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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 562

01/26/2017 Authored by Hansen, Thissen and Bly
The bill was read for the first time and referred to the Committee on Environment and Natural Resources Policy and Finance

1.1 A bill for an act
1.2 relating to natural resources; establishing the Department of Parks and Trails;
1.3 transferring authority; requiring a report; authorizing rulemaking; amending
1.4 Minnesota Statutes 2016, sections 15.01; 15.06, subdivision 1; 84.027, subdivision
1.5 2; 84.029, subdivision 2; 84.03; 84.8031; 84.83, subdivision 4a; 85.045, subdivision
1.6 1; 85.053, subdivision 1; 85.46, subdivisions 1, 6; 85.535, subdivision 1; 85.536,
1.7 subdivisions 1, 5, 10; 86A.05, subdivisions 2, 3, 4, 9, 11, 13, 15; proposing coding
1.8 for new law in Minnesota Statutes, chapter 85.

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

1.10 Section 1. Minnesota Statutes 2016, section 15.01, is amended to read:

1.11 15.01 DEPARTMENTS OF THE STATE.

1.12 The following agencies are designated as the departments of the state government: the
1.13 Department of Administration; the Department of Agriculture; the Department of Commerce;
1.14 the Department of Corrections; the Department of Education; the Department of Employment
1.15 and Economic Development; the Department of Health; the Department of Human Rights;
1.16 the Department of Labor and Industry; the Department of Management and Budget; the
1.17 Department of Military Affairs; the Department of Natural Resources; the Department of
1.18 Parks and Trails; the Department of Public Safety; the Department of Human Services; the
1.19 Department of Revenue; the Department of Transportation; the Department of Veterans
1.20 Affairs; and their successor departments.

1.21 Sec. 2. Minnesota Statutes 2016, section 15.06, subdivision 1, is amended to read:

1.22 Subdivision 1. Applicability. This section applies to the following departments or
1.23 agencies: the Departments of Administration, Agriculture, Commerce, Corrections,
1.24 Education, Employment and Economic Development, Health, Human Rights, Labor and

2.1 Industry, Management and Budget, Natural Resources, Parks and Trails, Public Safety,
 2.2 Human Services, Revenue, Transportation, and Veterans Affairs; the Housing Finance and
 2.3 Pollution Control Agencies; the Office of Commissioner of Iron Range Resources and
 2.4 Rehabilitation; the Office of MN.IT Services; the Bureau of Mediation Services; and their
 2.5 successor departments and agencies. The heads of the foregoing departments or agencies
 2.6 are "commissioners."

2.7 Sec. 3. Minnesota Statutes 2016, section 84.027, subdivision 2, is amended to read:

2.8 Subd. 2. **General.** The commissioner shall have charge and control of all the public
 2.9 lands, ~~parks~~, timber, waters, minerals, and wild animals of the state, excluding public lands
 2.10 under the jurisdiction of the commissioner of parks and trails, and of the use, sale, leasing,
 2.11 or other disposition thereof, and of all records pertaining to the performance of the
 2.12 commissioner's functions relating thereto.

2.13 Sec. 4. Minnesota Statutes 2016, section 84.029, subdivision 2, is amended to read:

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

2.21 Sec. 5. Minnesota Statutes 2016, section 84.03, is amended to read:

2.22 **84.03 ADDITIONAL DUTIES AND POWERS.**

2.23 So far as practicable the commissioner shall collect and arrange statistics and other
 2.24 information in reference to the lands and general and special resources of the state.

2.25 The commissioner is hereby authorized and empowered to take such measures as the
 2.26 commissioner may deem advisable to advertise, both within and without the state, sales of
 2.27 all state lands, excluding lands under the jurisdiction of the commissioner of parks and
 2.28 trails, and to secure, compile, and issue such valuable statistics of the resources of the state.

2.29 The commissioner may adopt and promulgate reasonable rules, not inconsistent with
 2.30 law, governing the use and enjoyment of state ~~land~~ lands, excluding lands under the
 2.31 jurisdiction of the commissioner of parks and trails, including state land reserved from sale,
 2.32 ~~state parks, state water access sites, state trails~~, state monuments, state scientific and natural

3.1 areas, and state wilderness areas, and ~~recreational~~ other areas owned by other state, local
 3.2 and federal agencies and operated under agreement by the Department of Natural Resources,
 3.3 which shall have the force and effect of law. A reasonable fee may be fixed, charged, and
 3.4 collected by the commissioner for the privilege of the use of any or all of the foregoing
 3.5 privileges and facilities.

3.6 The commissioner, on or before November 15 of each even-numbered year, shall report
 3.7 to the legislature the commissioner's acts and doings, with recommendation for the
 3.8 improvement or conservation of ~~state parks, state water access sites, state trails, and~~ state
 3.9 monuments, state scientific and natural areas, state forests, state wildlife management areas,
 3.10 public hunting grounds, public shooting grounds, food and cover planting areas, wildlife
 3.11 lands, recreational or public hunting areas, state wild and scenic rivers, state wilderness
 3.12 areas, and all other recreational lands under the jurisdiction of the Department of Natural
 3.13 Resources, and for desirable accessions thereto, such report to include an inventory of the
 3.14 tracts and parcels of land, and rights, interests, and easements therein, held by the state or
 3.15 withdrawn from sale for any of these purposes, with the value thereof, and a list of the name,
 3.16 location, size, and description of each ~~state trail~~, state scientific and natural area, state wildlife
 3.17 management area, ~~state water access site~~, and state wild, scenic, or recreational river
 3.18 designated by the commissioner, and each public hunting grounds, public shooting grounds,
 3.19 food and cover planting area, wildlife lands, and recreational or public hunting area acquired
 3.20 by the commissioner since the last report. The commissioner shall maintain a long range
 3.21 plan governing the use of the public domain under the commissioner's jurisdiction.

3.22 Sec. 6. Minnesota Statutes 2016, section 84.8031, is amended to read:

3.23 **84.8031 GRANT-IN-AID APPLICATIONS; REVIEW PERIOD.**

3.24 The commissioner of parks and trails must review an off-road vehicle grant-in-aid
 3.25 application and, if approved, commence public review of the application within 60 days
 3.26 after the completed application has been locally approved and submitted to an area parks
 3.27 and trails office. If the commissioner of parks and trails fails to approve or deny the
 3.28 application within 60 days after submission, the application is deemed approved and the
 3.29 commissioner must provide for a 30-day public review period.

3.30 Sec. 7. Minnesota Statutes 2016, section 84.83, subdivision 4a, is amended to read:

3.31 Subd. 4a. **Trail continuation on lands acquired by the state.** When the commissioner
 3.32 of parks and trails acquires lands with easements or other agreements for snowmobile trails
 3.33 that have received grant-in-aid financing under this section, the commissioner shall:

- 4.1 (1) continue the easements or other agreements for the snowmobile trail; or
- 4.2 (2) develop an alternative route for the trail, including acquiring any necessary easements
- 4.3 or other agreements for the trail right-of-way and providing funding for all expenses
- 4.4 associated with clearing and marking the snowmobile trail.

4.5 **Sec. 8. [85.0112] DEPARTMENT OF PARKS AND TRAILS.**

4.6 Subdivision 1. **Establishment.** The Department of Parks and Trails is created under the

4.7 supervision and control of the commissioner of parks and trails who is appointed by the

4.8 governor according to section 15.06.

4.9 Subd. 2. **Transfer of powers.** The Department of Parks and Trails is the successor of

4.10 the Department of Natural Resources' Division of Parks and Trails, and the existing powers

4.11 and duties of the commissioner of natural resources carried out by the division are transferred

4.12 to the commissioner of parks and trails according to section 15.039.

4.13 Subd. 3. **Commissioner authority and duties.** The commissioner of parks and trails

4.14 has administrative authority over state parks, state trails, and other units of the outdoor

4.15 recreation system as provided under chapter 86A. The commissioner shall also administer:

- 4.16 (1) the adopt-a-park program under section 85.045;
- 4.17 (2) local recreation grants under section 85.019;
- 4.18 (3) parks and trails grants under section 85.535;
- 4.19 (4) motorized trail grants-in-aid under sections 84.794, 84.803, 84.83, and 84.927;
- 4.20 (5) the cross-country-ski trail grant-in-aid program under section 85.44; and
- 4.21 (6) the Minnesota Naturalist Corps program under section 84.992.

4.22 Subd. 4. **Staff.** The commissioner may appoint a deputy commissioner, hire staff, and

4.23 enter into contracts as necessary.

4.24 Subd. 5. **Rules.** The commissioner may adopt rules pursuant to chapter 14 as necessary

4.25 to carry out the commissioner's duties and responsibilities.

4.26 **Sec. 9.** Minnesota Statutes 2016, section 85.045, subdivision 1, is amended to read:

4.27 **Subdivision 1. **Creation.**** The Minnesota adopt-a-park program is established. The

4.28 **commissioner of parks and trails shall ~~coordinate the program through the regional offices~~**

4.29 **~~of the Department of Natural Resources~~ administer the program.**

5.1 Sec. 10. Minnesota Statutes 2016, section 85.053, subdivision 1, is amended to read:

5.2 Subdivision 1. **Form, issuance, validity.** (a) The commissioner of parks and trails shall
5.3 prepare and provide state park permits for each calendar year that state a motor vehicle may
5.4 enter and use state parks, state recreation areas, and state waysides over 50 acres in area.
5.5 State park permits must be available and placed on sale by January 1 of the calendar year
5.6 that the permit is valid. A separate motorcycle permit may be prepared and provided by the
5.7 commissioner.

5.8 (b) An annual state park permit may be used from the time it is purchased for a 12-month
5.9 period. State park permits in each category must be numbered consecutively for each year
5.10 of issue.

5.11 (c) State park permits shall be issued by employees of the ~~Division~~ Department of Parks
5.12 and Recreation Trails as designated by the commissioner of parks and trails. State park
5.13 permits also may be consigned to and issued by agents designated by the commissioner
5.14 who are not employees of the ~~Division~~ Department of Parks and Recreation Trails. All
5.15 proceeds from the sale of permits and all unsold permits consigned to agents shall be returned
5.16 to the commissioner at such times as the commissioner may direct, but no later than the end
5.17 of the calendar year for which the permits are effective. No part of the permit fee may be
5.18 retained by an agent. An additional charge or fee in an amount to be determined by the
5.19 commissioner, but not to exceed four percent of the price of the permit, may be collected
5.20 and retained by an agent for handling or selling the permits.

5.21 Sec. 11. Minnesota Statutes 2016, section 85.46, subdivision 1, is amended to read:

5.22 Subdivision 1. **Pass in possession.** (a) Except as provided in paragraph (b), while riding,
5.23 leading, or driving a horse on lands administered by the commissioner of natural resources
5.24 or the commissioner of parks and trails, except forest roads and forest roads rights-of-way,
5.25 a person 16 years of age or over shall carry in immediate possession a valid horse pass. The
5.26 pass must be available for inspection by a peace officer, a conservation officer, or an
5.27 employee designated under section 84.0835. A person who violates any provision of this
5.28 subdivision is guilty of a petty misdemeanor.

5.29 (b) A valid horse pass is not required under this section for a person riding, leading, or
5.30 driving a horse on property that is owned by the person or the person's spouse, child, parent,
5.31 or guardian.

6.1 Sec. 12. Minnesota Statutes 2016, section 85.46, subdivision 6, is amended to read:

6.2 Subd. 6. **Disposition of receipts.** Fees collected under this section, except for the issuing
6.3 fee, shall be deposited in the state treasury and credited to the horse pass account in the
6.4 natural resources fund. Except for the electronic licensing system commission established
6.5 by the commissioner under section 84.027, subdivision 15, the fees are appropriated to the
6.6 commissioner of ~~natural resources~~ parcs and trails for trail acquisition, trail and facility
6.7 development, and maintenance, enforcement, and rehabilitation of horse trails or trails
6.8 authorized for horse use, whether for riding, leading, or driving, on land administered by
6.9 the commissioner of natural resources or the commissioner of parks and trails.

6.10 Sec. 13. Minnesota Statutes 2016, section 85.535, subdivision 1, is amended to read:

6.11 Subdivision 1. **Establishment.** The commissioner of ~~natural resources~~ parcs and trails
6.12 shall administer a program to provide grants from the parks and trails fund to support parks
6.13 and trails of regional or statewide significance. Grants shall not be made under this section
6.14 for state parks, state recreational areas, or state trails.

6.15 Sec. 14. Minnesota Statutes 2016, section 85.536, subdivision 1, is amended to read:

6.16 Subdivision 1. **Establishment; purpose.** The Greater Minnesota Regional Parks and
6.17 Trails Commission is created to undertake system planning and provide recommendations
6.18 to the ~~legislature~~ commissioner of parks and trails for grants funded by the parks and trails
6.19 fund to counties and cities outside of the seven-county metropolitan area for parks and trails
6.20 of regional significance.

6.21 Sec. 15. Minnesota Statutes 2016, section 85.536, subdivision 5, is amended to read:

6.22 Subd. 5. **Districts; plans and hearings.** (a) The commissioner of ~~natural resources~~ parcs
6.23 and trails, in consultation with the Greater Minnesota Regional Parks and Trails Coalition,
6.24 shall establish six regional parks and trails districts in the state encompassing the area outside
6.25 the seven-county metropolitan area. The commissioner shall establish districts by combining
6.26 counties and may not assign a county to more than one district.

6.27 (b) The commission shall develop a strategic plan and criteria for determining parks and
6.28 trails of regional significance that are eligible for funding from the parks and trails fund and
6.29 meet the criteria under subdivision 6.

6.30 (c) Counties within each district may jointly prepare, after consultation with all affected
6.31 municipalities, and submit to the commission, and from time to time revise and resubmit
6.32 to the commission, a master plan for the acquisition and development of parks and trails of

7.1 regional significance located within the district. Districtwide plans and master plans for
 7.2 individual parks and trails must meet the protocols and criteria as set forth in the Greater
 7.3 Minnesota Regional Parks and Trails strategic plan. The counties, after consultation with
 7.4 the commission, shall jointly hold a public hearing on the proposed plan and budget at a
 7.5 time and place determined by the counties. Not less than 15 days before the hearing, the
 7.6 counties shall provide notice of the hearing stating the date, time, and place of the hearing
 7.7 and the place where the proposed plan and budget may be examined by any interested
 7.8 person. At any hearing, interested persons shall be permitted to present their views on the
 7.9 plan and budget.

7.10 (d) The commission shall review each master plan to determine whether it meets the
 7.11 conditions of subdivision 6. If it does not, the commission shall return the plan with its
 7.12 comments to the district for revision and resubmittal.

7.13 Sec. 16. Minnesota Statutes 2016, section 85.536, subdivision 10, is amended to read:

7.14 Subd. 10. **Report.** The commission shall submit a report by January 15 each year listing
 7.15 its recommendations under subdivision 7, in priority order, to the ~~chairs and ranking minority~~
 7.16 ~~members of the committees of the senate and house of representatives with primary~~
 7.17 ~~jurisdiction over legacy appropriations~~ commissioner of parks and trails.

7.18 Sec. 17. Minnesota Statutes 2016, section 86A.05, subdivision 2, is amended to read:

7.19 Subd. 2. **State park; purpose; resource and site qualifications; administration.** (a)
 7.20 A state park shall be established to protect and perpetuate extensive areas of the state
 7.21 possessing those resources which illustrate and exemplify Minnesota's natural phenomena
 7.22 and to provide for the use, enjoyment, and understanding of such resources without
 7.23 impairment for the enjoyment and recreation of future generations.

7.24 (b) No unit shall be authorized as a state park unless its proposed location substantially
 7.25 satisfies the following criteria:

7.26 (1) exemplifies the natural characteristics of the major landscape regions of the state, as
 7.27 shown by accepted classifications, in an essentially unspoiled or restored condition or in a
 7.28 condition that will permit restoration in the foreseeable future; or contains essentially
 7.29 unspoiled natural resources of sufficient extent and importance to meaningfully contribute
 7.30 to the broad illustration of the state's natural phenomena; and

7.31 (2) contains natural resources, sufficiently diverse and interesting to attract people from
 7.32 throughout the state; and

8.1 (3) is sufficiently large to permit protection of the plant and animal life and other natural
 8.2 resources which give the park its qualities and provide for a broad range of opportunities
 8.3 for human enjoyment of these qualities.

8.4 (c) State parks shall be administered by the commissioner of ~~natural resources~~ parks and
 8.5 trails in a manner which is consistent with the purposes of this subdivision to preserve,
 8.6 perpetuate, and interpret natural features that existed in the area of the park prior to settlement
 8.7 and other significant natural, scenic, scientific, or historic features that are present.
 8.8 Management shall seek to maintain a balance among the plant and animal life of the park
 8.9 and to reestablish desirable plants and animals that were formerly indigenous to the park
 8.10 area but are now missing. Programs to interpret the natural features of the park shall be
 8.11 provided. Outdoor recreation activities to utilize the natural features of the park that can be
 8.12 accommodated without material disturbance of the natural features of the park or the
 8.13 introduction of undue artificiality into the natural scene may be permitted. Park use shall
 8.14 be primarily for aesthetic, cultural, and educational purposes, and shall not be designed to
 8.15 accommodate all forms or unlimited volumes of recreational use. Physical development
 8.16 shall be limited to those facilities necessary to complement the natural features and the
 8.17 values being preserved.

8.18 Sec. 18. Minnesota Statutes 2016, section 86A.05, subdivision 3, is amended to read:

8.19 Subd. 3. **State recreation area; purpose; resource and site qualifications;**
 8.20 **administration.** (a) A state recreation area shall be established to provide a broad selection
 8.21 of outdoor recreation opportunities in a natural setting which may be used by large numbers
 8.22 of people.

8.23 (b) No unit shall be authorized as a state recreation area unless its proposed location
 8.24 substantially satisfies the following criteria:

8.25 (1) contains natural or artificial resources which provide outstanding outdoor recreational
 8.26 opportunities that will attract visitors from beyond the local area;

8.27 (2) contains resources which permit intensive recreational use by large numbers of
 8.28 people; and

8.29 (3) may be located in areas which have serious deficiencies in public outdoor recreation
 8.30 facilities, provided that state recreation areas should not be provided in lieu of municipal,
 8.31 county, or regional facilities.

8.32 (c) State recreation areas shall be administered by the commissioner of ~~natural resources~~
 8.33 parks and trails in a manner which is consistent with the purposes of this subdivision

9.1 primarily to provide as broad a selection of opportunities for outdoor recreation as is
9.2 consistent with maintaining a pleasing natural environment. Scenic, historic, scientific,
9.3 scarce, or disappearing resources within state recreation areas shall be recommended for
9.4 authorization as historic sites or designated scientific and natural areas pursuant to section
9.5 86A.08 to preserve and protect them. Physical development shall enhance and promote the
9.6 use and enjoyment of the natural recreational resources of the area.

9.7 Sec. 19. Minnesota Statutes 2016, section 86A.05, subdivision 4, is amended to read:

9.8 Subd. 4. **State trail; purpose; resource and site qualifications; administration;**
9.9 **designation.** (a) A state trail shall be established to provide a recreational travel route which
9.10 connects units of the outdoor recreation system or the national trail system, provides access
9.11 to or passage through other areas which have significant scenic, historic, scientific, or
9.12 recreational qualities or reestablishes or permits travel along an historically prominent travel
9.13 route or which provides commuter transportation.

9.14 (b) No unit shall be authorized as a state trail unless its proposed location substantially
9.15 satisfies the following criteria:

9.16 (1) permits travel in an appropriate manner along a route which provides at least one of
9.17 the following recreational opportunities:

9.18 (i) travel along a route which connects areas or points of natural, scientific, cultural, and
9.19 historic interest;

9.20 (ii) travel through an area which possesses outstanding scenic beauty;

9.21 (iii) travel over a route designed to enhance and utilize the unique qualities of a particular
9.22 manner of travel in harmony with the natural environment;

9.23 (iv) travel along a route which is historically significant as a route of migration,
9.24 commerce, or communication;

9.25 (v) travel between units of the state outdoor recreation system or the national trail system;
9.26 and

9.27 (2) utilizes, to the greatest extent possible consistent with the purposes of this subdivision,
9.28 public lands, rights-of-way, and the like; and

9.29 (3) provides maximum potential for the appreciation, conservation, and enjoyment of
9.30 significant scenic, historical, natural, or cultural qualities of the areas through which the
9.31 trail may pass; and

9.32 (4) takes into consideration predicted public demand and future use.

10.1 (c) State trails shall be administered by the commissioners of transportation or ~~natural~~
 10.2 ~~resources~~ parks and trails as specified by law in a manner which is consistent with the
 10.3 purposes of this subdivision. State trails established by the commissioner of ~~natural resources~~
 10.4 parks and trails shall be managed to provide a travel route through an area with a minimum
 10.5 disturbance of the natural environment and recognizing other multiple land use activities.
 10.6 Trail markers shall be limited to those providing safety information and interpretation.

10.7 (d) Facilities for the rest and comfort of trail users shall be provided primarily within
 10.8 units of the outdoor recreation system through which the trail passes. When additional
 10.9 facilities are required to insure the rest and comfort of the traveler, the managing agency
 10.10 may develop such facilities along the trail and shall designate the facilities as trail waysides.
 10.11 In addition to the foregoing purpose, trail waysides shall be developed for the preservation
 10.12 and interpretation of the trail's natural, historic, or scenic values, and may include facilities
 10.13 for primitive camping, picnicking, sanitation, and parking for access to the trail.

10.14 Sec. 20. Minnesota Statutes 2016, section 86A.05, subdivision 9, is amended to read:

10.15 Subd. 9. **State water-access site; purpose; resource and site qualifications;**
 10.16 **administration.** (a) A state water-access site shall be established to provide public access
 10.17 to rivers and lakes which are suitable for outdoor water recreation and where the access is
 10.18 necessary to permit public use.

10.19 (b) No unit shall be authorized as a state water-access site unless its proposed location
 10.20 substantially satisfies the following criteria:

10.21 (1) the body of water to which access is being provided and surrounding lands can
 10.22 withstand additional recreational use without undue damage to the environment or undue
 10.23 risks to the health and safety of water users;

10.24 (2) public access to the body of water is either nonexistent or inadequate.

10.25 (c) State water-access sites shall be administered by the commissioner of ~~natural resources~~
 10.26 parks and trails or the commissioner of transportation in a manner which is consistent with
 10.27 the purposes of this subdivision to provide public access to water. Access roads, off-road
 10.28 parking areas, refuse containers, sanitary facilities, and facilities for limited picnicking and
 10.29 primitive camping may be provided when the commissioner determines that these activities
 10.30 are justifiable and are compatible with the resource and the natural environment.

11.1 Sec. 21. Minnesota Statutes 2016, section 86A.05, subdivision 11, is amended to read:

11.2 Subd. 11. **State historic sites; purpose; resource and site qualifications;**
11.3 **administration; designation.** (a) A state historic site shall be established to preserve,
11.4 restore, and interpret buildings and other structures, locales, sites, antiquities, and related
11.5 lands which aptly illustrate significant events, personalities, and features of the history and
11.6 archaeology of the state or nation.

11.7 (b) No unit shall be authorized as a state historic site unless it is historically important
11.8 for any of the following reasons:

11.9 (1) is the site of or directly associated with a significant historical event; or

11.10 (2) is associated with persons whose lives and accomplishments are historically unique
11.11 or important; or

11.12 (3) embodies the distinctive characteristics of an architectural style or method of
11.13 construction which represents a particular and significant historical period, or the work of
11.14 a master builder, designer, or architect; or

11.15 (4) has yielded, or is likely to yield, historical or archaeological artifacts, records, or
11.16 other original data or information; or

11.17 (5) is a geographical feature of outstanding significance and includes, by way of example,
11.18 the highest point in the state, the continental divide, and the source of the Mississippi River.

11.19 (c) State historic sites shall be administered by the commissioner of natural resources,
11.20 the commissioner of parks and trails, the Minnesota Historical Society, the Board of Regents
11.21 of the University of Minnesota, governmental subdivisions of the state, or by county historical
11.22 societies jointly or independently as designated by law in a manner which is consistent with
11.23 the purposes of this subdivision to maintain and, if necessary, restore the historical integrity
11.24 of the site to commemorate or illustrate its historical importance. Ancient features of
11.25 significance shall be protected from disturbance until archaeological research has been
11.26 completed. Interpretive programs for visitors shall be provided including, where practicable,
11.27 interpretation of research programs under supervised conditions. Recreational use of natural
11.28 features shall be permitted only where this can be accomplished without detriment to
11.29 historical values. Physical development shall be limited to those facilities necessary to
11.30 achieve the management and use objectives.

12.1 Sec. 22. Minnesota Statutes 2016, section 86A.05, subdivision 13, is amended to read:

12.2 Subd. 13. **Additional parks; administration.** All other state parks which, though not
12.3 meeting the resource and site qualifications contained in subdivisions 2 and 3, were in
12.4 existence on January 1, 1984, shall be administered by the commissioner of ~~natural resources~~
12.5 parks and trails as units of the outdoor recreation system.

12.6 Sec. 23. Minnesota Statutes 2016, section 86A.05, subdivision 15, is amended to read:

12.7 Subd. 15. **State boater wayside.** (a) Boater waysides may be established to provide for
12.8 public use.

12.9 (b) No unit shall be authorized as a state boater wayside unless its proposed location
12.10 substantially satisfies the following criteria:

12.11 (1) contains resources that are desirable for use by boaters;

12.12 (2) is accessible by persons traveling by boat, canoe, or kayak; and

12.13 (3) may be near, associated with, or located within a unit of the outdoor recreation system
12.14 under this section.

12.15 (c) State boater waysides shall be administered by the commissioner of ~~natural resources~~
12.16 parks and trails in a manner that is consistent with the purpose of this subdivision. Facilities
12.17 for sanitation, picnicking, overnight mooring, camping, fishing, and swimming may be
12.18 provided when the commissioner determines that these activities are justifiable and
12.19 compatible with the resources and the natural environment.

12.20 Sec. 24. **TRANSFER OF AUTHORITY; REPORT.**

12.21 By January 1, 2018, the commissioner of natural resources shall submit a report to the
12.22 chairs and ranking minority members of the house of representatives and senate committees
12.23 and divisions with jurisdiction over environment and natural resources and the parks and
12.24 trails fund with recommendations on transferring authority for state parks, state trails, state
12.25 recreation areas, and other units of the outdoor recreation system as provided in this act.

12.26 Sec. 25. **REVISOR'S INSTRUCTIONS.**

12.27 (a) The revisor of statutes shall change the term "commissioner of natural resources" to
12.28 "commissioner of parks and trails" wherever the term appears in Minnesota Statutes, sections
12.29 84.930; 84.992; 85.0115; 85.012; 85.015; 85.053, subdivision 2a; 85.056; 85.32; 85.40;
12.30 and 85.46, subdivisions 2, 3, and 5.

13.1 (b) By January 1, 2018, the revisor of statutes shall submit a report to the chairs and
13.2 ranking minority members of the house of representatives and senate committees and
13.3 divisions with jurisdiction over environment and natural resources and the parks and trails
13.4 fund with recommendations for updating Minnesota Statutes and Minnesota Rules to conform
13.5 with the transfer of authority for state parks, state trails, state recreation areas, and other
13.6 units of the outdoor recreation system as provided in this act.

13.7 Sec. 26. **EFFECTIVE DATE.**

13.8 Sections 1 to 23 are effective July 1, 2018.