

HOUSE RESEARCH

Bill Summary

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Subject: Administrative penalty orders for DNR water's division

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Overview

Provides administrative penalty authority to the Commissioner of Natural Resources to issue civil citations for DNR water laws and rules in Minnesota Statutes, chapters 103F and 103G.

Section

1 Administrative penalty orders. Authorizes the orders to correct violations and assess monetary penalties.

2 Administrative penalty order procedure. Provides the procedure to issue an order.

Subd. 2. Amount of penalty; considerations. Lists the considerations to determine the amount of a penalty for violation.

Subd. 3. Corrective order. Allows a corrective order to fix the problem within a certain time period.

Subd. 4. Penalty. Authorizes, after completion of a corrective action, the commissioner to forgo part or all of the penalty amount.

Subd. 5. Expedited administrative hearing. Allows an administrative hearing, if requested by the person with a violation.

3 Recovery of litigation costs and expenses. Allows state litigation expenses to be awarded also, if the state prevails and if the violation was willful.

Section

- 4** **Implementation plan; rulemaking exemption.** Provides for the commissioner to prepare a implementation plan under this bill, exempt from rulemaking.