair of
3.3 state trail surfaces and state trail bridges.

3.4 Subd. 8. **Duplicate passes.** The commissioner of natural resources and agents
3.5 shall issue a duplicate pass to a person whose pass is lost or destroyed using the process
3.6 established under section 97A.405, subdivision 3, and rules adopted thereunder. The fee
3.7 for a duplicate state trail pass is \$2, with an issuing fee of 50 cents.