

Statutes 1976, Section 474.01, Subdivision 7, and by adding a subdivision.

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

Section 1. Minnesota Statutes 1976, Section 474.01, Subdivision 7, is amended to read:

Subd. 7. ECONOMIC DEVELOPMENT; INDUSTRIAL DEVELOPMENT BONDS. Any municipality or redevelopment agency contemplating the exercise of the powers granted by this chapter may apply to the commissioner of economic development for information, advice, and assistance. ~~No municipality shall undertake any project herein authorized until the commissioner has approved the project, on the basis of such preliminary information as he may require, as tending to further the purposes and policies of this chapter.~~ The commissioner is authorized to handle such preliminary information in a confidential manner, to the extent requested by the municipality. ~~Such approval shall not be deemed to be an approval by the commissioner or the state of the feasibility of the project or the terms of the revenue agreement to be executed or the bonds to be issued therefor, and the commissioner shall so state in communicating such approval.~~

Sec. 2. Minnesota Statutes 1976, Section 474.01, is amended by adding a subdivision to read:

Subd. 7a. No municipality shall undertake any project authorized by this chapter until the commissioner of securities has approved the project, on the basis of preliminary information which the commissioner may require, as tending to further the purposes and policies of this chapter. Approval shall not be deemed to be an approval by the commissioner of securities or the state of the feasibility of the project or the terms of the revenue agreement to be executed or the bonds to be issued therefor, and the commissioner shall state this in communicating approval.

Approved June 2, 1977.

CHAPTER 421—H.F.No.1300

[Coded in Part]

An act relating to outdoor recreation; appropriating money for acquisition and betterment of parks, trails, wildlife lands, outdoor athletic courts, and for other purposes; authorizing sale of bonds; amending Minnesota Statutes 1976, Sections 85.016; 473.121, Subdivision 14; 473.302; 473.303, by adding a subdivision; 473.315, Subdivision 1; and Chapter 85, by adding a section.

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

Section 1. **[4.35] OUTDOOR RECREATIONAL DEVELOPMENT; TRAIL PLANNING.** The state planning agency, in cooperation with the commissioner of natural resources, metropolitan council, and commissioner of transportation, shall review and

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coordinate plans for trails acquisition and development and trail development grants pursuant to sections 2 of this act, 85.015, 85.016, 5 of this act, 473.147, and 473.301 to 473.341.

Sec. 2. **[4.36] GRANTS-IN-AID FOR RECREATIONAL BETTERMENT.** Subdivision 1. DEFINITIONS. For purposes of this section, the following terms have the meanings set forth, except as otherwise expressly provided or indicated by the context.

(a) “Athletic courts” means special surface areas and supporting equipment or structures such as nets, hoops, and walls which can be used for active games that have definite boundaries and are played on a marked surface, limited to basketball, volleyball, handball and tennis.

(b) “Metropolitan council” and “metropolitan area” have the meanings given them in section 473.121.

(c) “Units of government” means any county, city and home rule charter city, town, school district, public post-secondary educational institution, special park district, or any elected park and recreation board having control over parks, parkways, playgrounds, and trees in a city of the first class.

Subd. 2. GRANTS FOR PARKS AND TRAILS. The state planning agency shall administer a program to provide grants to units of government located within standard metropolitan statistical areas, as designated by the United States office of management and budget, but outside of the metropolitan area defined in section 473.121. The grants shall be for acquisition and betterment by units of government of public land and improvements needed for parks, trails, conservatories, zoos and other special use facilities having recreational significance for the entire population of the particular standard metropolitan statistical area. Appropriations made for this purpose shall be expended with the approval of the governor after consultation with the legislative advisory commission. The legislative commission on Minnesota resources shall make recommendations to the legislative advisory commission regarding the expenditures. The local contribution required shall be identical to that required by the legislative commission on Minnesota resources for grants-in-aid for recreation open space of regional significance. The program shall be administered so as to ensure the maximum possible use of available federal money.

Subd. 3. GRANTS FOR TRAILS IN LOCAL PARKS. The state planning agency shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for recreational trails in parks owned and operated by units of government. A grant shall not exceed 40 percent of the costs of the betterment of the trail. To be eligible for a grant, a unit of government must provide at least ten percent of the costs of the betterment of the trail.

Subd. 4. GRANTS FOR LOCAL OUTDOOR ATHLETIC COURTS. The state planning agency shall administer a program to provide grants to units of government for the betterment of public land and improvements needed for local athletic courts. A grant shall not exceed 50 percent of the costs of the betterment of the athletic court. To be

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eligible for a grant; a unit of government must provide at least 50 percent of the costs of the betterment of the athletic court. In making grants the agency shall consider, among other factors, evidence of cooperation between units of government, local need and available financial resources, and court locations that encourage maximum use, patronage, and availability.

Subd. 5. POWERS; RULES. The director of the state planning agency shall have all powers necessary and convenient in order to establish programs for recreational betterment grants-in-aid for parks, trails, and athletic courts pursuant to this section including, but not limited to, the authority to adopt rules and regulations for the programs, pursuant to chapter 15, and emergency rules and regulations to commence immediately the programs, pursuant to section 15.0412.

Sec. 3. Minnesota Statutes 1976, Section 85.016, is amended to read:

85.016 BICYCLE TRAIL PROGRAM. The commissioner of natural resources shall develop establish a program for an interconnecting statewide system the development of bicycle trails utilizing both the state trails authorized by section 85.015, other state parks and recreation land, and state forests and existing and proposed local bicycle trails. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264. The program shall be coordinated with the local park trail grant program established by the state planning agency pursuant to section 2 of this act, with the bicycle trail program established by the commissioner of transportation pursuant to section 5 of this act, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. ~~In addition~~ The commissioner shall provide technical assistance to local units of government in planning and developing bicycle trail systems trails in local parks. The state bicycle trail program shall, as a minimum, describe the location, design, construction, maintenance and land acquisition needs of each component trail and shall give due consideration to the model standards for the establishment of recreational vehicle lanes promulgated by the commissioner of transportation pursuant to section 160.262. ~~The program shall include a proposal for a system of state aid to localities. The proposal for a system of state aid to localities shall include a provision that the amount of aid apportioned to a locality will depend, in part, upon the numbers of bicycles registered in the locality.~~ The program shall be developed after consultation with the state trail council and regional and local units of government and bicyclists organizations.

Sec. 4. Minnesota Statutes 1976, Chapter 85, is amended by adding a section to read:

[85.017] TRAIL REGISTRY. The commissioner of natural resources shall compile and maintain a current registry of cross-country skiing, hiking, horseback riding and snowmobiling trails in the state and shall publish and distribute the information in the manner prescribed in section 86A.11. The metropolitan council, the state planning agency, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner in preparing the registry.

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Sec. 5. [160.265] BICYCLE TRAIL PROGRAM. Subdivision 1. STATE BICYCLE TRAILS. The commissioner of transportation shall establish a program for the development of bicycle trails primarily on existing road rights of way. "Bicycle trails", as used in this section, includes bicycle lanes and bicycle ways as those terms are used in sections 160.263 and 160.264. The program shall include a system of bicycle trails to be established, developed, maintained, and operated by the commissioner of transportation and a system of state grants for the development of local bicycle trails primarily on existing road rights of way. The program shall be coordinated with the local park trail grant program established by the state planning agency pursuant to section 2 of this act, with the bicycle trail program established by the commissioner of natural resources pursuant to section 85.016, with the development of the statewide transportation plan pursuant to section 174.03, and with existing and proposed local bicycle trails. In the metropolitan area as defined in section 473.121, the program shall be developed in accordance with plans and priorities established by the metropolitan council. The program shall be developed after consultation with the state trail council, local units of government, and bicyclist organizations. The program shall be administered in accordance with the provisions of sections 160.262 to 160.264 and standards promulgated pursuant thereto. The commissioner shall compile and maintain a current registry of bicycle trails in the state and shall publish and distribute the information contained in the registry in a form and manner suitable to assist persons wishing to use the trails. The metropolitan council, the commissioner of natural resources, the state planning agency, the Minnesota historical society, and local units of government shall cooperate with and assist the commissioner of transportation in preparing the registry. The commissioner shall have all powers necessary and convenient to establish the program pursuant to this section including but not limited to the authority to adopt rules pursuant to chapter 15.

Subd. 2. LOCAL BICYCLE TRAIL GRANTS. The commissioner shall provide technical assistance to local units of government in planning and developing bicycle trails. The commissioner shall make grants to units of government as defined in section 2, subdivision 1, for the betterment of public land and improvements needed for local bicycle trails. In making grants the commissioner shall consider, among other factors, the number of bicycles in the localities. A grant shall not exceed 75 percent of the costs of the betterment of the bicycle trail. To be eligible for a grant, a unit of government must provide at least 25 percent of the costs of the betterment of the trail. The commissioner may adopt emergency rules pursuant to section 15.0412 to commence the grant program immediately.

Sec. 6. Minnesota Statutes 1976, Section 473.121, Subdivision 14, is amended to read:

Subd. 14. "Regional recreation open space" means the land and water areas, or interests therein, and facilities determined by the metropolitan council to be of regional ~~significance~~ importance in providing for a balanced system of public outdoor recreation for the metropolitan area, including but not limited to park reserves, major linear parks and trails, and large recreation parks, and conservatories, zoos, and other special use facilities.

Sec. 7. Minnesota Statutes 1976, Section 473.302, is amended to read:

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473.302 REGIONAL RECREATION OPEN SPACE SYSTEM; PURPOSE. The legislature finds that the pressure of urbanization and development threatens the most valuable remaining large recreational open space areas in the metropolitan area at the same time as the need for such areas is increased. Immediate action is therefore necessary to provide funds to acquire, preserve, protect and develop regional recreational open space for public use.

Sec. 8. Minnesota Statutes 1976, Section 473.303, is amended by adding a subdivision to read:

Subd. 6. COMPENSATION. Members and the chairman shall be compensated as provided for members of metropolitan commissions.

Sec. 9. Minnesota Statutes 1976, Section 473.315, Subdivision 1, is amended to read:

473.315 GRANTS. Subdivision 1. The metropolitan council with the advice of the commission may make grants, from any funds available to it for recreation open space purposes, to any municipality, park district or county located wholly or partially within the metropolitan area to cover the cost, or any portion of the cost, of acquiring or developing regional recreation open space in accordance with the policy plan; and all such agencies may enter into contracts for this purpose or rights or interests therein. The cost of acquisition shall include any payments required for relocation pursuant to sections 117.50 to 117.56. ~~No more than 80 percent of the funds available under sections 473.304 to 473.344 shall be used for acquisition of regional recreation open space and no more than 30 percent shall be used for development of regional recreation open space.~~

Sec. 10. BOND SALE. To provide the money appropriated in the following sections of this act, the commissioner of finance, upon request of the governor, shall sell and issue bonds of the state in the amount of \$61,500,000 in the manner and upon the terms prescribed by sections 16A.63 to 16A.67 and by the Minnesota Constitution, Article XI, Sections 4 to 7.

Sec. 11. APPROPRIATIONS. The sums set forth in the following sections of this act are appropriated from the Minnesota state building fund to the agencies indicated for the acquisition and betterment of public outdoor recreation lands and capital improvements as more specifically described in the following sections of this act.

Sec. 12. PARK, TRAIL, AND ATHLETIC COURT GRANTS. Subdivision 1. The sums set forth in this section are appropriated to the state planning agency for the purposes indicated.

TOTAL APPROPRIATED.....\$5,100,000

Subd. 2. Park and trail grants,
pursuant to section 2, subdivision 2 2,500,000

\$1,750,000 of this appropriation shall be used for grants for acquisition of parks and trails.

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\$750,000 of this appropriation shall be used for grants for betterment of parks, trails, conservatories, zoos and other special use facilities.

Subd. 3. Grants for trails within local parks, pursuant to section 2, subdivision 3 \$1,300,000

\$650,000 of this appropriation shall be used for grants to units of government in the metropolitan area in accordance with priorities established by the metropolitan council and the agency.

\$650,000 of this appropriation shall be used for grants to units of government outside the metropolitan area.

Subd. 4. Local athletic court grants, pursuant to section 2, subdivision 4 1,300,000

\$650,000 of this appropriation shall be used for grants to units of government in the metropolitan area in accordance with priorities established by the metropolitan council and the agency.

\$650,000 of this appropriation shall be used for grants to units of government outside the metropolitan area.

Subd. 5. Of the sums appropriated by this section, not more than five percent may be expended by the director for staff and independent professional services needed for the grant programs. The approved complement of the state planning agency is increased by three persons.

Sec. 13. NATURAL RESOURCES ACQUISITION AND BETTERMENT.

Subdivision 1. The sums set forth in this section are appropriated to the commissioner of natural resources, except as otherwise indicated, for the purposes indicated in this section. All acquisition shall be in accordance with the policies established in sections 86A.01 to 86A.09. Lands acquired for a unit of the outdoor recreation system shall be suited to accomplish the purposes for which the unit is established and suited to be managed in accordance with the management principles applicable to the unit. Lands shall be acquired by the commissioner of administration for the commissioner of natural resources where provided by law. It shall be a condition of acceptance of the appropriations made in this section that the agency or entity receiving the appropriation shall submit work programs and semiannual progress reports in the form as may be determined by the legislative commission on Minnesota resources. None of the moneys provided in this section may be expended unless the commission has approved the pertinent work program.

TOTAL APPROPRIATED:, \$25,300,000

Subd. 2. For acquisition of state parks and recreation areas, as listed and described in sections 85.012 and 85.013 \$7,783,000

First priority for acquisitions shall be given to land within existing statutory boundaries where the property is needed for immediate development in order to accomplish the

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purposes for which the unit is authorized, or where the anticipated use of the property is incompatible with the purposes for which the unit is authorized, or where the market value of comparable property in vicinity of the property to be acquired has risen more than ten percent in each of the previous two years.

<u>Subd. 3. For acquisition of state trails,</u>	
<u>as listed and described in section 85.015,</u>	
<u>and pursuant to section 84.029,</u>	
<u>subdivision 2</u>	<u>1,805,000</u>
<u>For betterment of the trails</u>	<u>1,800,000</u>

No further expenditure of money for development of the Luce Line Trail shall be made until the commissioner of natural resources has prepared a comprehensive fiscal management plan covering all costs associated with development of the trail, submitted the plan to the house environment and natural resources committee, the house appropriations committee and the senate finance committee for the purpose of consultation, and received their recommendations thereon. The recommendations are advisory only.

<u>Subd. 4. For betterment of public land and</u>	
<u>improvements needed for trails for skiing,</u>	
<u>hiking, and bicycling within state parks</u>	
<u>and recreation areas as listed and described</u>	
<u>in sections 85.012 and 85.013 and state</u>	
<u>forests, as listed and described in</u>	
<u>section 89.021</u>	<u>1,105,000</u>

<u>Subd. 5. For acquisition of state forests,</u>	
<u>as listed and described in section 89.021</u>	<u>2,760,000</u>

Priority shall first be given to acquiring the remaining lands in the Sand Dunes and Memorial Hardwood state forests and then to lands particularly suited for use as state forest campgrounds or day use areas and to lands within state forests that possess outstanding natural or scenic values, forest growth, lake or river shoreland, or rare and distinctive species of flora and fauna native to the area, that should be preserved for the benefit of the public. If any parcel acquired for the Memorial Hardwood forest after the effective date of this act contains more than ten contiguous acres of tillable land adjacent to other tillable land or to a public road, the commissioner of natural resources shall declare that tillable land as surplus land to the commissioner of administration. The commissioner of administration shall offer the land for sale in the manner provided by law not less than six months after acquisition by the state and once thereafter in each of the next two years. Tillable land is land classified as class 1, 2, or 3 as defined by the United States soil conservation service. Notwithstanding any law to the contrary neither the state nor any of its subdivisions shall be required to construct or maintain any street, highway or other road to provide access to any parcel of land sold pursuant to this subdivision. None of the money appropriated by this subdivision shall be obligated or expended for the acquisition, development or maintenance of state forests without prior express approval of the legislative commission on Minnesota's resources.

<u>Subd. 6. For acquisition of fishing</u>	
<u>management lands, comprising lands and riparian</u>	
<u>rights and other interests therein needed for</u>	

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management of waters for primary wildlife use and benefit and for access to fishing waters pursuant to section 97.48, subdivisions 8, 11 and 15 1,008,000

Subd. 7. For acquisition of state wildlife management areas, acquired pursuant to section 97.48, subdivision 13 or section 97.481 2,500,000
For betterment of these areas 500,000

Acquisition shall be limited to wildlife lands and waters that are of high priority because they are critical to the functioning of a unit already in public ownership, or are threatened with development that is incompatible with preservation of the area for wildlife management, or are situated in an area where the market value of comparable property has risen more than ten percent in each of the previous two years, and that can be acquired from a willing seller.

Subd. 8. For acquisition of wild, scenic and recreational rivers, designated pursuant to sections 104.25 to 104.40, and canoe and boating routes, portages, and camp sites, as listed and described in section 85.32 1,706,000

Subd. 9. For acquisition of scientific and natural areas designated pursuant to section 84.033 538,000

Subd. 10. For costs of staff and independent professional services necessary to the acquisition and betterment of these lands and improvements 3,795,000

Sec. 14. BICYCLE TRAIL GRANTS. Subdivision 1. The sums set forth in this section are appropriated to the commissioner of transportation for the purposes indicated.

TOTAL APPROPRIATED.....\$3,800,000

Subd. 2. For betterment of public land and improvements needed for state bicycle trails primarily on existing road rights of way pursuant to section 5, subdivision 1, of this act 1,700,000

Subd. 3. Local bicycle trail grants, pursuant to section 5, subdivision 2, of this act 2,100,000

\$700,000 of this appropriation shall be used for grants to units of government in the metropolitan area, in accordance with the priorities established by the metropolitan council.

\$1,400,000 of this appropriation shall be used for grants to units of government outside

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the metropolitan area.

Subd. 4. GRANT PROGRAM ADMINISTRATION. Of the amounts appropriated by subdivision 2, not more than 15 percent, and of the amounts appropriated by subdivision 3, not more than five percent, may be expended by the commissioner for staff and independent professional services needed for the grant program.

Sec. 15. METROPOLITAN PARKS AND TRAILS. Subdivision 1. The sums set forth in this section are appropriated to the director of the state planning agency for payment to the metropolitan council established under section 473.123. The money shall be paid to the metropolitan council upon receipt by the agency of a resolution of the council requesting payment.

TOTAL APPROPRIATED.....\$27,300,000

Subd. 2. Parks and trails 24,000,000

This appropriation shall be used to pay the cost of the acquisition and betterment by the metropolitan council and local government units of regional recreation open space in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. The money is available for payment of relocation costs and tax equivalents required in sections 473.315 and 473.341. Of the amount appropriated by this subdivision, the metropolitan council may expend no more than \$200,000 for staff and independent professional services necessary for the acquisition and betterment of this open space and for the performance of duties of the metropolitan council under this section and sections 1, 12, and 14.

Subd. 3. Trails in parks 2,200,000

This appropriation shall be used to pay the cost of betterment by the metropolitan council and local government units of public land and improvements needed for trails situated within regional parks and park reserves in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. None of the money may be used for acquisition of land, for relocation payments under section 473.315, or for tax equivalents under section 473.341.

Subd. 4. Trail corridors 1,100,000

This appropriation shall be used to pay the cost of acquisition and betterment by the metropolitan council and local government units of public land and improvements needed for regional trails and trail corridors situated outside of regional parks and park reserves, in accordance with the council's policy plan, as provided in sections 473.301 to 473.341. The money is available for payment of relocation costs and tax equivalents required in sections 473.315 and 473.341.

Approved June 2, 1977.

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