

1.1 moves to amend H.F. No. 2310 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 **"ARTICLE 1**

1.4 **ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS**

1.5 Section 1. **ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.**

1.6 The sums shown in the columns marked "Appropriations" are appropriated to the agencies
 1.7 and for the purposes specified in this article. The appropriations are from the general fund,
 1.8 or another named fund, and are available for the fiscal years indicated for each purpose.
 1.9 The figures "2024" and "2025" used in this article mean that the appropriations listed under
 1.10 them are available for the fiscal year ending June 30, 2024, or June 30, 2025, respectively.
 1.11 "The first year" is fiscal year 2024. "The second year" is fiscal year 2025. "The biennium"
 1.12 is fiscal years 2024 and 2025.

1.13 **APPROPRIATIONS**

1.14 **Available for the Year**

1.15 **Ending June 30**

1.16 **2024**

2025

1.17 Sec. 2. **POLLUTION CONTROL AGENCY**

1.18	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>276,096,000</u>	<u>\$</u>	<u>214,828,000</u>
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1.19 **Appropriations by Fund**

	<u>2024</u>	<u>2025</u>
1.20		
1.21	<u>151,113,000</u>	<u>81,891,000</u>
1.22		
1.23	<u>85,000</u>	<u>90,000</u>
1.24	<u>105,227,000</u>	<u>112,600,000</u>
1.25	<u>19,671,000</u>	<u>20,247,000</u>

2.1 The amounts that may be spent for each
 2.2 purpose are specified in the following
 2.3 subdivisions.
 2.4 The commissioner must present the agency's
 2.5 biennial budget for fiscal years 2026 and 2027
 2.6 to the legislature in a transparent way by
 2.7 agency division, including the proposed
 2.8 budget bill and presentations of the budget to
 2.9 committees and divisions with jurisdiction
 2.10 over the agency's budget.

2.11 **Subd. 2. Environmental Analysis and Outcomes** 42,533,000 40,452,000

2.12	<u>Appropriations by Fund</u>		
2.13		<u>2024</u>	<u>2025</u>
2.14	<u>General</u>	<u>25,145,000</u>	<u>20,714,000</u>
2.15	<u>Environmental</u>	<u>17,139,000</u>	<u>19,533,000</u>
2.16	<u>Remediation</u>	<u>249,000</u>	<u>205,000</u>

2.17 (a) \$122,000 the first year and \$125,000 the
 2.18 second year are from the general fund for:

2.19 (1) a municipal liaison to assist municipalities
 2.20 in implementing and participating in the
 2.21 rulemaking process for water quality standards
 2.22 and navigating the NPDES/SDS permitting
 2.23 process;

2.24 (2) enhanced economic analysis in the
 2.25 rulemaking process for water quality
 2.26 standards, including more-specific analysis
 2.27 and identification of cost-effective permitting;

2.28 (3) developing statewide economic analyses
 2.29 and templates to reduce the amount of
 2.30 information and time required for
 2.31 municipalities to apply for variances from
 2.32 water quality standards; and

2.33 (4) coordinating with the Public Facilities
 2.34 Authority to identify and advocate for the

3.1 resources needed for urban, suburban, and
3.2 Greater Minnesota municipalities to achieve
3.3 permit requirements.

3.4 (b) \$216,000 the first year and \$219,000 the
3.5 second year are from the environmental fund
3.6 for a monitoring program under Minnesota
3.7 Statutes, section 116.454.

3.8 (c) \$132,000 the first year and \$137,000 the
3.9 second year are for monitoring water quality
3.10 and operating assistance programs.

3.11 (d) \$390,000 the first year and \$399,000 the
3.12 second year are from the environmental fund
3.13 for monitoring ambient air for hazardous
3.14 pollutants.

3.15 (e) \$106,000 the first year and \$109,000 the
3.16 second year are from the environmental fund
3.17 for duties related to harmful chemicals in
3.18 children's products under Minnesota Statutes,
3.19 sections 116.9401 to 116.9407. Of this
3.20 amount, \$68,000 the first year and \$70,000
3.21 the second year are transferred to the
3.22 commissioner of health.

3.23 (f) \$128,000 the first year and \$132,000 the
3.24 second year are from the environmental fund
3.25 for registering wastewater laboratories.

3.26 (g) \$1,492,000 the first year and \$1,519,000
3.27 the second year are from the environmental
3.28 fund to continue perfluorochemical
3.29 biomonitoring in eastern metropolitan
3.30 communities, as recommended by the
3.31 Environmental Health Tracking and
3.32 Biomonitoring Advisory Panel, and to address
3.33 other environmental health risks, including air
3.34 quality. The communities must include Hmong

4.1 and other immigrant farming communities.
4.2 Of this amount, up to \$1,226,000 the first year
4.3 and \$1,248,000 the second year are for transfer
4.4 to the commissioner of health.

4.5 (h) \$61,000 the first year and \$62,000 the
4.6 second year are from the environmental fund
4.7 for the listing procedures for impaired waters
4.8 required under this act.

4.9 (i) \$72,000 the first year and \$74,000 the
4.10 second year are from the remediation fund for
4.11 the leaking underground storage tank program
4.12 to investigate, clean up, and prevent future
4.13 releases from underground petroleum storage
4.14 tanks and for the petroleum remediation
4.15 program for vapor assessment and
4.16 remediation. These same annual amounts are
4.17 transferred from the petroleum tank fund to
4.18 the remediation fund.

4.19 (j) \$500,000 the first year is to facilitate the
4.20 collaboration and modeling of greenhouse gas
4.21 impacts, costs, and benefits of strategies to
4.22 reduce statewide greenhouse gas emissions.
4.23 This is a onetime appropriation.

4.24 (k) \$20,266,000 the first year and \$20,270,000
4.25 the second year are to establish and implement
4.26 a local government water infrastructure grant
4.27 program for local governmental units and
4.28 Tribal governments. Of this amount,
4.29 \$19,720,000 each year is for grants to support
4.30 communities in planning and implementing
4.31 projects that will allow for adaptation for a
4.32 changing climate. At least 50 percent of the
4.33 money granted under this paragraph must be
4.34 for projects in the seven-county metropolitan
4.35 area. This appropriation is available until June

5.1 30, 2027. The base for this appropriation in
5.2 fiscal year 2026 and beyond is \$270,000.

5.3 (l) \$2,070,000 the first year and \$2,070,000
5.4 the second year are from the environmental
5.5 fund to develop and implement a drinking
5.6 water protection and PFAS response program
5.7 related to emerging issues, including
5.8 *Minnesota's PFAS Blueprint.*

5.9 (m) \$1,820,000 the second year is from the
5.10 environmental fund to support improved
5.11 management of data collected by the agency
5.12 and its partners and regulated parties to
5.13 facilitate decision making and public access.

5.14 (n) \$500,000 the first year is for developing
5.15 and implementing firefighter biomonitoring
5.16 protocols required under this act. Of this
5.17 amount, up to \$250,000 may be transferred to
5.18 the commissioner of health for biomonitoring
5.19 of firefighters. This appropriation is available
5.20 until June 30, 2025.

5.21 (o) \$175,000 the first year is for the
5.22 rulemaking required under this act providing
5.23 for the safe and lawful disposal of waste
5.24 treated seed. This appropriation is available
5.25 until June 30, 2025.

5.26 (p) \$2,000,000 the first year is to develop
5.27 protocols to be used by agencies and
5.28 departments for sampling and testing
5.29 groundwater, surface water, public drinking
5.30 water, and private wells for microplastics and
5.31 nanoplastics and to begin implementation. The
5.32 commissioner of the Pollution Control Agency
5.33 may transfer money appropriated under this
5.34 paragraph to the commissioners of agriculture,

6.1 natural resources, and health to implement the
 6.2 protocols developed. This is a onetime
 6.3 appropriation and is available until June 30,
 6.4 2025.

6.5 (q) \$1,000,000 the first year is for a lead tackle
 6.6 reduction program that provides outreach,
 6.7 education, and opportunities to safely dispose
 6.8 of and exchange lead tackle throughout the
 6.9 state. This is a onetime appropriation and is
 6.10 available until June 30, 2025.

6.11 (r) \$50,000 the first year is from the
 6.12 remediation fund for the work group on PFAS
 6.13 manufacturer fees and report required under
 6.14 this act.

6.15 (s) \$387,000 the first year and \$90,000 the
 6.16 second year are to develop and implement the
 6.17 requirements for fish kills under Minnesota
 6.18 Statutes, sections 103G.216 and 103G.2165.
 6.19 Of this amount, up to \$331,000 the first year
 6.20 and \$90,000 the second year may be
 6.21 transferred to the commissioners of health,
 6.22 natural resources, agriculture, and public
 6.23 safety, and the Board of Regents of the
 6.24 University of Minnesota as necessary to
 6.25 implement those sections. The base for this
 6.26 appropriation for fiscal year 2026 and beyond
 6.27 is \$7,000.

6.28 (t) \$63,000 the first year and \$92,000 the
 6.29 second year are for transfer to the
 6.30 commissioner of health for amending the
 6.31 health risk limit for PFOS. This is a onetime
 6.32 appropriation and is available until June 30,
 6.33 2026.

6.34 Subd. 3. **Industrial** 59,681,000 35,087,000

7.1	<u>Appropriations by Fund</u>	
7.2	<u>2024</u>	<u>2025</u>
7.3	<u>General</u>	<u>39,980,000</u> <u>14,577,000</u>
7.4	<u>Environmental</u>	<u>17,980,000</u> <u>18,737,000</u>
7.5	<u>Remediation</u>	<u>1,721,000</u> <u>1,773,000</u>

7.6 (a) \$1,621,000 the first year and \$1,670,000
7.7 the second year are from the remediation fund
7.8 for the leaking underground storage tank
7.9 program to investigate, clean up, and prevent
7.10 future releases from underground petroleum
7.11 storage tanks and for the petroleum
7.12 remediation program for vapor assessment
7.13 and remediation. These same annual amounts
7.14 are transferred from the petroleum tank fund
7.15 to the remediation fund.

7.16 (b) \$448,000 the first year and \$457,000 the
7.17 second year are from the environmental fund
7.18 to further evaluate the use and reduction of
7.19 trichloroethylene around Minnesota and
7.20 identify its potential health effects on
7.21 communities. Of this amount, \$145,000 the
7.22 first year and \$149,000 the second year are
7.23 transferred to the commissioner of health.

7.24 (c) \$4,000 the first year and \$4,000 the second
7.25 year are from the environmental fund to
7.26 purchase air emissions monitoring equipment
7.27 to support compliance and enforcement
7.28 activities.

7.29 (d) \$3,200,000 the first year and \$3,200,000
7.30 the second year are to provide air emission
7.31 reduction grants. Of this amount, \$2,800,000
7.32 each year is for grants to reduce air pollution
7.33 at regulated facilities within environmental
7.34 justice areas of concern. This appropriation is

8.1 available until June 30, 2027, and is a onetime
8.2 appropriation.

8.3 (e) \$40,000 the first year and \$40,000 the
8.4 second year are for air compliance equipment
8.5 maintenance. This is a onetime appropriation.

8.6 (f) \$20,000,000 the first year and \$300,000
8.7 the second year are to support research on
8.8 innovative technologies to treat
8.9 difficult-to-manage pollutants and for
8.10 implementation grants based on this research
8.11 at taconite facilities. Of this amount,
8.12 \$2,100,000 is for research to foster economic
8.13 development of the state's natural resources
8.14 in an environmentally sound manner and
8.15 \$17,600,000 is for grants. Of the \$2,100,000
8.16 for research, \$900,000 is for transfer to the
8.17 Board of Regents of the University of
8.18 Minnesota for academic and applied research
8.19 through the MnDRIVE program at the Natural
8.20 Resources Research Institute to develop and
8.21 demonstrate technologies that enhance the
8.22 long-term health and management of
8.23 Minnesota's water and mineral resources. This
8.24 appropriation is for continued characterization
8.25 of Minnesota's iron resources and development
8.26 of next-generation process technologies for
8.27 iron products and reduced effluent. This
8.28 research must be conducted in consultation
8.29 with the Mineral Coordinating Committee
8.30 established under Minnesota Statutes, section
8.31 93.0015. This is a onetime appropriation and
8.32 is available until June 30, 2027.

8.33 (g) \$500,000 the first year and \$500,000 the
8.34 second year are for the purposes of biofuel
8.35 wastewater monitoring requirements under

9.1 Minnesota Statutes, section 115.03,
9.2 subdivision 12.

9.3 (h) \$250,000 the first year is for a lifecycle
9.4 assessment of the presence of neonicotinoid
9.5 pesticide in the production of ethanol,
9.6 biodiesel, and advanced biofuel, including
9.7 feedstocks, coproducts, air emissions, and the
9.8 fuel itself. This is a onetime appropriation and
9.9 is available until June 30, 2025. No later than
9.10 December 15, 2024, the commissioner of
9.11 agriculture must submit the assessment,
9.12 including recommendations, to the legislative
9.13 committees with jurisdiction over agriculture
9.14 and the environment.

9.15 (i) \$670,000 the first year and \$522,000 the
9.16 second year are from the general fund and
9.17 \$277,000 the first year and \$277,000 the
9.18 second year are from the environmental fund
9.19 for the purposes of the nonexpiring state
9.20 individual air quality permit requirements
9.21 under Minnesota Statutes, section 116.07,
9.22 subdivision 4o. The base for this appropriation
9.23 in fiscal year 2026 and beyond is \$277,000
9.24 from the environmental fund.

9.25 (j) \$250,000 the first year and \$250,000 the
9.26 second year are for rulemaking and
9.27 implementation of the odor management
9.28 requirements under Minnesota Statutes,
9.29 section 116.063. The base for this
9.30 appropriation is \$250,000 in fiscal year 2026
9.31 and \$500,000 in fiscal year 2027 and beyond.

9.32 (k) \$5,000,000 the first year is for community
9.33 air-monitoring grants as provided in this act.
9.34 This is a onetime appropriation and is
9.35 available until June 30, 2025.

10.1 (l) \$9,526,000 the first year and \$9,221,000
 10.2 the second year are from the general fund for
 10.3 implementation of the environmental justice,
 10.4 cumulative impact analysis, and demographic
 10.5 analysis requirements under this act. This is a
 10.6 onetime appropriation and is available until
 10.7 June 30, 2028. The base for this appropriation
 10.8 in fiscal year 2026 and beyond is \$9,021,000
 10.9 from the environmental fund.

10.10 (m) \$625,000 the first year and \$779,000 the
 10.11 second year are from the environmental fund
 10.12 to adopt rules and implement air toxics
 10.13 emissions requirements under Minnesota
 10.14 Statutes, section 116.062. The base for this
 10.15 appropriation is \$669,000 in fiscal year 2026
 10.16 and \$1,400,000 in fiscal year 2027 and
 10.17 beyond.

10.18 **Subd. 4. Municipal** 10,725,000 11,373,000

10.19	<u>Appropriations by Fund</u>	
10.20	<u>2024</u>	<u>2025</u>
10.21 <u>General</u>	<u>761,000</u>	<u>767,000</u>
10.22 <u>State Government</u>		
10.23 <u>Special Revenue</u>	<u>85,000</u>	<u>90,000</u>
10.24 <u>Environmental</u>	<u>9,879,000</u>	<u>10,516,000</u>

10.25 (a) \$217,000 the first year and \$223,000 the
 10.26 second year are for:

10.27 (1) a municipal liaison to assist municipalities
 10.28 in implementing and participating in the
 10.29 rulemaking process for water quality standards
 10.30 and navigating the NPDES/SDS permitting
 10.31 process;

10.32 (2) enhanced economic analysis in the
 10.33 rulemaking process for water quality
 10.34 standards, including more-specific analysis
 10.35 and identification of cost-effective permitting;

- 11.1 (3) developing statewide economic analyses
11.2 and templates to reduce the amount of
11.3 information and time required for
11.4 municipalities to apply for variances from
11.5 water quality standards; and
- 11.6 (4) coordinating with the Public Facilities
11.7 Authority to identify and advocate for the
11.8 resources needed for municipalities to achieve
11.9 permit requirements.
- 11.10 (b) \$50,000 the first year and \$50,000 the
11.11 second year are from the environmental fund
11.12 for transfer to the Office of Administrative
11.13 Hearings to establish sanitary districts.
- 11.14 (c) \$1,240,000 the first year and \$1,338,000
11.15 the second year are from the environmental
11.16 fund for subsurface sewage treatment system
11.17 (SSTS) program administration and
11.18 community technical assistance and education,
11.19 including grants and technical assistance to
11.20 communities for water-quality protection. Of
11.21 this amount, \$350,000 each year is for
11.22 assistance to counties through grants for SSTS
11.23 program administration. A county receiving
11.24 a grant from this appropriation must submit
11.25 the results achieved with the grant to the
11.26 commissioner as part of its annual SSTS
11.27 report. Any unexpended balance in the first
11.28 year does not cancel but is available in the
11.29 second year.
- 11.30 (d) \$994,000 the first year and \$1,094,000 the
11.31 second year are from the environmental fund
11.32 to address the need for continued increased
11.33 activity in new technology review, technical
11.34 assistance for local governments, and
11.35 enforcement under Minnesota Statutes,

12.1 sections 115.55 to 115.58, and to complete the
 12.2 requirements of Laws 2003, chapter 128,
 12.3 article 1, section 165.

12.4 (e) Notwithstanding Minnesota Statutes,
 12.5 section 16A.28, the appropriations
 12.6 encumbered on or before June 30, 2025, as
 12.7 grants or contracts for subsurface sewage
 12.8 treatment systems, surface water and
 12.9 groundwater assessments, storm water, and
 12.10 water-quality protection in this subdivision
 12.11 are available until June 30, 2028.

12.12 **Subd. 5. Operations** 38,236,000 32,836,000

12.13	<u>Appropriations by Fund</u>	
12.14	<u>2024</u>	<u>2025</u>
12.15	<u>General</u>	<u>27,250,000</u> <u>21,859,000</u>
12.16	<u>Environmental</u>	<u>8,369,000</u> <u>8,486,000</u>
12.17	<u>Remediation</u>	<u>2,617,000</u> <u>2,491,000</u>

12.18 (a) \$1,154,000 the first year and \$1,124,000
 12.19 the second year are from the remediation fund
 12.20 for the leaking underground storage tank
 12.21 program to investigate, clean up, and prevent
 12.22 future releases from underground petroleum
 12.23 storage tanks and for the petroleum
 12.24 remediation program for vapor assessment
 12.25 and remediation. These same annual amounts
 12.26 are transferred from the petroleum tank fund
 12.27 to the remediation fund.

12.28 (b) \$3,000,000 the first year and \$3,109,000
 12.29 the second year are to support agency
 12.30 information technology services provided at
 12.31 the enterprise and agency level to improve
 12.32 operations.

12.33 (c) \$906,000 the first year and \$919,000 the
 12.34 second year are from the environmental fund

- 13.1 to develop and maintain systems to support
13.2 agency permitting and regulatory business
13.3 processes and data.
- 13.4 (d) \$2,000,000 the first year and \$2,000,000
13.5 the second year are to provide technical
13.6 assistance to Tribal governments. This is a
13.7 onetime appropriation.
- 13.8 (e) \$18,250,000 the first year and \$16,750,000
13.9 the second year are to support modernizing
13.10 and automating agency environmental
13.11 programs and data systems and how the
13.12 agency provides services to regulated parties,
13.13 partners, and the public. This appropriation is
13.14 available until June 30, 2027. This is a onetime
13.15 appropriation.
- 13.16 (f) \$270,000 the first year and \$270,000 the
13.17 second year are from the environmental fund
13.18 to support current and future career pathways
13.19 for underrepresented students.
- 13.20 (g) \$700,000 the first year and \$700,000 the
13.21 second year are from the environmental fund
13.22 to improve the coordination, effectiveness,
13.23 transparency, and accountability of the
13.24 environmental review and permitting process.
- 13.25 (h) \$4,000,000 is for a grant to the owner of
13.26 a biomass energy generation plant in Shakopee
13.27 that uses waste heat from the generation of
13.28 electricity in the malting process to purchase
13.29 a wood dehydrator to facilitate disposal of
13.30 wood that is infested by the emerald ash borer.
13.31 By October 1, 2024, the commissioner of the
13.32 Pollution Control Agency must report to the
13.33 chairs and ranking minority members of the
13.34 legislative committees and divisions with

14.1 jurisdiction over the environment and natural
 14.2 resources on the use of money appropriated
 14.3 under this paragraph.
 14.4 (i) \$438,000 the first year and \$333,000 the
 14.5 second year are from the environmental fund
 14.6 for the Minnesota Pollution Control Agency
 14.7 citizen members.

14.8 **Subd. 6. Remediation** 40,318,000 16,022,000

14.9	<u>Appropriations by Fund</u>		
14.10	<u>2024</u>	<u>2025</u>	
14.11 <u>General</u>	<u>25,000,000</u>	<u>-0-</u>	
14.12 <u>Environmental</u>	<u>607,000</u>	<u>628,000</u>	
14.13 <u>Remediation</u>	<u>14,711,000</u>	<u>15,394,000</u>	

14.14 (a) All money for environmental response,
 14.15 compensation, and compliance in the
 14.16 remediation fund not otherwise appropriated
 14.17 is appropriated to the commissioners of the
 14.18 Pollution Control Agency and agriculture for
 14.19 purposes of Minnesota Statutes, section
 14.20 115B.20, subdivision 2, clauses (1), (2), (3),
 14.21 (6), and (7). At the beginning of each fiscal
 14.22 year, the two commissioners must jointly
 14.23 submit to the commissioner of management
 14.24 and budget an annual spending plan that
 14.25 maximizes resource use and appropriately
 14.26 allocates the money between the two
 14.27 departments. This appropriation is available
 14.28 until June 30, 2025.

14.29 (b) \$415,000 the first year and \$426,000 the
 14.30 second year are from the environmental fund
 14.31 to manage contaminated sediment projects at
 14.32 multiple sites identified in the St. Louis River
 14.33 remedial action plan to restore water quality
 14.34 in the St. Louis River Area of Concern.

- 15.1 (c) \$4,476,000 the first year and \$4,622,000
15.2 the second year are from the remediation fund
15.3 for the leaking underground storage tank
15.4 program to investigate, clean up, and prevent
15.5 future releases from underground petroleum
15.6 storage tanks and for the petroleum
15.7 remediation program for vapor assessment
15.8 and remediation. These same annual amounts
15.9 are transferred from the petroleum tank fund
15.10 to the remediation fund.
- 15.11 (d) \$308,000 the first year and \$316,000 the
15.12 second year are from the remediation fund for
15.13 transfer to the commissioner of health for
15.14 private water-supply monitoring and health
15.15 assessment costs in areas contaminated by
15.16 unpermitted mixed municipal solid waste
15.17 disposal facilities and drinking water
15.18 advisories and public information activities
15.19 for areas contaminated by hazardous releases.
- 15.20 (e) \$25,000,000 the first year is for grants to
15.21 support planning, designing, and preparing for
15.22 solutions for public water treatment systems
15.23 contaminated with PFAS. The grants are to
15.24 reimburse local public water supply operators
15.25 for source investigations, sampling and
15.26 treating private drinking water wells, and
15.27 evaluating solutions for treating private
15.28 drinking water wells. At least 50 percent of
15.29 the money appropriated under this paragraph
15.30 must be for grants in the seven-county
15.31 metropolitan area. This appropriation is
15.32 available until June 30, 2027, and is a onetime
15.33 appropriation.
- 15.34 (f) \$76,000 the first year is from the
15.35 remediation fund for the petroleum tank

16.1 release cleanup program duties and report
 16.2 required under this act. This is a onetime
 16.3 appropriation.

16.4 **Subd. 7. Resource Management and Assistance** 69,850,000 63,467,000

16.5 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
16.6		
16.7	<u>26,302,000</u>	<u>18,655,000</u>
16.8	<u>43,548,000</u>	<u>44,812,000</u>

16.9 (a) Up to \$150,000 the first year and \$150,000
 16.10 the second year may be transferred from the
 16.11 environmental fund to the small business
 16.12 environmental improvement loan account
 16.13 under Minnesota Statutes, section 116.993.

16.14 (b) \$1,000,000 the first year and \$1,000,000
 16.15 the second year are for competitive recycling
 16.16 grants under Minnesota Statutes, section
 16.17 115A.565. Of this amount, \$300,000 the first
 16.18 year and \$300,000 the second year are from
 16.19 the general fund, and \$700,000 the first year
 16.20 and \$700,000 the second year are from the
 16.21 environmental fund. This appropriation is
 16.22 available until June 30, 2027.

16.23 (c) \$694,000 the first year and \$694,000 the
 16.24 second year are from the environmental fund
 16.25 for emission-reduction activities and grants to
 16.26 small businesses and other
 16.27 nonpoint-emission-reduction efforts. Of this
 16.28 amount, \$100,000 the first year and \$100,000
 16.29 the second year are to continue work with
 16.30 Clean Air Minnesota, and the commissioner
 16.31 may enter into an agreement with
 16.32 Environmental Initiative to support this effort.

16.33 (d) \$22,450,000 the first year and \$22,450,000
 16.34 the second year are for SCORE block grants

17.1 to counties. Of this amount, \$4,000,000 the
17.2 first year and \$4,000,000 the second year are
17.3 from the general fund, and \$18,450,000 the
17.4 first year and \$18,450,000 the second year are
17.5 from the environmental fund. The base in
17.6 fiscal year 2026 and beyond is \$18,450,000
17.7 from the environmental fund. For fiscal years
17.8 2024 and 2025, each county's allocation is
17.9 based on Minnesota Statutes, section
17.10 115A.557 and \$2,000,000 must be used only
17.11 for waste prevention and reuse activities.

17.12 (e) \$119,000 the first year and \$119,000 the
17.13 second year are from the environmental fund
17.14 for environmental assistance grants or loans
17.15 under Minnesota Statutes, section 115A.0716.

17.16 (f) \$400,000 the first year and \$400,000 the
17.17 second year are from the environmental fund
17.18 for grants to develop and expand recycling
17.19 markets for Minnesota businesses.

17.20 (g) \$767,000 the first year and \$770,000 the
17.21 second year are from the environmental fund
17.22 for reducing and diverting food waste,
17.23 redirecting edible food for consumption, and
17.24 removing barriers to collecting and recovering
17.25 organic waste. Of this amount, \$500,000 each
17.26 year is for grants to increase food rescue and
17.27 waste prevention. This appropriation is
17.28 available until June 30, 2027.

17.29 (h) \$2,797,000 the first year and \$2,811,000
17.30 the second year are from the environmental
17.31 fund for the purposes of Minnesota Statutes,
17.32 section 473.844.

17.33 (i) \$318,000 the first year and \$474,000 the
17.34 second year are from the environmental fund

18.1 to address chemicals in products, including to
18.2 implement and enforce flame retardant
18.3 provisions under Minnesota Statutes, section
18.4 325F.071, and perfluoroalkyl and
18.5 polyfluoroalkyl substances in food packaging
18.6 provisions under Minnesota Statutes, section
18.7 325F.075. Of this amount, \$78,000 the first
18.8 year and \$80,000 the second year are
18.9 transferred to the commissioner of health.

18.10 (j) \$180,000 the first year and \$140,000 the
18.11 second year are for quantifying climate-related
18.12 impacts from projects for environmental
18.13 review. This is a onetime appropriation.

18.14 (k) \$1,790,000 the first year and \$70,000 the
18.15 second year are for accelerating pollution
18.16 prevention at small businesses. Of this amount,
18.17 \$1,720,000 the first year is for zero-interest
18.18 loans to phase out high-polluting equipment,
18.19 products, and processes and replace with new
18.20 options. This appropriation is available until
18.21 June 30, 2027. This is a onetime appropriation.

18.22 (l) \$190,000 the first year and \$190,000 the
18.23 second year are to support the Greenstep Cities
18.24 program. This is a onetime appropriation.

18.25 (m) \$420,000 the first year is to complete a
18.26 study on the viability of recycling solar energy
18.27 equipment. This is a onetime appropriation.

18.28 (n) \$650,000 the first year and \$650,000 the
18.29 second year are from the environmental fund
18.30 for Minnesota GreenCorps investment.

18.31 (o) \$4,210,000 the first year and \$210,000 the
18.32 second year are for PFAS reduction grants.
18.33 Of this amount, \$4,000,000 the first year is
18.34 for grants to industry and public entities to

19.1 identify sources of PFAS entering facilities
19.2 and to develop pollution prevention and
19.3 reduction initiatives to reduce PFAS entering
19.4 facilities, prevent releases, and monitor the
19.5 effectiveness of these projects. Priority must
19.6 be given to projects in underserved
19.7 communities. This is a onetime appropriation
19.8 and is available until June 30, 2027.

19.9 (p) \$12,940,000 the first year and \$12,940,000
19.10 the second year are for a waste prevention and
19.11 reduction grants and loan program. This is a
19.12 onetime appropriation and is available until
19.13 June 30, 2027.

19.14 (q) \$825,000 the first year and \$1,453,000 the
19.15 second year are from the environmental fund
19.16 for rulemaking and implementation of the new
19.17 PFAS requirements under Minnesota Statutes,
19.18 section 116.943. Of this amount, \$312,000 the
19.19 first year and \$468,000 the second year are
19.20 for transfer to the commissioner of health. The
19.21 base for this appropriation is \$1,115,000 in
19.22 fiscal year 2026 and beyond.

19.23 (r) \$680,000 the first year is for the zero waste
19.24 report required in this act. This is a onetime
19.25 appropriation and is available until June 30
19.26 2026.

19.27 (s) \$1,592,000 the first year and \$805,000 the
19.28 second year are for zero-waste grants under
19.29 Minnesota Statutes, section 115A.566.

19.30 (t) \$35,000 the second year is from the
19.31 environmental fund for the compostable
19.32 labeling requirements under Minnesota
19.33 Statutes, section 325E.046. The base for this

20.1 appropriation in fiscal year 2026 and beyond
 20.2 is \$68,000.

20.3 (u) Any unencumbered grant and loan
 20.4 balances in the first year do not cancel but are
 20.5 available for grants and loans in the second
 20.6 year. Notwithstanding Minnesota Statutes,
 20.7 section 16A.28, the appropriations
 20.8 encumbered on or before June 30, 2025, as
 20.9 contracts or grants for environmental
 20.10 assistance awarded under Minnesota Statutes,
 20.11 section 115A.0716; technical and research
 20.12 assistance under Minnesota Statutes, section
 20.13 115A.152; technical assistance under
 20.14 Minnesota Statutes, section 115A.52; and
 20.15 pollution prevention assistance under
 20.16 Minnesota Statutes, section 115D.04, are
 20.17 available until June 30, 2027.

20.18 **Subd. 8. Watershed** 12,678,000 13,952,000

20.19	<u>Appropriations by Fund</u>	
20.20	<u>2024</u>	<u>2025</u>
20.21	<u>4,821,000</u>	<u>3,906,000</u>
20.22	<u>7,484,000</u>	<u>9,662,000</u>
20.23	<u>373,000</u>	<u>384,000</u>

20.24 (a) \$3,000,000 the first year and \$3,000,000
 20.25 the second year are for grants to delegated
 20.26 counties to administer the county feedlot
 20.27 program under Minnesota Statutes, section
 20.28 116.0711, subdivisions 2 and 3. Money
 20.29 remaining after the first year is available for
 20.30 the second year. The base for this
 20.31 appropriation in fiscal year 2026 and beyond
 20.32 is \$1,959,000.

20.33 (b) \$236,000 the first year and \$241,000 the
 20.34 second year are from the environmental fund
 20.35 for the costs of implementing general

21.1 operating permits for feedlots over 1,000
21.2 animal units.

21.3 (c) \$125,000 the first year and \$129,000 the
21.4 second year are from the remediation fund for
21.5 the leaking underground storage tank program
21.6 to investigate, clean up, and prevent future
21.7 releases from underground petroleum storage
21.8 tanks and for the petroleum remediation
21.9 program for vapor assessment and
21.10 remediation. These same annual amounts are
21.11 transferred from the petroleum tank fund to
21.12 the remediation fund.

21.13 (d) \$459,000 the first year and \$494,000 the
21.14 second year are from the general fund and
21.15 \$1,680,000 the second year is from the
21.16 environmental fund to implement feedlot
21.17 financial assurance requirements and compile
21.18 the annual feedlot and manure storage area
21.19 lists required under Minnesota Statutes,
21.20 section 116.07, subdivisions 7f and 7g. The
21.21 general fund base for this appropriation in
21.22 fiscal year 2026 and beyond is \$315,000. The
21.23 environmental fund base in fiscal year 2026
21.24 and beyond is \$1,680,000.

21.25 (e) \$700,000 the first year is for distribution
21.26 to delegated counties based on registered
21.27 feedlots and manure storage areas for
21.28 inspections of manure storage areas and the
21.29 abandoned manure storage area reports
21.30 required under this act. This appropriation is
21.31 available until June 30, 2025.

21.32 (f) \$250,000 the first year is for a grant to the
21.33 Minnesota Association of County Feedlot
21.34 Officers to provide training on state feedlot
21.35 requirements, working efficiently and

22.1 effectively with producers, and reducing the
 22.2 incidence of manure or nutrients entering
 22.3 surface water or groundwater.
 22.4 (g) \$140,000 the first year and \$140,000 the
 22.5 second year is for the Pig's Eye Landfill Task
 22.6 Force.

22.7 **Subd. 9. Environmental Quality Board** 2,075,000 1,639,000

22.8	<u>Appropriations by Fund</u>		
22.9		<u>2024</u>	<u>2025</u>
22.10	<u>General</u>	<u>1,854,000</u>	<u>1,413,000</u>
22.11	<u>Environmental</u>	<u>221,000</u>	<u>226,000</u>

22.12 \$620,000 the first year and \$140,000 the
 22.13 second year are to develop a Minnesota-based
 22.14 greenhouse gas sector and source-specific
 22.15 guidance, including climate information, a
 22.16 greenhouse gas calculator, and technical
 22.17 assistance for users. This is a onetime
 22.18 appropriation.

22.19 **Subd. 10. Transfers**

22.20 (a) The commissioner must transfer up to
 22.21 \$23,000,000 the first year and \$24,000,000
 22.22 the second year from the environmental fund
 22.23 to the remediation fund for purposes of the
 22.24 remediation fund under Minnesota Statutes,
 22.25 section 116.155, subdivision 2. The base for
 22.26 this transfer is \$24,000,000 in fiscal year 2026
 22.27 and beyond.

22.28 (b) By June 30, 2024, the commissioner of
 22.29 management and budget must transfer
 22.30 \$29,055,000 from the general fund to the
 22.31 metropolitan landfill contingency action trust
 22.32 account in the remediation fund to restore the
 22.33 money transferred from the account as
 22.34 intended under Laws 2003, chapter 128, article

24.1 Statutes, section 93.2236, paragraph (c), for
 24.2 mineral resource management, projects to
 24.3 enhance future mineral income, and projects
 24.4 to promote new mineral-resource
 24.5 opportunities.

24.6 (c) \$218,000 the first year and \$218,000 the
 24.7 second year are transferred from the forest
 24.8 suspense account to the permanent school fund
 24.9 and are appropriated from the permanent
 24.10 school fund to secure maximum long-term
 24.11 economic return from the school trust lands
 24.12 consistent with fiduciary responsibilities and
 24.13 sound natural resources conservation and
 24.14 management principles.

24.15 (d) \$338,000 the first year and \$338,000 the
 24.16 second year are from the water management
 24.17 account in the natural resources fund for
 24.18 mining hydrology.

24.19 (e) \$1,052,000 the first year and \$242,000 the
 24.20 second year are for modernizing utility
 24.21 licensing for state lands and public waters.

24.22 The first year appropriation is available
 24.23 through fiscal year 2026.

24.24 (f) \$125,000 the first year and \$125,000 the
 24.25 second year are for conservation stewardship.

24.26 **Subd. 3. Ecological and Water Resources** 46,394,000 46,763,000

24.27	<u>Appropriations by Fund</u>	
24.28	<u>2024</u>	<u>2025</u>
24.29	<u>General</u>	<u>25,664,000</u> <u>26,008,000</u>
24.30	<u>Natural Resources</u>	<u>15,006,000</u> <u>15,031,000</u>
24.31	<u>Game and Fish</u>	<u>5,724,000</u> <u>5,724,000</u>

24.32 (a) \$5,397,000 the first year and \$5,422,000
 24.33 the second year are from the invasive species
 24.34 account in the natural resources fund and

- 25.1 \$2,831,000 the first year and \$2,831,000 the
25.2 second year are from the general fund for
25.3 management, public awareness, assessment
25.4 and monitoring research, and water access
25.5 inspection to prevent the spread of invasive
25.6 species; management of invasive plants in
25.7 public waters; and management of terrestrial
25.8 invasive species on state-administered lands.
- 25.9 (b) \$6,056,000 the first year and \$6,056,000
25.10 the second year are from the water
25.11 management account in the natural resources
25.12 fund for only the purposes specified in
25.13 Minnesota Statutes, section 103G.27,
25.14 subdivision 2.
- 25.15 (c) \$124,000 the first year and \$124,000 the
25.16 second year are for a grant to the Mississippi
25.17 Headwaters Board for up to 50 percent of the
25.18 cost of implementing the comprehensive plan
25.19 for the upper Mississippi within areas under
25.20 the board's jurisdiction. By December 15,
25.21 2025, the board must submit a report to the
25.22 chairs and ranking minority members of the
25.23 legislative committees and divisions with
25.24 jurisdiction over the environment and natural
25.25 resources on the activities funded under this
25.26 paragraph and the progress made in
25.27 implementing the comprehensive plan.
- 25.28 (d) \$10,000 the first year and \$10,000 the
25.29 second year are for payment to the Leech Lake
25.30 Band of Chippewa Indians to implement the
25.31 band's portion of the comprehensive plan for
25.32 the upper Mississippi River.
- 25.33 (e) \$300,000 the first year and \$300,000 the
25.34 second year are for grants for up to 50 percent
25.35 of the cost of implementing the Red River

26.1 mediation agreement. The base for this
26.2 appropriation in fiscal year 2026 and beyond
26.3 is \$264,000.

26.4 (f) \$2,498,000 the first year and \$2,498,000
26.5 the second year are from the heritage
26.6 enhancement account in the game and fish
26.7 fund for only the purposes specified in
26.8 Minnesota Statutes, section 297A.94,
26.9 paragraph (h), clause (1).

26.10 (g) \$1,150,000 the first year and \$1,150,000
26.11 the second year are from the nongame wildlife
26.12 management account in the natural resources
26.13 fund for nongame wildlife management.

26.14 Notwithstanding Minnesota Statutes, section
26.15 290.431, \$100,000 the first year and \$100,000
26.16 the second year may be used for nongame
26.17 wildlife information, education, and
26.18 promotion.

26.19 (h) Notwithstanding Minnesota Statutes,
26.20 section 84.943, \$48,000 the first year and
26.21 \$48,000 the second year from the critical
26.22 habitat private sector matching account may
26.23 be used to publicize the critical habitat license
26.24 plate match program.

26.25 (i) \$6,000,000 the first year and \$6,000,000
26.26 the second year are for the following activities:

26.27 (1) financial reimbursement and technical
26.28 support to soil and water conservation districts
26.29 or other local units of government for
26.30 groundwater-level monitoring;

26.31 (2) surface water monitoring and analysis,
26.32 including installing monitoring gauges;

26.33 (3) groundwater analysis to assist with
26.34 water-appropriation permitting decisions;

- 27.1 (4) permit application review incorporating
27.2 surface water and groundwater technical
27.3 analysis;
- 27.4 (5) precipitation data and analysis to improve
27.5 irrigation use;
- 27.6 (6) information technology, including
27.7 electronic permitting and integrated data
27.8 systems; and
- 27.9 (7) compliance and monitoring.
- 27.10 (j) \$410,000 the first year and \$410,000 the
27.11 second year are from the heritage enhancement
27.12 account in the game and fish fund and
27.13 \$500,000 the first year and \$500,000 the
27.14 second year are from the general fund for
27.15 grants to the Minnesota Aquatic Invasive
27.16 Species Research Center at the University of
27.17 Minnesota to prioritize, support, and develop
27.18 research-based solutions that can reduce the
27.19 effects of aquatic invasive species in
27.20 Minnesota by preventing spread, controlling
27.21 populations, and managing ecosystems and to
27.22 advance knowledge to inspire action by others.
- 27.23 (k) \$134,000 the first year and \$134,000 the
27.24 second year are for increased capacity for
27.25 broadband utility licensing for state lands and
27.26 public waters.
- 27.27 (l) \$998,000 the first year and \$568,000 the
27.28 second year are for protecting and restoring
27.29 carbon storage in state-administered peatlands
27.30 by reviewing and updating the state's peatland
27.31 inventory, piloting a restoration project, and
27.32 piloting trust fund buy outs. This is a onetime
27.33 appropriation.

28.1 (m) \$900,000 the first year is for a grant to the
 28.2 Minnesota Lakes and Rivers Advocates to
 28.3 work with civic leaders to purchase, install,
 28.4 and operate waterless cleaning stations for
 28.5 watercraft; conduct aquatic invasive species
 28.6 education; and implement education upgrades
 28.7 at public accesses to prevent invasive starry
 28.8 stonewort spread beyond the lakes already
 28.9 infested. This is a onetime appropriation and
 28.10 is available until June 30, 2025.

28.11 **Subd. 4. Forest Management** 116,725,000 76,067,000

28.12	<u>Appropriations by Fund</u>	
28.13	<u>2024</u>	<u>2025</u>
28.14	<u>General</u>	<u>99,072,000</u>
28.15	<u>Natural Resources</u>	<u>58,389,000</u>
28.16	<u>Game and Fish</u>	<u>16,161,000</u>
		<u>1,492,000</u>
		<u>1,517,000</u>

28.17 (a) \$7,521,000 the first year and \$7,521,000
 28.18 the second year are for prevention,
 28.19 presuppression, and suppression costs of
 28.20 emergency firefighting and other costs
 28.21 incurred under Minnesota Statutes, section
 28.22 88.12. The amount necessary to pay for
 28.23 presuppression and suppression costs during
 28.24 the biennium is appropriated from the general
 28.25 fund. By January 15 each year, the
 28.26 commissioner of natural resources must submit
 28.27 a report to the chairs and ranking minority
 28.28 members of the house and senate committees
 28.29 and divisions having jurisdiction over
 28.30 environment and natural resources finance that
 28.31 identifies all firefighting costs incurred and
 28.32 reimbursements received in the prior fiscal
 28.33 year. These appropriations may not be
 28.34 transferred. Any reimbursement of firefighting
 28.35 expenditures made to the commissioner from

- 29.1 any source other than federal mobilizations
29.2 must be deposited into the general fund.
- 29.3 (b) \$15,386,000 the first year and \$15,386,000
29.4 the second year are from the forest
29.5 management investment account in the natural
29.6 resources fund for only the purposes specified
29.7 in Minnesota Statutes, section 89.039,
29.8 subdivision 2.
- 29.9 (c) \$1,492,000 the first year and \$1,517,000
29.10 the second year are from the heritage
29.11 enhancement account in the game and fish
29.12 fund to advance ecological classification
29.13 systems (ECS), forest habitat, and invasive
29.14 species management.
- 29.15 (d) \$906,000 the first year and \$926,000 the
29.16 second year are for the Forest Resources
29.17 Council to implement the Sustainable Forest
29.18 Resources Act.
- 29.19 (e) \$1,143,000 the first year and \$1,143,000
29.20 the second year are for the Next Generation
29.21 Core Forestry data system. Of this
29.22 appropriation, \$868,000 each year is from the
29.23 general fund and \$275,000 each year is from
29.24 the forest management investment account in
29.25 the natural resources fund.
- 29.26 (f) \$500,000 the first year and \$500,000 the
29.27 second year are from the forest management
29.28 investment account in the natural resources
29.29 fund for forest road maintenance on state
29.30 forest roads.
- 29.31 (g) \$500,000 the first year and \$500,000 the
29.32 second year are for forest road maintenance
29.33 on county forest roads.

30.1 (h) \$2,086,000 the first year and \$2,086,000
30.2 the second year are to support forest
30.3 management, cost-share assistance, and
30.4 inventory on private woodlands. This is a
30.5 onetime appropriation.

30.6 (i) \$800,000 the first year and \$800,000 the
30.7 second year are to accelerate tree seed
30.8 collection to support a growing demand for
30.9 tree planting on public and private lands. This
30.10 is a onetime appropriation and is available
30.11 until June 30, 2027.

30.12 (j) \$10,400,000 the first year and \$10,400,000
30.13 the second year are for grants to local and
30.14 Tribal governments and nonprofit
30.15 organizations to enhance community forest
30.16 ecosystem health and sustainability under
30.17 Minnesota Statutes, section 88.82, the
30.18 Minnesota ReLeaf program. This
30.19 appropriation is available until June 30, 2027.
30.20 Money appropriated for grants under this
30.21 paragraph may be used to pay reasonable costs
30.22 incurred by the commissioner of natural
30.23 resources to administer the grants. The base
30.24 is \$400,000 beginning in fiscal year 2026.

30.25 (k) \$3,000,000 the first year and \$3,000,000
30.26 the second year are for forest stand
30.27 improvement and to meet the reforestation
30.28 requirements of Minnesota Statutes, section
30.29 89.002, subdivision 2. This is a onetime
30.30 appropriation.

30.31 (l) \$5,000,000 is for purposes of the Lowland
30.32 Conifer Carbon Reserve under Minnesota
30.33 Statutes, section 88.85. This is a onetime
30.34 appropriation and is available until June 30,
30.35 2026.

31.1 (m) \$37,000,000 the first year is for emerald
 31.2 ash borer response grants under Minnesota
 31.3 Statutes, section 88.83. This is a onetime
 31.4 appropriation and is available until June 30,
 31.5 2030. The commissioner may use up to two
 31.6 percent of this appropriation to administer the
 31.7 grants. Of this amount:

31.8 (1) \$9,000,000 is for grants to local units of
 31.9 government responding or actively preparing
 31.10 to respond to an emerald ash borer infestation;
 31.11 and

31.12 (2) \$28,000,000 is for grants to a Minnesota
 31.13 nonprofit corporation that owns a cogeneration
 31.14 facility that serves a St. Paul district heating
 31.15 and cooling system.

31.16 (n) \$1,000,000 the first year is for grants to
 31.17 schools, including public and private schools,
 31.18 to plant trees on school grounds while
 31.19 providing hands-on learning opportunities for
 31.20 students. A grant application under this section
 31.21 must be prepared jointly with the
 31.22 parent-teacher organization or similar parent
 31.23 organization for the school.

31.24 **Subd. 5. Parks and Trails Management** 137,897,000 113,230,000

31.25	<u>Appropriations by Fund</u>	
31.26	<u>2024</u>	<u>2025</u>
31.27	<u>General</u>	<u>62,094,000</u> <u>38,707,000</u>
31.28	<u>Natural Resources</u>	<u>73,503,000</u> <u>72,223,000</u>
31.29	<u>Game and Fish</u>	<u>2,300,000</u> <u>2,300,000</u>

31.30 (a) \$7,985,000 the first year and \$7,985,000
 31.31 the second year are from the natural resources
 31.32 fund for state trail, park, and recreation area
 31.33 operations. This appropriation is from revenue
 31.34 deposited in the natural resources fund under

- 32.1 Minnesota Statutes, section 297A.94,
32.2 paragraph (h), clause (2).
- 32.3 (b) \$23,828,000 the first year and \$23,828,000
32.4 the second year are from the state parks
32.5 account in the natural resources fund to
32.6 operate and maintain state parks and state
32.7 recreation areas.
- 32.8 (c) \$1,300,000 the first year and \$1,300,000
32.9 the second year are from the natural resources
32.10 fund for park and trail grants to local units of
32.11 government on land to be maintained for at
32.12 least 20 years for parks or trails. Priority must
32.13 be given for projects that are in underserved
32.14 communities or that increase access to persons
32.15 with disabilities. This appropriation is from
32.16 revenue deposited in the natural resources fund
32.17 under Minnesota Statutes, section 297A.94,
32.18 paragraph (h), clause (4). Any unencumbered
32.19 balance does not cancel at the end of the first
32.20 year and is available for the second year.
- 32.21 (d) \$9,624,000 the first year and \$9,624,000
32.22 the second year are from the snowmobile trails
32.23 and enforcement account in the natural
32.24 resources fund for the snowmobile
32.25 grants-in-aid program. Any unencumbered
32.26 balance does not cancel at the end of the first
32.27 year and is available for the second year.
- 32.28 (e) \$2,435,000 the first year and \$2,435,000
32.29 the second year are from the natural resources
32.30 fund for the off-highway vehicle grants-in-aid
32.31 program. Of this amount, \$1,960,000 each
32.32 year is from the all-terrain vehicle account;
32.33 \$150,000 each year is from the off-highway
32.34 motorcycle account; and \$325,000 each year
32.35 is from the off-road vehicle account. Any

33.1 unencumbered balance does not cancel at the
33.2 end of the first year and is available for the
33.3 second year.

33.4 (f) \$2,250,000 the first year and \$2,250,000
33.5 the second year are from the state land and
33.6 water conservation account in the natural
33.7 resources fund for priorities established by the
33.8 commissioner for eligible state projects and
33.9 administrative and planning activities
33.10 consistent with Minnesota Statutes, section
33.11 84.0264, and the federal Land and Water
33.12 Conservation Fund Act. Any unencumbered
33.13 balance does not cancel at the end of the first
33.14 year and is available for the second year.

33.15 (g) \$250,000 the first year and \$250,000 the
33.16 second year are for matching grants for local
33.17 parks and outdoor recreation areas under
33.18 Minnesota Statutes, section 85.019,
33.19 subdivision 2.

33.20 (h) \$250,000 the first year and \$250,000 the
33.21 second year are for matching grants for local
33.22 trail connections under Minnesota Statutes,
33.23 section 85.019, subdivision 4c.

33.24 (i) \$750,000 the first year is from the
33.25 all-terrain vehicle account in the natural
33.26 resources fund for a grant to St. Louis County
33.27 to match other funding sources for design,
33.28 right-of-way acquisition, permitting, and
33.29 construction of trails within the Voyageur
33.30 Country ATV trail system. This is a onetime
33.31 appropriation and is available until June 30,
33.32 2026. This appropriation may be used as a
33.33 local match to a 2023 state bonding award.

- 34.1 (j) \$700,000 the first year is from the
34.2 all-terrain vehicle account in the natural
34.3 resources fund for a grant to St. Louis County
34.4 to match other funding sources for design,
34.5 right-of-way acquisition, permitting, and
34.6 construction of a new trail within the
34.7 Prospector trail system. This is a onetime
34.8 appropriation and is available until June 30,
34.9 2026. This appropriation may be used as a
34.10 local match to a 2023 state bonding award.
- 34.11 (k) \$5,000,000 the first year is to facilitate the
34.12 transfer of land within Upper Sioux Agency
34.13 State Park required under this act, including
34.14 but not limited to the acquisition of any land
34.15 necessary to facilitate the transfer. This is a
34.16 onetime appropriation and is available until
34.17 June 30, 2033.
- 34.18 (l) \$6,000,000 the first year is for land
34.19 acquisition and maintenance and restoration
34.20 at Grey Cloud Dunes Scientific and Natural
34.21 Area. This is a onetime appropriation and is
34.22 available until June 30, 2027.
- 34.23 (m) \$6,000,000 the first year is for improved
34.24 maintenance at scientific and natural areas
34.25 under Minnesota Statutes, section 86A.05,
34.26 subdivision 5, including additional natural
34.27 resource specialists and technicians,
34.28 coordinators, seasonal crews, equipment,
34.29 supplies, and administrative support. This is
34.30 a onetime appropriation and is available until
34.31 June 30, 2027.
- 34.32 (n) \$10,000,000 the first year is to remove
34.33 hazardous trees and replace ash trees with
34.34 more diverse, climate-adapted species within
34.35 the state park system. This is a onetime

35.1 appropriation and is available until June 30,
 35.2 2027.

35.3 (o) \$100,000 the first year is for the report on
 35.4 state trails required under this act.

35.5 (p) \$1,075,000 the first year and \$1,075,000
 35.6 the second year are from the water recreation
 35.7 account in the natural resources fund for
 35.8 maintaining and enhancing public
 35.9 water-access facilities.

35.10 **Subd. 6. Fish and Wildlife Management** 116,489,000 96,980,000

35.11	<u>Appropriations by Fund</u>	
35.12	<u>2024</u>	<u>2025</u>
35.13 <u>General</u>	<u>20,936,000</u>	<u>3,616,000</u>
35.14 <u>Natural Resources</u>	<u>2,082,000</u>	<u>2,082,000</u>
35.15 <u>Game and Fish</u>	<u>87,721,000</u>	<u>91,282,000</u>
35.16 <u>RIM Critical Habitat</u>	<u>5,750,000</u>	<u>-0-</u>

35.17 (a) \$10,458,000 the first year and \$10,658,000
 35.18 the second year are from the heritage
 35.19 enhancement account in the game and fish
 35.20 fund only for activities specified under
 35.21 Minnesota Statutes, section 297A.94,
 35.22 paragraph (h), clause (1). Notwithstanding
 35.23 Minnesota Statutes, section 297A.94, five
 35.24 percent of this appropriation may be used for
 35.25 expanding hunter and angler recruitment and
 35.26 retention.

35.27 (b) \$982,000 the first year and \$982,000 the
 35.28 second year are from the general fund and
 35.29 \$1,675,000 the first year and \$1,675,000 the
 35.30 second year are from the game and fish fund
 35.31 for statewide response and management of
 35.32 chronic wasting disease. The commissioner
 35.33 and the Board of Animal Health must each
 35.34 submit annual reports on chronic wasting

36.1 disease activities funded in this biennium to
36.2 the chairs and ranking minority members of
36.3 the legislative committees and divisions with
36.4 jurisdiction over environment and natural
36.5 resources and agriculture. The general fund
36.6 base for this appropriation in fiscal year 2026
36.7 and beyond is \$282,000.

36.8 (c) \$984,000 of the general fund appropriation
36.9 for fiscal year 2023 in Laws 2021, First
36.10 Special Session chapter 6, article 1, section 3,
36.11 subdivision 6, paragraph (b), for planning for
36.12 and emergency response to disease outbreaks
36.13 in wildlife is canceled no later than June 29,
36.14 2023.

36.15 (d) \$8,546,000 the first year and \$8,546,000
36.16 the second year are from the deer management
36.17 account for the purposes identified in
36.18 Minnesota Statutes, section 97A.075,
36.19 subdivision 1.

36.20 (e) \$134,000 the first year and \$134,000 the
36.21 second year are for increased capacity for
36.22 broadband utility licensing for state lands and
36.23 public waters.

36.24 (f) \$15,000,000 the first year is for enhancing
36.25 prairies and grasslands and restoring wetlands
36.26 on state-owned wildlife management areas to
36.27 sequester more carbon and enhance climate
36.28 resiliency. This is a onetime appropriation and
36.29 is available until June 30, 2027.

36.30 (g) \$500,000 the first year and \$500,000 the
36.31 second year are from the general fund and
36.32 \$500,000 the first year and \$500,000 the
36.33 second year are from the heritage enhancement
36.34 account in the game and fish fund for grants

37.1 for natural-resource-based education and
37.2 recreation programs serving youth under
37.3 Minnesota Statutes, section 84.976, and for
37.4 grant administration. Priority must be given
37.5 to projects benefiting underserved
37.6 communities. The base for this appropriation
37.7 in fiscal year 2026 and beyond is \$500,000
37.8 from the heritage enhancement account in the
37.9 game and fish fund and the general fund
37.10 appropriation is onetime.

37.11 (h) \$400,000 the first year and \$400,000 the
37.12 second year are from the heritage enhancement
37.13 account in the game and fish fund for the
37.14 walk-in access program under Minnesota
37.15 Statutes, section 97A.126.

37.16 (i) \$1,000,000 the first year and \$1,000,000
37.17 the second year are from the game and fish
37.18 fund for investments in fish management
37.19 activities.

37.20 (j) \$2,000,000 the first year and \$2,000,000
37.21 the second year are for grants to the Fond du
37.22 Lac Band of Lake Superior Chippewa to
37.23 expand Minnesota's wild elk population and
37.24 range. Consideration must be given to moving
37.25 elk from existing herds in northwest
37.26 Minnesota to the area of the Fond du Lac State
37.27 Forest and the Fond du Lac Reservation in
37.28 Carlton and southern St. Louis Counties. The
37.29 Fond du Lac Band of Lake Superior
37.30 Chippewa's elk reintroduction efforts must
37.31 undergo thorough planning with the
37.32 Department of Natural Resources to develop
37.33 necessary capture and handling protocols,
37.34 including protocols related to cervid disease
37.35 management, and to produce postrelease state

38.1 and Tribal elk comanagement plans. This is a
38.2 onetime appropriation and is available until
38.3 June 30, 2026.

38.4 (k) \$773,000 the first year is to examine the
38.5 impacts of neonicotinoid exposure on the
38.6 reproduction and survival of Minnesota's game
38.7 species, including deer and prairie chicken.

38.8 This is a onetime appropriation and is
38.9 available until June 30, 2027.

38.10 (l) \$134,000 the first year and \$134,000 the
38.11 second year are from the heritage enhancement
38.12 account in the game and fish fund for native
38.13 fish conservation and classification.

38.14 (m) \$1,400,000 the first year is for designating
38.15 swan protection areas under Minnesota
38.16 Statutes, section 97A.096, and to provide
38.17 increased education and outreach promoting
38.18 the protection of swans in the state, including
38.19 education regarding the restrictions on taking
38.20 swans. This is a onetime appropriation and is
38.21 available until June 30, 2026.

38.22 (n) \$65,000 the first year is for preparing the
38.23 report on feral pigs and mink required under
38.24 this act and holding at least one public meeting
38.25 on the topic.

38.26 (o) \$5,750,000 the first year is from the
38.27 Minnesota critical habitat private sector
38.28 matching account in the reinvest in Minnesota
38.29 resources fund for wildlife management area
38.30 acquisition

38.31 (p) \$82,000 the first year is for the native fish
38.32 reports required under this act. This is a
38.33 onetime appropriation.

39.1 (q) Notwithstanding Minnesota Statutes,
 39.2 section 297A.94, \$300,000 the first year and
 39.3 \$300,000 the second year are from the heritage
 39.4 enhancement account in the game and fish
 39.5 fund for shooting sports facility grants under
 39.6 Minnesota Statutes, section 87A.10, including
 39.7 grants for archery facilities. Grants must be
 39.8 matched with a nonstate match, which may
 39.9 include in-kind contributions. Priority must
 39.10 be given to facilities that prohibit the use of
 39.11 lead ammunition. Recipients of money
 39.12 appropriated under this paragraph must
 39.13 provide information on the toxic effects of
 39.14 lead. This is a onetime appropriation and is
 39.15 available until June 30, 2026. This
 39.16 appropriation must be allocated as follows:

39.17 (1) \$200,000 each fiscal year is for grants of
 39.18 \$25,000 or less; and
 39.19 (2) \$100,000 each fiscal year is for grants in
 39.20 excess of \$25,000.

39.21 **Subd. 7. Enforcement** 64,672,000 67,712,000

	<u>Appropriations by Fund</u>	
	<u>2024</u>	<u>2025</u>
<u>General</u>	<u>18,322,000</u>	<u>22,937,000</u>
<u>Natural Resources</u>	<u>13,911,000</u>	<u>14,011,000</u>
<u>Game and Fish</u>	<u>32,322,000</u>	<u>30,647,000</u>
<u>Remediation</u>	<u>117,000</u>	<u>117,000</u>

39.28 (a) \$1,718,000 the first year and \$1,718,000
 39.29 the second year are from the general fund for
 39.30 enforcement efforts to prevent the spread of
 39.31 aquatic invasive species.

39.32 (b) \$2,080,000 the first year and \$1,892,000
 39.33 the second year are from the heritage
 39.34 enhancement account in the game and fish

40.1 fund for only the purposes specified under
40.2 Minnesota Statutes, section 297A.94,
40.3 paragraph (h), clause (1).

40.4 (c) \$1,442,000 the first year and \$1,442,000
40.5 the second year are from the water recreation
40.6 account in the natural resources fund for grants
40.7 to counties for boat and water safety. Any
40.8 unencumbered balance does not cancel at the
40.9 end of the first year and is available for the
40.10 second year.

40.11 (d) \$315,000 the first year and \$315,000 the
40.12 second year are from the snowmobile trails
40.13 and enforcement account in the natural
40.14 resources fund for grants to local law
40.15 enforcement agencies for snowmobile
40.16 enforcement activities. Any unencumbered
40.17 balance does not cancel at the end of the first
40.18 year and is available for the second year.

40.19 (e) \$250,000 the first year and \$250,000 the
40.20 second year are from the all-terrain vehicle
40.21 account in the natural resources fund for grants
40.22 to qualifying organizations to assist in safety
40.23 and environmental education and monitoring
40.24 trails on public lands under Minnesota
40.25 Statutes, section 84.9011. Grants issued under
40.26 this paragraph must be issued through a formal
40.27 agreement with the organization. By
40.28 December 15 each year, an organization
40.29 receiving a grant under this paragraph must
40.30 report to the commissioner with details on
40.31 expenditures and outcomes from the grant. Of
40.32 this appropriation, \$25,000 each year is for
40.33 administering these grants. Any unencumbered
40.34 balance does not cancel at the end of the first
40.35 year and is available for the second year.

41.1 (f) \$510,000 the first year and \$510,000 the
41.2 second year are from the natural resources
41.3 fund for grants to county law enforcement
41.4 agencies for off-highway vehicle enforcement
41.5 and public education activities based on
41.6 off-highway vehicle use in the county. Of this
41.7 amount, \$498,000 each year is from the
41.8 all-terrain vehicle account, \$11,000 each year
41.9 is from the off-highway motorcycle account,
41.10 and \$1,000 each year is from the off-road
41.11 vehicle account. The county enforcement
41.12 agencies may use money received under this
41.13 appropriation to make grants to other local
41.14 enforcement agencies within the county that
41.15 have a high concentration of off-highway
41.16 vehicle use. Of this appropriation, \$25,000
41.17 each year is for administering the grants. Any
41.18 unencumbered balance does not cancel at the
41.19 end of the first year and is available for the
41.20 second year.

41.21 (g) \$2,250,000 the first year and \$5,734,000
41.22 the second year are appropriated for
41.23 inspections, investigations, and enforcement
41.24 activities taken in conjunction with the Board
41.25 of Animal Health for the white-tailed deer
41.26 farm program and for statewide response and
41.27 management of chronic wasting disease.

41.28 (h) \$2,500,000 of the general fund
41.29 appropriation for fiscal year 2023 in Laws
41.30 2021, First Special Session chapter 6, article
41.31 1, section 3, subdivision 7, paragraph (i), for
41.32 inspections, investigations, and enforcement
41.33 activities taken in conjunction with the Board
41.34 of Animal Health for the white-tailed deer

42.1 farm program is canceled no later than June
 42.2 29, 2023.

42.3 (i) \$3,050,000 the first year is for modernizing
 42.4 the enforcement aviation fleet. This
 42.5 appropriation is available until June 30, 2027.

42.6 (j) \$360,000 the first year and \$360,000 the
 42.7 second year are for training department
 42.8 enforcement officers and for maintaining and
 42.9 storing equipment for conservation officer
 42.10 public safety responses. The training may not
 42.11 include training for duties unrelated to
 42.12 enforcement of game and fish laws. This is a
 42.13 onetime appropriation.

42.14 **Subd. 8. Operations Support** 2,434,000 1,408,000

42.15 (a) \$1,684,000 the first year and \$1,408,000
 42.16 second year are for information technology
 42.17 security and modernization. This is a onetime
 42.18 appropriation.

42.19 (b) \$750,000 the first year is for legal costs.
 42.20 The unencumbered amount of the general fund
 42.21 appropriation in Laws 2019, First Special
 42.22 Session chapter 4, article 1, section 3,
 42.23 subdivision 8, for legal costs, estimated to be
 42.24 \$750,000, is canceled no later than June 29,
 42.25 2023.

42.26 **Subd. 9. Pass Through Funds** 11,244,000 11,165,000

42.27	<u>Appropriations by Fund</u>	
42.28	<u>2024</u>	<u>2025</u>
42.29 <u>General</u>	<u>10,161,000</u>	<u>10,171,000</u>
42.30 <u>Natural Resources</u>	<u>510,000</u>	<u>510,000</u>
42.31 <u>Permanent School</u>	<u>573,000</u>	<u>484,000</u>

42.32 (a) \$510,000 the first year and \$510,000 the
 42.33 second year are from the natural resources
 42.34 fund for grants to be divided equally between

43.1 the city of St. Paul for the Como Park Zoo and
 43.2 Conservatory and the city of Duluth for the
 43.3 Lake Superior Zoo. This appropriation is from
 43.4 revenue deposited to the natural resources fund
 43.5 under Minnesota Statutes, section 297A.94,
 43.6 paragraph (h), clause (5).

43.7 (b) \$211,000 the first year and \$211,000 the
 43.8 second year are for the Office of School Trust
 43.9 Lands.

43.10 (c) \$250,000 the first year and \$150,000 the
 43.11 second year are transferred from the forest
 43.12 suspense account to the permanent school fund
 43.13 and are appropriated from the permanent
 43.14 school fund for transaction and project
 43.15 management costs for divesting of school trust
 43.16 lands within Boundary Waters Canoe Area
 43.17 Wilderness.

43.18 (d) \$323,000 the first year and \$334,000 the
 43.19 second year are transferred from the forest
 43.20 suspense account to the permanent school fund
 43.21 and are appropriated from the permanent
 43.22 school fund for the Office of School Trust
 43.23 Lands.

43.24 (e) \$9,950,000 the first year and \$9,950,000
 43.25 the second year are to be added as a
 43.26 supplement to the 1854 Treaty Area agreement
 43.27 payment under Minnesota Statutes, section
 43.28 97A.165. This is a onetime appropriation.

43.29 **Subd. 10. Get Out MORE (Modernizing Outdoor**
 43.30 **Recreation Experiences)**

65,000,000

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43.31 \$65,000,000 the first year is for modernizing
 43.32 Minnesota's state-managed outdoor recreation
 43.33 experiences. Of this amount:

44.1 (1) \$25,000,000 is for enhancing access and
 44.2 welcoming new users to public lands and
 44.3 outdoor recreation facilities, including
 44.4 improvements to improve climate resiliency;
 44.5 (2) \$4,000,000 is for modernizing camping
 44.6 and related infrastructure, including
 44.7 improvements to improve climate resiliency;
 44.8 (3) \$25,000,000 is for modernizing fish
 44.9 hatcheries and fishing infrastructure; and
 44.10 (4) \$11,000,000 is for restoring streams and
 44.11 modernizing water-related infrastructure with
 44.12 priority given to fish habitat improvements,
 44.13 dam removal, and improvements to improve
 44.14 climate resiliency.

44.15 **EFFECTIVE DATE.** Subdivisions 6, 7, and 8 are effective the day following final
 44.16 enactment.

44.17 Sec. 4. **BOARD OF WATER AND SOIL**
 44.18 **RESOURCES** \$ **52,086,000** \$ **46,574,000**

44.19 (a) \$3,116,000 the first year and \$3,116,000
 44.20 the second year are for grants and payments
 44.21 to soil and water conservation districts for
 44.22 accomplishing the purposes of Minnesota
 44.23 Statutes, chapter 103C, and for other general
 44.24 purposes, nonpoint engineering, and
 44.25 implementation and stewardship of the
 44.26 reinvest in Minnesota reserve program.
 44.27 Expenditures may be made from this
 44.28 appropriation for supplies and services
 44.29 benefiting soil and water conservation
 44.30 districts. Any district receiving a payment
 44.31 under this paragraph must maintain a website
 44.32 that publishes, at a minimum, the district's
 44.33 annual report, annual audit, annual budget,
 44.34 and meeting notices.

45.1 (b) \$761,000 the first year and \$761,000 the
45.2 second year are to implement, enforce, and
45.3 provide oversight for the Wetland
45.4 Conservation Act, including administering the
45.5 wetland banking program and in-lieu fee
45.6 mechanism.

45.7 (c) \$1,560,000 the first year and \$1,560,000
45.8 the second year are for the following:

45.9 (1) \$1,460,000 each year is for cost-sharing
45.10 programs of soil and water conservation
45.11 districts for accomplishing projects and
45.12 practices consistent with Minnesota Statutes,
45.13 section 103C.501, including perennially
45.14 vegetated riparian buffers, erosion control,
45.15 water retention and treatment, water quality
45.16 cost-sharing for feedlots under 500 animal
45.17 units and nutrient and manure management
45.18 projects in watersheds where there are
45.19 impaired waters, and other high-priority
45.20 conservation practices; and

45.21 (2) \$100,000 each year is for county
45.22 cooperative weed management programs and
45.23 to restore native plants at selected invasive
45.24 species management sites.

45.25 (d) \$166,000 the first year and \$166,000 the
45.26 second year are to provide technical assistance
45.27 to local drainage management officials and
45.28 for the costs of the Drainage Work Group. The
45.29 board must coordinate the activities of the
45.30 Drainage Work Group according to Minnesota
45.31 Statutes, section 103B.101, subdivision 13.
45.32 The Drainage Work Group must review a
45.33 drainage authority's power under Minnesota
45.34 Statutes, chapter 103E to consider the
45.35 abandonment or dismantling of drainage

46.1 systems, to re-meander, restore, or reconstruct
46.2 a natural waterway that had been modified by
46.3 drainage, or the deconstruction of dikes, dams,
46.4 or other water-control structures.

46.5 (e) \$100,000 the first year and \$100,000 the
46.6 second year are for a grant to the Red River
46.7 Basin Commission for water quality and
46.8 floodplain management, including program
46.9 administration. This appropriation must be
46.10 matched by nonstate funds.

46.11 (f) \$140,000 the first year and \$140,000 the
46.12 second year are for grants to Area II
46.13 Minnesota River Basin Projects for floodplain
46.14 management.

46.15 (g) \$125,000 the first year and \$125,000 the
46.16 second year are for conservation easement
46.17 stewardship.

46.18 (h) \$240,000 the first year and \$240,000 the
46.19 second year are for a grant to the Lower
46.20 Minnesota River Watershed District to defray
46.21 the annual cost of operating and maintaining
46.22 sites for dredge spoil to sustain the state,
46.23 national, and international commercial and
46.24 recreational navigation on the lower Minnesota
46.25 River.

46.26 (i) \$2,000,000 the first year and \$2,000,000
46.27 the second year are for the lawns to legumes
46.28 program under Minnesota Statutes, section
46.29 103B.104. The board may enter into
46.30 agreements with local governments, Metro
46.31 Blooms, and other organizations to support
46.32 this effort. This appropriation is available until
46.33 June 30, 2029. The base for fiscal year 2026
46.34 and each year thereafter is \$250,000.

47.1 (j) \$2,000,000 the first year and \$2,000,000
47.2 the second year are for the habitat
47.3 enhancement landscape program under
47.4 Minnesota Statutes, section 103B.106. This is
47.5 a onetime appropriation and is available until
47.6 June 30, 2029.

47.7 (k) \$203,000 the first year and \$203,000 the
47.8 second year are for soil health practice
47.9 adoption purposes consistent with the
47.10 cost-sharing provisions of Minnesota Statutes,
47.11 section 103C.501, and for soil health program
47.12 responsibilities in consultation with the
47.13 University of Minnesota Office for Soil
47.14 Health.

47.15 (l) \$8,500,000 the first year and \$8,500,000
47.16 the second year are for conservation easements
47.17 and to restore and enhance grasslands and
47.18 adjacent lands consistent with Minnesota
47.19 Statutes, sections 103F.501 to 103F.531, for
47.20 the purposes of climate resiliency, adaptation,
47.21 carbon sequestration, and related benefits. Of
47.22 this amount, up to \$423,000 is for deposit in
47.23 the water and soil conservation easement
47.24 stewardship account established under
47.25 Minnesota Statutes, section 103B.103. This is
47.26 a onetime appropriation and is available until
47.27 June 30, 2029. The board must give priority
47.28 to leveraging nonstate funding, including
47.29 practices, programs, and projects funded by
47.30 the U.S. Department of Agriculture via the
47.31 Conservation Reserve Enhancement Program,
47.32 the Conservation Reserve Program, the
47.33 Federal Inflation Reduction Act, the Federal
47.34 Farm Bill, or the Climate Smart Commodities
47.35 Program.

48.1 (m) \$2,500,000 the first year and \$5,000,000
48.2 the second year are to acquire conservation
48.3 easements and to restore and enhance
48.4 peatlands and adjacent lands consistent with
48.5 Minnesota Statutes, sections 103F.501 to
48.6 103F.531, for the purposes of climate
48.7 resiliency, adaptation, carbon sequestration,
48.8 and related benefits. Of this amount, up to
48.9 \$299,000 is for deposit in the water and soil
48.10 conservation easement stewardship account
48.11 established under Minnesota Statutes, section
48.12 103B.103. This is a onetime appropriation and
48.13 is available until June 30, 2029. The board
48.14 must give priority to leveraging nonstate
48.15 funding, including practices, programs, and
48.16 projects funded by the U.S. Department of
48.17 Agriculture via the Conservation Reserve
48.18 Enhancement Program, the Conservation
48.19 Reserve Program, the Federal Inflation
48.20 Reduction Act, the Federal Farm Bill, or the
48.21 Climate Smart Commodities Program.

48.22 (n) \$3,550,000 the first year and \$3,550,000
48.23 the second year are to enhance existing
48.24 easements established under Minnesota
48.25 Statutes, sections 103F.501 to 103F.531.
48.26 Enhancements are for the purposes of climate
48.27 resiliency, adaptation, and carbon
48.28 sequestration and include but are not limited
48.29 to increasing biodiversity and mitigating the
48.30 effects of rainfall and runoff events. This is a
48.31 onetime appropriation and is available until
48.32 June 30, 2029. The board must give priority
48.33 to leveraging nonstate funding, including
48.34 practices, programs, and projects funded by
48.35 the U.S. Department of Agriculture via the
48.36 Conservation Reserve Enhancement Program,

49.1 the Conservation Reserve Program, the
49.2 Federal Inflation Reduction Act, the Federal
49.3 Farm Bill, or the Climate Smart Commodities
49.4 Program.

49.5 (o) \$8,500,000 the first year and \$8,500,000
49.6 the second year are for water quality and
49.7 storage practices and projects to protect
49.8 infrastructure, improve water quality and
49.9 related public benefits, and mitigate climate
49.10 change impacts consistent with Minnesota
49.11 Statutes, section 103F.05. This is a onetime
49.12 appropriation and is available until June 30,
49.13 2029. The board must give priority to
49.14 leveraging nonstate funding, including
49.15 practices, programs, and projects funded by
49.16 the U.S. Department of Agriculture via the
49.17 Conservation Reserve Enhancement Program,
49.18 the Conservation Reserve Program, the
49.19 Federal Inflation Reduction Act, the Federal
49.20 Farm Bill, or the Climate Smart Commodities
49.21 Program.

49.22 (p) \$4,673,000 the first year and \$4,673,000
49.23 the second year are for natural resources block
49.24 grants to local governments to implement the
49.25 Wetland Conservation Act and shoreland
49.26 management program under Minnesota
49.27 Statutes, chapter 103F, and local water
49.28 management responsibilities under Minnesota
49.29 Statutes, chapter 103B. The board may reduce
49.30 the amount of the natural resources block grant
49.31 to a county by an amount equal to any
49.32 reduction in the county's general services
49.33 allocation to a soil and water conservation
49.34 district from the county's previous year
49.35 allocation when the board determines that the

50.1 reduction was disproportionate. The base for
50.2 this appropriation in fiscal year 2026 and
50.3 beyond is \$3,423,000.

50.4 (q) \$129,000 the first year and \$136,000 the
50.5 second year are to accomplish the objectives
50.6 of Minnesota Statutes, section 10.65, and
50.7 related Tribal government coordination. The
50.8 base for fiscal year 2026 and each year
50.9 thereafter is \$144,000.

50.10 (r) \$5,000,000 the first year is to provide
50.11 onetime state incentive payments to enrollees
50.12 in the federal Conservation Reserve Program
50.13 (CRP) during the continuous enrollment
50.14 period and to enroll complementary areas in
50.15 conservation easements consistent with
50.16 Minnesota Statutes, section 103F.515. The
50.17 board may establish payment rates based on
50.18 land valuation and on environmental benefit
50.19 criteria, including but not limited to surface
50.20 water or groundwater pollution reduction,
50.21 drinking water protection, soil health,
50.22 pollinator and wildlife habitat, and other
50.23 conservation enhancements. The board may
50.24 use state funds to implement the program and
50.25 to provide technical assistance to landowners
50.26 or their agents to fulfill enrollment and
50.27 contract provisions. The board must consult
50.28 with the commissioners of agriculture, health,
50.29 natural resources, and the Pollution Control
50.30 Agency and the United States Department of
50.31 Agriculture in establishing program criteria.
50.32 This is a onetime appropriation and is
50.33 available until June 30, 2027.

50.34 (s) \$3,000,000 the first year is to acquire
50.35 conservation easements from landowners to

51.1 preserve, restore, create, and enhance wetlands
51.2 and associated uplands of prairie and
51.3 grasslands, and to restore and enhance rivers
51.4 and streams, riparian lands, and associated
51.5 uplands of prairie and grasslands, in order to
51.6 protect soil and water quality, support fish and
51.7 wildlife habitat, reduce flood damage, and
51.8 provide other public benefits. The provisions
51.9 of Minnesota Statutes, section 103F.515, apply
51.10 to this program. The board shall give priority
51.11 to leveraging federal money by enrolling
51.12 targeted new lands or enrolling
51.13 environmentally sensitive lands that have
51.14 expiring federal conservation agreements. The
51.15 board is authorized to enter into new
51.16 agreements and amend past agreements with
51.17 landowners as required by Minnesota Statutes,
51.18 section 103F.515, subdivision 5, to allow for
51.19 restoration. Up to five percent of this
51.20 appropriation may be used for restoration and
51.21 enhancement.

51.22 (t) \$200,000 the first year is to establish the
51.23 drainage registry information portal under
51.24 Minnesota Statutes, section 103E.122.

51.25 (u) \$5,623,000 the first year and \$5,804,000
51.26 the second year are for agency administration
51.27 and operation of the Board of Water and Soil
51.28 Resources.

51.29 (v) The board may shift money in this section
51.30 and may adjust the technical and
51.31 administrative assistance portion of the funds
51.32 to leverage federal or other nonstate funds or
51.33 to address accountability, oversight, local
51.34 government performance, or high-priority
51.35 needs.

53.1 partners quantify the risks of a changing
 53.2 climate and prioritize strategies that mitigate
 53.3 those risks. This is a onetime appropriation
 53.4 and is available until June 30, 2027.

53.5 (d) \$9,000,000 the first year is to modernize
 53.6 regional parks and trails. This is a onetime
 53.7 appropriation and is available until June 30,
 53.8 2027.

53.9 (e) \$5,000,000 the first year is for reducing
 53.10 the amount of inflow and infiltration to the
 53.11 Metropolitan Council's metropolitan sanitary
 53.12 sewer disposal system. Of this amount,
 53.13 \$4,000,000 is for grants to cities for capital
 53.14 improvements in municipal wastewater
 53.15 collection systems under Minnesota Statutes,
 53.16 section 473.5491, and \$1,000,0000 is for
 53.17 grants and loans to inspect, repair, and replace
 53.18 privately owned sewer service lines. Priority
 53.19 for grants and loans for privately owned lines
 53.20 must be given to applicants with a household
 53.21 income at or below 80 percent of area median
 53.22 income. This is a onetime appropriation and
 53.23 is available until June 30, 2026.

53.24 (f) \$9,000,000 the first year is for grants to
 53.25 implementing agencies to remove hazardous
 53.26 trees and replacing ash trees with more
 53.27 diverse, climate-adapted species within the
 53.28 metropolitan regional park system. This is a
 53.29 onetime appropriation.

53.30 **Sec. 6. CONSERVATION CORPS**
 53.31 **MINNESOTA**

\$ 1,195,000 \$ 1,195,000

53.32 Appropriations by Fund

53.33	<u>2024</u>	<u>2025</u>
53.34 <u>General</u>	<u>705,000</u>	<u>705,000</u>
53.35 <u>Natural Resources</u>	<u>490,000</u>	<u>490,000</u>

54.1 Conservation Corps Minnesota may receive
 54.2 money appropriated from the natural resources
 54.3 fund under this section only as provided in an
 54.4 agreement with the commissioner of natural
 54.5 resources.

54.6 **Sec. 7. ZOOLOGICAL BOARD** **\$ 14,494,000 \$ 13,812,000**

54.7 Appropriations by Fund

	<u>2024</u>	<u>2025</u>
54.8 <u>General</u>	<u>14,239,000</u>	<u>13,557,000</u>
54.10 <u>Natural Resources</u>	<u>255,000</u>	<u>255,000</u>

54.11 (a) \$255,000 the first year and \$255,000 the
 54.12 second year are from the natural resources
 54.13 fund from revenue deposited under Minnesota
 54.14 Statutes, section 297A.94, paragraph (h),
 54.15 clause (5).

54.16 (b) \$850,000 the first year is to improve safety
 54.17 and security at the Minnesota Zoo. This is a
 54.18 onetime appropriation.

54.19 (c) \$250,000 the first year is for hazardous
 54.20 tree removal and replacing ash trees with more
 54.21 diverse, climate-adapted species. This is a
 54.22 onetime appropriation.

54.23 **Sec. 8. SCIENCE MUSEUM** **\$ 10,200,000 \$ 1,710,000**

54.24 \$9,000,000 the first year and \$450,000 the
 54.25 second year are for debt reduction, rehiring
 54.26 and retaining employees, and reducing
 54.27 entrance fees for fiscal years 2024 and 2025.

54.28 **Sec. 9. LEGISLATIVE COORDINATING**
 54.29 **COMMISSION** **\$ 52,000 \$ 52,000**

54.30 \$52,000 the first year and \$52,000 the second
 54.31 year are for the Legislative Water Commission
 54.32 established in this act.

54.33 **Sec. 10. UNIVERSITY OF MINNESOTA** **\$ 8,433,000 \$ 1,856,000**

55.1 (a) \$1,633,000 the first year and \$1,856,000
55.2 the second year are for chronic wasting disease
55.3 contingency plans developed by the Center
55.4 for Infectious Disease Research and Policy.
55.5 The center must develop, refine, and share
55.6 with relevant experts and stakeholders
55.7 contingency plans regarding the potential
55.8 transmission of chronic wasting disease from
55.9 Cervidae to humans, livestock, and other
55.10 species. The contingency plans must provide
55.11 a blueprint for preparedness and response
55.12 planning documents including authoritative
55.13 risk communication, education, and outreach
55.14 materials. This is a onetime appropriation and
55.15 is available until June 30, 2026.

55.16 (b) \$200,000 the first year is for the University
55.17 of Minnesota Water Council to develop a
55.18 scope of work, timeline, and budget for the
55.19 50-year clean water plan as required under
55.20 this act.

55.21 (c) \$6,600,000 the first year is for the
55.22 Minnesota Aquatic Invasive Species Research
55.23 Center to enhance and implement the center's
55.24 aquatic invasive species research-based
55.25 solutions through:

55.26 (1) implementation of a watershed scale carp
55.27 management plan and additional research
55.28 focused on site-specific method refinement
55.29 and evaluation;

55.30 (2) creation of a long-term monitoring
55.31 program with state and local partners that
55.32 evaluates the feasibility of whole-lake zebra
55.33 mussel control projects and the development
55.34 of criteria for selecting and managing lakes;

57.1 and natural resources trust fund, or another named fund, and are available for the fiscal
 57.2 years indicated for each purpose. The figures "2024" and "2025" used in this article mean
 57.3 that the appropriations listed under them are available for the fiscal year ending June 30,
 57.4 2024, or June 30, 2025, respectively. "The first year" is fiscal year 2024. "The second year"
 57.5 is fiscal year 2025. "The biennium" is fiscal years 2024 and 2025. Any unencumbered
 57.6 balance remaining in the first year does not cancel and is available for the second year or
 57.7 until the end of the appropriation. These are onetime appropriations.

57.8		<u>APPROPRIATIONS</u>	
57.9		<u>Available for the Year</u>	
57.10		<u>Ending June 30</u>	
57.11		<u>2024</u>	<u>2025</u>

57.12 **Sec. 2. MINNESOTA RESOURCES**

57.13	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>79,833,000</u>	<u>\$</u>	<u>-0-</u>
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57.14	<u>Appropriations by Fund</u>				
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57.15		<u>2024</u>	<u>2025</u>		
57.16	<u>Environment and</u>				
57.17	<u>Natural Resources</u>				
57.18	<u>Trust Fund</u>	<u>79,644,000</u>		<u>-0-</u>	
57.19	<u>Great Lakes</u>				
57.20	<u>Protection Account</u>	<u>189,000</u>		<u>-0-</u>	

57.21 The amounts that may be spent for each
 57.22 purpose are specified in the following
 57.23 subdivisions.

57.24 **Subd. 2. Definitions**

57.25 (a) "Trust fund" means the Minnesota
 57.26 environment and natural resources trust fund
 57.27 established under the Minnesota Constitution,
 57.28 article XI, section 14.

57.29 (b) "Great Lakes protection account" means
 57.30 the account referred to in Minnesota Statutes,
 57.31 section 116Q.02.

57.32	<u>Subd. 3. Foundational Natural Resource Data</u>				
57.33	<u>and Information</u>		<u>8,219,000</u>		<u>-0-</u>

57.34 **(a) Assessing Restorations for Rusty-Patched**
 57.35 **and Other Bumblebee Habitat**

58.1 \$75,000 the first year is from the trust fund to
58.2 the commissioner of natural resources for an
58.3 agreement with the Friends of the Mississippi
58.4 River to assess how prairie restoration and
58.5 different restoration seeding methods affect
58.6 bumblebee abundance, diversity, and habitat
58.7 and make recommendations to improve
58.8 restoration outcomes.

58.9 **(b) Removing Barriers to Carbon Market Entry**

58.10 \$482,000 the first year is from the trust fund
58.11 to the Board of Regents of the University of
58.12 Minnesota to develop ground-tested carbon
58.13 stock models of forest resources throughout
58.14 Minnesota to enable better resource
58.15 management of public and private forests as
58.16 well as generate reliable tools for landowners
58.17 seeking to enter carbon markets.

58.18 **(c) Mapping Migratory Bird Pitstops in**
58.19 **Minnesota**

58.20 \$340,000 the first year is from the trust fund
58.21 to the commissioner of natural resources for
58.22 an agreement with the National Audubon
58.23 Society, Minnesota office, to identify avian
58.24 migratory stopover sites, develop a shared
58.25 decision-support tool, and publish guidance
58.26 for conserving migratory birds in Minnesota.
58.27 This appropriation is available until June 30,
58.28 2027, by which time the project must be
58.29 completed and final products delivered.

58.30 **(d) Enhancing Knowledge of Minnesota River**
58.31 **Fish Ecology**

58.32 \$199,000 the first year is from the trust fund
58.33 to the commissioner of natural resources to
58.34 collect baseline information about the diets,
58.35 distribution, status, and movement patterns of

59.1 fish in the Minnesota River to inform
59.2 management and conservation decisions.

59.3 **(e) Changing Distribution of Flying Squirrel**
59.4 **Species in Minnesota**

59.5 \$186,000 the first year is from the trust fund
59.6 to the Board of Regents of the University of
59.7 Minnesota for the Natural Resources Research
59.8 Institute in Duluth to determine current
59.9 distribution and habitat associations of
59.10 northern and southern flying squirrels to fill
59.11 key knowledge gaps in flying squirrel status
59.12 in Minnesota.

59.13 **(f) Statewide Forest Carbon Inventory and**
59.14 **Change Mapping**

59.15 \$987,000 the first year is from the trust fund
59.16 to the commissioner of natural resources to
59.17 work with Minnesota Forest Resources
59.18 Council, Minnesota Forestry Association, the
59.19 Board of Water and Soil Resources, and the
59.20 University of Minnesota to develop a
59.21 programmatic approach and begin collecting
59.22 plot-based inventories on private forestland
59.23 for use with remote sensing data to better
59.24 assess changing forest conditions and climate
59.25 mitigation opportunities across all ownerships
59.26 in the state.

59.27 **(g) Predicting the Future of Aquatic Species by**
59.28 **Understanding the Past**

59.29 \$170,000 the first year is from the trust fund
59.30 to the Board of Regents of the University of
59.31 Minnesota to use past and present information
59.32 to model future ranges of native aquatic
59.33 species in Minnesota to generate publicly
59.34 available tools for species and habitat
59.35 management.

60.1 **(h) Assessing Status of Common Tern**
60.2 **Populations in Minnesota**

60.3 \$199,000 the first year is from the trust fund
60.4 to the Board of Regents of the University of
60.5 Minnesota for the Natural Resources Research
60.6 Institute in Duluth to assess the population
60.7 status of Common Tern breeding colonies in
60.8 Minnesota, implement management activities,
60.9 and develop a standardized monitoring
60.10 protocol and online database for accessing
60.11 current and historic monitoring data to help
60.12 prioritize conservation and restoration actions
60.13 for this state-threatened species.

60.14 **(i) Salvaged Wildlife to Inform Environmental**
60.15 **Health, Ecology, and Education**

60.16 \$486,000 the first year is from the trust fund
60.17 to the Board of Regents of the University of
60.18 Minnesota, Bell Museum of Natural History,
60.19 to establish a statewide network to collect,
60.20 analyze, and archive salvaged dead wildlife
60.21 and build a foundation of biodiversity
60.22 resources to track ecosystem-wide changes,
60.23 monitor environmental health, and educate
60.24 Minnesotans about the value of scientific
60.25 specimens.

60.26 **(j) Developing Conservation Priorities for Rare**
60.27 **and Specialist Bees**

60.28 \$619,000 the first year is from the trust fund
60.29 to the Board of Regents of the University of
60.30 Minnesota to collect data on rare and specialist
60.31 bees and their habitat preferences, determine
60.32 their conservation status, and develop
60.33 strategies to improve their chances of survival.

60.34 **(k) Efficacy of Urban Archery Hunting to**
60.35 **Manage Deer**

61.1 \$393,000 the first year is from the trust fund
61.2 to the Board of Trustees of the Minnesota
61.3 State Colleges and Universities for Bemidji
61.4 State University to conduct an analysis of deer
61.5 survival, habitat use, and hunter data in the
61.6 city of Bemidji to improve special archery
61.7 hunt management practices in urban areas of
61.8 the state.

61.9 **(l) Mapping the Ecology of Urban and Rural**
61.10 **Canids**

61.11 \$601,000 the first year is from the trust fund
61.12 to the Board of Regents of the University of
61.13 Minnesota to determine how disease
61.14 prevalence, diet, habitat use, and interspecies
61.15 interactions of coyotes and foxes change from
61.16 urban to rural areas along the Mississippi
61.17 River corridor.

61.18 **(m) Maximizing Lowland Conifer Ecosystem**
61.19 **Services - Phase II**

61.20 \$482,000 the first year is from the trust fund
61.21 to the Board of Regents of the University of
61.22 Minnesota to continue monitoring forested
61.23 peatland hydrology and wildlife, conduct new
61.24 wildlife and habitat surveys, and quantify
61.25 carbon storage to provide support for
61.26 management decisions.

61.27 **(n) Modernizing Minnesota's Wildlife (and**
61.28 **Plant) Action Plan**

61.29 \$889,000 the first year is from the trust fund
61.30 to the commissioner of natural resources to
61.31 modernize the Minnesota Wildlife Action Plan
61.32 by filling critical data gaps, including adding
61.33 rare plants to the plan, and standardizing
61.34 conservation status assessment methods to

62.1 ensure Minnesota's natural heritage is

62.2 protected into the future.

62.3 **(o) Linking Breeding and Migratory Bird**
62.4 **Populations in Minnesota**

62.5 \$199,000 the first year is from the trust fund

62.6 to the commissioner of natural resources for

62.7 an agreement with Hawk Ridge Bird

62.8 Observatory to map year-round habitat use of

62.9 understudied bird species of special

62.10 conservation concern and evaluate areas with

62.11 the greatest risk of contaminant exposure.

62.12 **(p) Old Growth Forest Monitoring**

62.13 \$441,000 the first year is from the trust fund

62.14 to the commissioner of natural resources to

62.15 establish baseline conditions and develop a

62.16 cost-effective method to monitor

62.17 approximately 93,000 acres of old growth

62.18 forest in Minnesota to ensure that these rare

62.19 and important forest resources are properly

62.20 protected.

62.21 **(q) Integrating Remotely Sensed Data with**
62.22 **Traditional Forest Inventory**

62.23 \$191,000 the first year is from the trust fund

62.24 to the Board of Regents of the University of

62.25 Minnesota for the Natural Resources Research

62.26 Institute in Duluth to calibrate and optimize

62.27 the use of LiDAR for forest inventory

62.28 purposes and estimate stand-level forest

62.29 resource metrics in northeastern Minnesota so

62.30 ecosystem services can be better considered

62.31 in management decisions.

62.32 **(r) Community Response Monitoring for**
62.33 **Adaptive Management in Southeast Minnesota**

62.34 \$483,000 the first year is from the trust fund

62.35 to the commissioner of natural resources for

63.1 an agreement with The Nature Conservancy
 63.2 to assess community-level plant and animal
 63.3 responses to past restoration efforts in select
 63.4 southeast Minnesota conservation focus areas
 63.5 to determine if management outcomes are
 63.6 being achieved.

63.7 **(s) Minnesota Biodiversity Atlas - Phase III**

63.8 \$797,000 the first year is from the trust fund
 63.9 to the Board of Regents of the University of
 63.10 Minnesota, Bell Museum of Natural History,
 63.11 to expand the Minnesota Biodiversity Atlas
 63.12 to include more than 2,000,000 records and
 63.13 images of Minnesota wildlife, plants, and
 63.14 fungi by adding insect specimens, collections
 63.15 from new partners, historical data, and
 63.16 repatriating records of Minnesota's
 63.17 biodiversity that exist in various federal
 63.18 institutions.

63.19	<u>Subd. 4. Water Resources</u>	<u>8,328,000</u>	<u>-0-</u>
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63.20 Appropriations by Fund

63.21	<u>Environment and</u>		
63.22	<u>Natural Resources</u>		
63.23	<u>Trust Fund</u>	<u>8,139,000</u>	<u>-0-</u>
63.24	<u>Great Lakes</u>		
63.25	<u>Protection Account</u>	<u>189,000</u>	<u>-0-</u>

63.26 **(a) Ditching Delinquent Ditches: Optimizing**
 63.27 **Wetland Restoration**

63.28 \$199,000 the first year is from the trust fund
 63.29 to the Board of Regents of the University of
 63.30 Minnesota to use new techniques to identify
 63.31 and rank areas statewide where targeted
 63.32 removal of poorly functioning drainage ditches
 63.33 and restoration to wetlands can provide
 63.34 maximum human and ecological benefits,
 63.35 including aquifer recharge and flood
 63.36 prevention.

64.1 **(b) Assessment of Red River Basin Project**
64.2 **Outcomes**

64.3 \$920,000 the first year is from the trust fund
64.4 to the commissioner of natural resources for
64.5 an agreement with Red River Watershed
64.6 Management Board acting as fiscal agent for
64.7 the Red River Basin Flood Damage Reduction
64.8 Work Group to plan and implement
64.9 multiresource monitoring at flood damage
64.10 reduction and natural resource enhancement
64.11 projects across the Red River Basin to evaluate
64.12 outcomes and improve design of future
64.13 projects at a regional scale. This appropriation
64.14 is available until June 30, 2028, by which time
64.15 the project must be completed and final
64.16 products delivered.

64.17 **(c) Wind Wave and Boating Impacts on Inland**
64.18 **Lakes**

64.19 \$415,000 the first year is from the trust fund
64.20 to the Board of Regents of the University of
64.21 Minnesota for the St. Anthony Falls
64.22 Laboratory to conduct a field study to measure
64.23 the impacts of boat propeller wash and boat
64.24 wakes on lake bottoms, shorelines, and water
64.25 quality compared to the impacts of
64.26 wind-generated waves.

64.27 **(d) Finding, Capturing, and Destroying PFAS**
64.28 **in Minnesota Waters**

64.29 \$478,000 the first year is from the trust fund
64.30 to the Board of Regents of the University of
64.31 Minnesota to develop novel methods for the
64.32 detection, sequestration, and degradation of
64.33 poly- and perfluoroalkyl substances (PFAS)
64.34 in Minnesota's lakes and rivers.

64.35 **(e) Sinking and Suspended Microplastic**
64.36 **Particles in Lake Superior**

65.1 \$412,000 the first year is to the Board of
65.2 Regents of the University of Minnesota for
65.3 the Large Lakes Observatory in Duluth to
65.4 investigate the abundance, characteristics, and
65.5 fate of microplastic particles in Lake Superior
65.6 to inform remediation strategies and analyses
65.7 of environmental impacts. Of this amount,
65.8 \$189,000 is from the Great Lakes protection
65.9 account and \$223,000 is from the trust fund.
65.10 These appropriations may also be used to
65.11 educate the public about the research
65.12 conducted with this appropriation.

65.13 **(f) Ecotoxicological Impacts of Quinone Outside**
65.14 **Inhibitor (QoI) Fungicides**

65.15 \$279,000 the first year is from the trust fund
65.16 to the commissioner of natural resources for
65.17 an agreement with the University of St.
65.18 Thomas to assess the ecological hazards
65.19 associated with QoI fungicides and their major
65.20 environmental transformation products.

65.21 **(g) Brightsdale Dam Channel Restoration**

65.22 \$1,004,000 the first year is from the trust fund
65.23 to the commissioner of natural resources for
65.24 an agreement with Fillmore County Soil and
65.25 Water Conservation District to reduce
65.26 sedimentation and improve aquatic habitat by
65.27 restoring a channel of the north branch of the
65.28 Root River at the site of a failed hydroelectric
65.29 power dam that was removed in 2003.

65.30 **(h) Mapping Aquifer Recharge Potential**

65.31 \$391,000 the first year is from the trust fund
65.32 to the Board of Regents of the University of
65.33 Minnesota for the St. Anthony Falls
65.34 Laboratory to partner with the Freshwater
65.35 Society to develop a practical tool for mapping

66.1 aquifer recharge potential, demonstrate the
66.2 tool with laboratory and field tests, use the
66.3 tool to evaluate recharge potential of several
66.4 aquifers in Minnesota, and analyze aquifer
66.5 recharge policy.

66.6 **(i) ALASD's Chloride Source Reduction Pilot**
66.7 **Program**

66.8 \$764,000 the first year is from the trust fund
66.9 to the commissioner of natural resources for
66.10 an agreement with Alexandria Lake Area
66.11 Sanitary District (ALASD) to coordinate with
66.12 Douglas County and the Pollution Control
66.13 Agency to pilot an incentive program for
66.14 residences and businesses to install
66.15 high-efficiency water softeners, salt-free
66.16 systems, or softener discharge disposal
66.17 systems to reduce the annual salt load to Lake
66.18 Winona and downstream waters. The pilot
66.19 program includes rebates, inspections,
66.20 community education, and water quality
66.21 monitoring to measure chloride reduction
66.22 success. This appropriation is available until
66.23 June 30, 2027, by which time the project must
66.24 be completed and final products delivered.

66.25 **(j) Removing CECs from Stormwater with**
66.26 **Biofiltration**

66.27 \$641,000 the first year is from the trust fund
66.28 to the Board of Regents of the University of
66.29 Minnesota for the St. Anthony Falls
66.30 Laboratory to develop a treatment practice
66.31 design using biofiltration media to remove
66.32 contaminants of emerging concern (CECs)
66.33 from stormwater runoff and to provide
66.34 statewide stormwater management guidance.

66.35 **(k) Didymo II The North Shore Threat**
66.36 **Continues**

67.1 \$394,000 the first year is from the trust fund
67.2 to the Science Museum of Minnesota for the
67.3 St. Croix Watershed Research Station to
67.4 identify North Shore streams with didymo,
67.5 determine the risk of invasion to other streams,
67.6 document didymo impacts to stream
67.7 functioning, and develop strategies to prevent
67.8 further spread of didymo.

67.9 **(l) Leveraging Data Analytics Innovations for**
67.10 **Watershed District Planning**

67.11 \$738,000 the first year is from the trust fund
67.12 to the commissioner of natural resources for
67.13 an agreement with Minnehaha Creek
67.14 Watershed District to integrate local and
67.15 statewide data sets into a high-resolution
67.16 planning tool that forecasts the impacts of
67.17 changing precipitation patterns and
67.18 quantitatively compares cost effectiveness and
67.19 outcomes for water quality, ecological
67.20 integrity, and flood prevention projects in the
67.21 district. Minnehaha Creek Watershed District
67.22 may license third parties to use products
67.23 developed with this appropriation without
67.24 further approval from the legislature or the
67.25 Legislative-Citizen Commission on Minnesota
67.26 Resources, provided the licensing does not
67.27 generate income. This appropriation is subject
67.28 to Minnesota Statutes, section 116P.10.

67.29 **(m) Protecting Water in the Central Sands**
67.30 **Region of the Mississippi River Headwaters**

67.31 \$1,693,000 the first year is from the trust fund
67.32 to the commissioner of natural resources for
67.33 an agreement with the White Earth Band of
67.34 Minnesota Chippewa Indians to conduct a
67.35 policy analysis and assess aggregate irrigation

68.1 impacts on water quality and quantity in the
 68.2 Pineland Sands region of the state.

68.3 **Subd. 5. Environmental Education** 3,905,000 -0-

68.4 **(a) Fostering Conservation by Connecting**
 68.5 **Students to the BWCA**

68.6 \$1,080,000 the first year is from the trust fund
 68.7 to the commissioner of natural resources for
 68.8 an agreement with the Friends of the Boundary
 68.9 Waters Wilderness to connect Minnesota
 68.10 youth to the Boundary Waters through
 68.11 environmental education, experiential learning,
 68.12 and wilderness canoe trips.

68.13 **(b) Statewide Environmental Education via PBS**
 68.14 **Outdoor Series**

68.15 \$391,000 the first year is from the trust fund
 68.16 to the commissioner of natural resources for
 68.17 an agreement with Pioneer Public
 68.18 Broadcasting Service to produce new episodes
 68.19 of a statewide public television series and an
 68.20 educational web page designed to inspire
 68.21 Minnesotans to connect with the outdoors and
 68.22 to restore and protect the state's natural
 68.23 resources.

68.24 **(c) Increasing Diversity in Environmental**
 68.25 **Careers**

68.26 \$763,000 the first year is from the trust fund
 68.27 to the commissioner of natural resources in
 68.28 cooperation with Conservation Corps
 68.29 Minnesota and Iowa to ensure a stable and
 68.30 prepared natural resources work force in
 68.31 Minnesota by encouraging a diversity of
 68.32 students to pursue careers in environment and
 68.33 natural resources through internships,
 68.34 mentorships, and fellowships with the
 68.35 Department of Natural Resources, the Board

69.1 of Water and Soil Resources, and the Pollution
69.2 Control Agency. This appropriation is
69.3 available until June 30, 2028, by which time
69.4 the project must be completed and final
69.5 products delivered.

69.6 **(d) Reducing Biophobia & Fostering**
69.7 **Environmental Stewardship in Underserved**
69.8 **Schools**

69.9 \$180,000 the first year is from the trust fund
69.10 to the Board of Regents of the University of
69.11 Minnesota for the Raptor Center to foster
69.12 long-lasting environmental stewardship and
69.13 literacy in Minnesota youth in underserved
69.14 schools by providing engaging, multiunit,
69.15 standards-based environmental programming
69.16 featuring positive interactions with raptors and
69.17 evaluating program effectiveness and areas
69.18 for improvement.

69.19 **(e) Sharing Minnesota's Biggest Environmental**
69.20 **Investment**

69.21 \$628,000 the first year is from the trust fund
69.22 to the Science Museum of Minnesota, in
69.23 coordination with the Legislative-Citizen
69.24 Commission on Minnesota Resources
69.25 (LCCMR), to increase public access to the
69.26 results of LCCMR-recommended research,
69.27 including through a free online interactive
69.28 map, in-depth videos, and public events.

69.29 **(f) North Shore Private Forestry Outreach and**
69.30 **Implementation**

69.31 \$375,000 the first year is from the trust fund
69.32 to the commissioner of natural resources for
69.33 an agreement with Sugarloaf: The North Shore
69.34 Stewardship Association to conduct outreach
69.35 to private forest landowners, develop site
69.36 restoration plans, and connect landowners with

70.1 restoration assistance to encourage private
 70.2 forest restoration and improve the ecological
 70.3 health of Minnesota's North Shore forest
 70.4 landscape.

70.5 **(g) Teaching Students about Watersheds**
 70.6 **through Outdoor Science**

70.7 \$290,000 the first year is from the trust fund
 70.8 to the commissioner of natural resources for
 70.9 an agreement with Minnesota Trout Unlimited
 70.10 to engage students in classroom and outdoor
 70.11 hands-on learning focused on water quality,
 70.12 groundwater, aquatic life, and watershed
 70.13 stewardship and provide youth and their
 70.14 families with fishing experiences to further
 70.15 foster a conservation ethic.

70.16 **(h) Bioblitz Urban Parks: Engaging**
 70.17 **Communities in Scientific Efforts**

70.18 \$198,000 the first year is from the trust fund
 70.19 to the commissioner of natural resources for
 70.20 an agreement with the Minneapolis Park and
 70.21 Recreation Board to work with volunteers to
 70.22 collect baseline biodiversity data for
 70.23 neighborhood and regional parks to inspire
 70.24 stewardship and inform habitat restoration
 70.25 work.

70.26 **Subd. 6. Aquatic and Terrestrial Invasive**
 70.27 **Species**

5,104,000

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70.28 **(a) Northward Expansion of Ecologically**
 70.29 **Damaging Amphibians and Reptiles**

70.30 \$163,000 the first year is from the trust fund
 70.31 to the Board of Regents of the University of
 70.32 Minnesota to assess the distribution and
 70.33 potential for expansion of key detrimental and
 70.34 nonnative amphibians and reptiles in
 70.35 Minnesota.

71.1 **(b) Developing Research-Based Solutions to**
 71.2 **Minnesota's AIS Problems**

71.3 \$4,941,000 the first year is from the trust fund
 71.4 to the Board of Regents of the University of
 71.5 Minnesota for the Minnesota Aquatic Invasive
 71.6 Species Research Center to conduct
 71.7 high-priority projects aimed at solving
 71.8 Minnesota's aquatic invasive species problems
 71.9 using rigorous science and a collaborative
 71.10 process. Additionally, funds may be spent to
 71.11 deliver research findings to end users through
 71.12 strategic communication and outreach. This
 71.13 appropriation is subject to Minnesota Statutes,
 71.14 section 116P.10. This appropriation is
 71.15 available until June 30, 2027, by which time
 71.16 the project must be completed and final
 71.17 products delivered.

71.18 **Subd. 7. Air Quality, Climate Change, and**
 71.19 **Renewable Energy**

3,913,000

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71.20 **(a) Community Forestry AmeriCorps**

71.21 \$1,500,000 the first year is from the trust fund
 71.22 to the commissioner of natural resources for
 71.23 an agreement with ServeMinnesota to preserve
 71.24 and increase tree canopy throughout the state
 71.25 by training, supporting, and deploying
 71.26 AmeriCorps members to local agencies and
 71.27 nonprofit organizations to plant and inventory
 71.28 trees, develop and implement pest
 71.29 management plans, create and maintain
 71.30 nursery beds for replacement trees, and
 71.31 organize opportunities for community
 71.32 engagement in tree stewardship activities.

71.33 **(b) Biochar Implementation in Habitat**
 71.34 **Restoration: A Pilot**

72.1 \$185,000 the first year is from the trust fund
72.2 to the commissioner of natural resources for
72.3 an agreement with Great River Greening to
72.4 pilot the use of portable biochar kilns as an
72.5 alternative to open-pile burning of trees and
72.6 shrubs to reduce smoke and carbon emissions
72.7 and produce beneficial by-products from
72.8 invasive species removal and land restoration
72.9 efforts.

72.10 **(c) Completing Installment of the Minnesota**
72.11 **Ecological Monitoring Network**

72.12 \$1,094,000 the first year is from the trust fund
72.13 to the commissioner of natural resources to
72.14 improve conservation and management of
72.15 Minnesota's native forests, wetlands, and
72.16 grasslands by completing the Ecological
72.17 Monitoring Network to measure ecosystems'
72.18 change through time.

72.19 **(d) Lichens as Low-Cost Air Quality Monitors**
72.20 **in Minnesota**

72.21 \$341,000 the first year is from the trust fund
72.22 to the Board of Regents of the University of
72.23 Minnesota to develop community science
72.24 protocols for using lichens as indicators of air
72.25 quality and conduct an analysis of air pollution
72.26 changes across Minnesota in the present and
72.27 in the past century.

72.28 **(e) Environment-Friendly Decarbonizing of Steel**
72.29 **Production with Hydrogen Plasma**

72.30 \$739,000 the first year is from the trust fund
72.31 to the Board of Regents of the University of
72.32 Minnesota to investigate the use of microwave
72.33 hydrogen plasma to reduce fossil fuel use,
72.34 carbon dioxide emissions, and waste and
72.35 enable the use of alternative iron resources,

73.1 including lower quality iron ores, tailings, and
 73.2 iron ore waste piles, in the iron-making
 73.3 industry. This appropriation is subject to
 73.4 Minnesota Statutes, section 116P.10.

73.5 **(f) Economic Analysis Guide for Minnesota**
 73.6 **Climate Investments**

73.7 \$54,000 the first year is from the trust fund to
 73.8 the commissioner of the Minnesota Pollution
 73.9 Control Agency to create a guide that will
 73.10 incorporate nation-wide best practices for
 73.11 considering costs, benefits, economics, and
 73.12 equity in Minnesota climate policy decisions.

73.13 **Subd. 8. Methods to Protect or Restore Land,**
 73.14 **Water, and Habitat**

15,997,000

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73.15 **(a) Minnesota Bee and Beneficial Species Habitat**
 73.16 **Enhancement II**

73.17 \$876,000 the first year is from the trust fund
 73.18 to the commissioner of natural resources for
 73.19 an agreement with Pheasants Forever Inc. to
 73.20 enhance grassland habitats to benefit
 73.21 pollinators and other wildlife species on
 73.22 permanently protected lands and to collaborate
 73.23 with the University of Minnesota to determine
 73.24 best practices for seeding timing and
 73.25 techniques.

73.26 **(b) Karner Blue Butterfly Insurance Population**
 73.27 **Establishment in Minnesota**

73.28 \$405,000 the first year is from the trust fund
 73.29 to the commissioner of natural resources for
 73.30 an agreement with the Three Rivers Park
 73.31 District to establish a breeding population of
 73.32 the federally endangered Karner blue butterfly
 73.33 on protected lands within the butterfly's
 73.34 northern expanding range, increase the habitat
 73.35 area, and evaluate the butterfly establishment

74.1 effort to assist with adaptive management.

74.2 This appropriation is available until June 30,

74.3 2027, by which time the project must be

74.4 completed and final products delivered.

74.5 **(c) Root River Habitat Restoration at Eagle**
74.6 **Bluff**

74.7 \$866,000 the first year is from the trust fund

74.8 to the commissioner of natural resources for

74.9 an agreement with Eagle Bluff Environmental

74.10 Learning Center to restore habitat in and

74.11 alongside the Root River north of Lanesboro,

74.12 Minnesota, and to conduct monitoring to

74.13 ensure water quality and fish population

74.14 improvements are achieved. This appropriation

74.15 is available until June 30, 2028, by which time

74.16 the project must be completed and final

74.17 products delivered.

74.18 **(d) Restoring Mussels in Streams and Lakes -**
74.19 **Continuation**

74.20 \$825,000 the first year is from the trust fund

74.21 to the commissioner of natural resources to

74.22 propagate, rear, and restore native freshwater

74.23 mussel assemblages and the ecosystem

74.24 services they provide in the Mississippi,

74.25 Cedar, and Cannon Rivers; to evaluate

74.26 reintroduction success; and to inform the

74.27 public on mussels and mussel conservation.

74.28 **(e) Minnesota Million: Seedlings for**
74.29 **Reforestation and CO₂ Sequestration**

74.30 \$906,000 the first year is from the trust fund

74.31 to the Board of Regents of the University of

74.32 Minnesota, Duluth, to collaborate with The

74.33 Nature Conservancy and Minnesota Extension

74.34 to expand networks of seed collectors and tree

74.35 growers and to research tree planting strategies

75.1 to accelerate reforestation for carbon
75.2 sequestration, wildlife habitat, and watershed
75.3 resilience.

75.4 **(f) Panoway on Wayzata Bay Shoreline**
75.5 **Restoration Project**

75.6 \$200,000 the first year is from the trust fund
75.7 to the commissioner of natural resources for
75.8 an agreement with the city of Wayzata to
75.9 restore native lake bottom and shoreline
75.10 vegetation to improve shoreline stability,
75.11 wildlife habitat, and the natural beauty of Lake
75.12 Minnetonka's Wayzata Bay. The recipient
75.13 must report to the Legislative-Citizen
75.14 Commission on Minnesota Resources on the
75.15 effectiveness of any new methods tested while
75.16 conducting the project and may use a portion
75.17 of the appropriation to prepare that report.

75.18 **(g) Pollinator Central III: Habitat Improvement**
75.19 **with Community Monitoring**

75.20 \$190,000 the first year is from the trust fund
75.21 to the commissioner of natural resources for
75.22 an agreement with Great River Greening to
75.23 restore and enhance pollinator habitat in parks,
75.24 schools, and other public spaces to benefit
75.25 pollinators and people and to build knowledge
75.26 about impacts of the pollinator plantings
75.27 through community-based monitoring.

75.28 **(h) Restoring Forests and Savannas Using**
75.29 **Silvopasture - Phase II**

75.30 \$674,000 the first year is from the trust fund
75.31 to the commissioner of natural resources for
75.32 an agreement with Great River Greening to
75.33 continue to partner with the University of
75.34 Minnesota and the Sustainable Farming
75.35 Association to demonstrate, evaluate, and

76.1 increase adoption of the combined use of
76.2 intensive tree, forage, and grazing as a method
76.3 to restore and manage forest and savanna
76.4 habitats.

76.5 **(i) Minnesota Community Schoolyards**

76.6 \$1,433,000 the first year is from the trust fund
76.7 to the commissioner of natural resources for
76.8 an agreement with The Trust for Public Land
76.9 to engage students and communities to create
76.10 nature-focused habitat improvements at
76.11 schoolyards across the state to increase
76.12 environmental outcomes and encourage
76.13 outdoor learning.

76.14 **(j) Pollinator Enhancement and Mississippi**
76.15 **River Shoreline Restoration**

76.16 \$187,000 the first year is from the trust fund
76.17 to the commissioner of natural resources for
76.18 an agreement with the Department of Military
76.19 Affairs to restore native prairie, support
76.20 pollinator plantings, and stabilize a large
76.21 section of stream bank along the Mississippi
76.22 River within Camp Ripley.

76.23 **(k) Conservation Cooperative for Working**
76.24 **Lands**

76.25 \$2,611,000 the first year is from the trust fund
76.26 to the commissioner of natural resources for
76.27 an agreement with Pheasants Forever Inc. to
76.28 collaborate with Natural Resources
76.29 Conservation Service, Board of Water and
76.30 Soil Resources, and Minnesota Association
76.31 of Soil and Water Conservation Districts to
76.32 accelerate adoption of voluntary conservation
76.33 practices on working lands in Minnesota by
76.34 increasing technical assistance to farmers and

77.1 landowners while also attracting federal
77.2 matching funds.

77.3 **(l) Quantifying Environmental Benefits of**
77.4 **Peatland Restoration in Minnesota**

77.5 \$754,000 the first year is from the trust fund
77.6 to the Board of Regents of the University of
77.7 Minnesota to quantify the capacity of restored
77.8 peatlands to store and accumulate atmospheric
77.9 carbon and prevent release of accumulated
77.10 mercury into the surrounding environment.

77.11 This appropriation is available until June 30,
77.12 2027, by which time the project must be
77.13 completed and final products delivered.

77.14 **(m) Renewing Access to an Iconic North Shore**
77.15 **Vista**

77.16 \$197,000 the first year is from the trust fund
77.17 to the commissioner of natural resources for
77.18 an agreement with the Superior Hiking Trail
77.19 Association to use national trail design best
77.20 practices to renew trails and a campground
77.21 along the Bean and Bear Lakes section of the
77.22 Superior Hiking Trail that provides access to
77.23 one of Minnesota's most iconic vistas.

77.24 **(n) Addressing Erosion Along High Use River**
77.25 **Loops**

77.26 \$368,000 the first year is from the trust fund
77.27 to the commissioner of natural resources for
77.28 an agreement with the Superior Hiking Trail
77.29 Association to rehabilitate and renew popular
77.30 river loops of the Superior Hiking Trail to
77.31 withstand high visitor use and serve
77.32 Minnesotans for years to come.

77.33 **(o) Pollinator Habitat Creation at Minnesota**
77.34 **Closed Landfills**

78.1 \$1,508,000 the first year is from the trust fund
78.2 to the commissioner of the Minnesota
78.3 Pollution Control Agency to conduct a pilot
78.4 project to create pollinator habitat at closed
78.5 landfill sites in the closed landfill program.
78.6 This appropriation is available until June 30,
78.7 2027, by which time the project must be
78.8 completed and final products delivered.

78.9 **(p) Enhancing Habitat Connectivity within the**
78.10 **Urban Mississippi Flyway**

78.11 \$190,000 the first year is from the trust fund
78.12 to the commissioner of natural resources for
78.13 an agreement with the Minneapolis Park and
78.14 Recreation Board to enhance and restore
78.15 habitat in and between urban neighborhood
78.16 parks and the Mississippi River to benefit
78.17 animals, plants, and neighborhoods
78.18 traditionally disconnected from nature and to
78.19 raise awareness of the Mississippi River
78.20 Flyway.

78.21 **(q) Statewide Diversion of Furniture and**
78.22 **Mattress Waste Pilots**

78.23 \$2,833,000 the first year is from the trust fund
78.24 to the commissioner of natural resources for
78.25 an agreement with EMERGE Community
78.26 Development to work collaboratively with the
78.27 University of Minnesota, Second Chance
78.28 Recycling, and local governments to test and
78.29 implement methods to expand mattress and
78.30 furniture recycling statewide, including by
78.31 researching value-add commodity markets for
78.32 recycled materials, piloting mattress collection
78.33 in greater Minnesota counties, piloting
78.34 curbside furniture collection in the
78.35 metropolitan area, and increasing facility
78.36 capacity to recycle collected mattresses. Any

79.1 revenue generated from selling products or
 79.2 assets developed or acquired with this
 79.3 appropriation must be repaid to the trust fund
 79.4 unless a plan is approved for reinvestment of
 79.5 income in the project. This appropriation is
 79.6 subject to Minnesota Statutes, section 116P.10.

79.7 **(r) Phelps Mill Wetland and Prairie Restoration**

79.8 \$974,000 the first year is from the trust fund
 79.9 to the commissioner of natural resources for
 79.10 an agreement with Otter Tail County to plan,
 79.11 engineer, and restore wetlands and prairie
 79.12 within the newly expanded Phelps Mill County
 79.13 Park to improve habitat connectivity for
 79.14 wildlife and enhance recreational experiences
 79.15 for users. Up to \$322,000 of this appropriation
 79.16 may be used to plan, engineer, and construct
 79.17 a boardwalk, viewing platforms, and soft trails
 79.18 within the park. This appropriation is available
 79.19 until June 30, 2027, by which time the project
 79.20 must be completed and final products
 79.21 delivered.

79.22 **Subd. 9. Land Acquisition, Habitat, and**
 79.23 **Recreation**

31,241,000

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79.24 **(a) SNA Stewardship, Outreach, and**
 79.25 **Biodiversity Protection**

79.26 \$1,919,000 the first year is from the trust fund
 79.27 to the commissioner of natural resources to
 79.28 restore and enhance exceptional habitat on
 79.29 scientific and natural areas (SNAs), increase
 79.30 public involvement and outreach, and
 79.31 strategically acquire lands that meet criteria
 79.32 for SNAs under Minnesota Statutes, section
 79.33 86A.05, from willing sellers. This
 79.34 appropriation is available until June 30, 2027,

80.1 by which time the project must be completed
80.2 and final products delivered.

80.3 **(b) Wannigan Regional Park Land Acquisition**

80.4 \$727,000 the first year is from the trust fund
80.5 to the commissioner of natural resources for
80.6 an agreement with the city of Frazee to acquire
80.7 land for protecting and enhancing natural
80.8 resources and for future development as
80.9 Wannigan Regional Park, where the Heartland
80.10 State, North Country National, and Otter Tail
80.11 River Water Trails will meet. Initial site
80.12 development or restoration work may be
80.13 conducted with this appropriation.

80.14 **(c) Local Parks, Trails, and Natural Areas Grant**
80.15 **Programs**

80.16 \$3,802,000 the first year is from the trust fund
80.17 to the commissioner of natural resources to
80.18 solicit and rank applications and fund
80.19 competitive matching grants for local parks,
80.20 trail connections, and natural and scenic areas
80.21 under Minnesota Statutes, section 85.019. This
80.22 appropriation is for local nature-based
80.23 recreation, connections to regional and state
80.24 natural areas, and recreation facilities and may
80.25 not be used for athletic facilities such as sport
80.26 fields, courts, and playgrounds.

80.27 **(d) Outreach and Stewardship Through the**
80.28 **Native Prairie Bank Program**

80.29 \$620,000 the first year is from the trust fund
80.30 to the commissioner of natural resources to
80.31 enhance and monitor lands enrolled in the
80.32 native prairie bank and to provide outreach
80.33 and technical assistance to landowners,
80.34 practitioners, and the public to increase
80.35 awareness and stewardship of the state's

81.1 remaining native prairie. This appropriation
81.2 is available until June 30, 2027, by which time
81.3 the project must be completed and final
81.4 products delivered.

81.5 **(e) Minnesota State Trails Development**

81.6 \$4,952,000 the first year is from the trust fund
81.7 to the commissioner of natural resources to
81.8 expand recreational opportunities on
81.9 Minnesota state trails by rehabilitating and
81.10 enhancing existing state trails and replacing
81.11 or repairing existing state trail bridges.

81.12 **(f) Construction of East Park**

81.13 \$700,000 the first year is from the trust fund
81.14 to the commissioner of natural resources for
81.15 an agreement with the city of St. Joseph to
81.16 increase recreational opportunities and access
81.17 at East Park along the Sauk River in St. Joseph
81.18 through enhancements such as a canoe and
81.19 kayak access, a floating dock, paved and
81.20 mowed trails, and parking entrance
81.21 improvements.

81.22 **(g) Scandia Gateway Trail to William O'Brien**
81.23 **State Park**

81.24 \$2,689,000 the first year is from the trust fund
81.25 to the commissioner of natural resources for
81.26 an agreement with the city of Scandia to
81.27 engineer and construct a segment of the
81.28 Gateway State Trail between the city of
81.29 Scandia and William O'Brien State Park that
81.30 will be maintained by the Department of
81.31 Natural Resources. The segment to be
81.32 constructed includes a pedestrian tunnel and
81.33 trailhead parking area. This project must be
81.34 designed and constructed in accordance with
81.35 Department of Natural Resources state trail

82.1 standards. Engineering and construction plans
82.2 must be approved by the commissioner of
82.3 natural resources before construction may
82.4 commence. This appropriation is available
82.5 until June 30, 2027, by which time the project
82.6 must be completed and final products
82.7 delivered.

82.8 **(h) Grand Marais Mountain Bike Trail**
82.9 **Rehabilitation - Phase II**

82.10 \$200,000 the first year is from the trust fund
82.11 to the commissioner of natural resources for
82.12 an agreement with Superior Cycling
82.13 Association to rehabilitate and modify existing
82.14 mountain bike trails at Pincushion Mountain
82.15 to increase the trail's environmental
82.16 sustainability and provide better access to
82.17 beginner and adaptive cyclers.

82.18 **(i) Acquisition of State Parks and Trails**
82.19 **Inholdings**

82.20 \$5,425,000 the first year is from the trust fund
82.21 to the commissioner of natural resources to
82.22 acquire high-priority inholdings from willing
82.23 sellers within the legislatively authorized
82.24 boundaries of state parks, recreation areas, and
82.25 trails to protect Minnesota's natural heritage,
82.26 enhance outdoor recreation, and improve the
82.27 efficiency of public land management. This
82.28 appropriation is available until June 30, 2027,
82.29 by which time the project must be completed
82.30 and final products delivered.

82.31 **(j) St. Louis River Re-Connect - Phase II**

82.32 \$1,375,000 the first year is from the trust fund
82.33 to the commissioner of natural resources for
82.34 an agreement with the city of Duluth to
82.35 increase recreational opportunities and access

83.1 to the Waabizheshikana hiking and water trails
83.2 in West Duluth with trail and trailhead
83.3 enhancements such as accessible canoe and
83.4 kayak launches, picnic areas, and restrooms;
83.5 restored habitat; stormwater improvements;
83.6 directional signage, and trailside interpretation.
83.7 This appropriation may also be used to partner
83.8 with the St. Louis River Alliance to create an
83.9 ambassadors program to engage the
83.10 surrounding community and facilitate use of
83.11 the trails.

83.12 **(k) City of Biwabik Recreation**

83.13 \$1,306,000 the first year is from the trust fund
83.14 to the commissioner of natural resources for
83.15 an agreement with the city of Biwabik to
83.16 reconstruct and renovate Biwabik Recreation
83.17 Area's access road, parking area, and bathroom
83.18 facilities.

83.19 **(l) Silver Bay Multimodal Trailhead Project**

83.20 \$1,970,000 the first year is from the trust fund
83.21 to the commissioner of natural resources for
83.22 an agreement with the city of Silver Bay to
83.23 develop a multimodal trailhead center to
83.24 provide safe access to the Superior Hiking,
83.25 Gitchi-Gami Bike, and C.J. Ramstad/North
83.26 Shore trails; Black Beach Park; and other
83.27 recreational destinations. Before any
83.28 construction costs are incurred, the city must
83.29 demonstrate that all funding to complete the
83.30 project are secured.

83.31 **(m) Above the Falls Regional Park Restoration**
83.32 **Planning and Acquisition**

83.33 \$1,376,000 the first year is from the trust fund
83.34 to the commissioner of natural resources for
83.35 an agreement with the Minneapolis Park and

84.1 Recreation Board to acquire land along the
84.2 Mississippi River from willing sellers for
84.3 habitat restoration, trail development, and
84.4 low-intensity recreational facilities in Above
84.5 the Falls Regional Park. This appropriation
84.6 may also be used to prepare restoration plans
84.7 for lands acquired. This appropriation may not
84.8 be used to purchase habitable residential
84.9 structures. Before the acquisition, a phase 1
84.10 environmental assessment must be completed
84.11 and the Minneapolis Park and Recreation
84.12 Board must not accept any liability for
84.13 previous contamination of lands acquired with
84.14 this appropriation.

84.15 **(n) Redhead Mountain Bike Park**
84.16 \$1,666,000 the first year is from the trust fund
84.17 to the commissioner of natural resources for
84.18 an agreement with the city of Chisholm as the
84.19 fiscal agent for the Minnesota Discovery
84.20 Center to enhance outdoor recreational
84.21 opportunities by adding trails and amenities
84.22 to the Redhead Mountain Bike Park in
84.23 Chisholm. Amenities may include such things
84.24 as pump tracks, skills courses, changing
84.25 stations, shade shakes, and signage.

84.26 **(o) Maplewood State Park Trail Segment of the**
84.27 **Perham to Pelican Rapids Regional Trail**
84.28 \$2,514,000 the first year is from the trust fund
84.29 to the commissioner of natural resources for
84.30 an agreement with Otter Tail County to partner
84.31 with the Department of Natural Resources to
84.32 construct the Maplewood State Park segment
84.33 of the Perham to Pelican Rapids Regional
84.34 Trail. This project must be designed and
84.35 constructed in accordance with Department

85.1 of Natural Resources state trail standards.

85.2 Engineering and construction plans must be

85.3 approved by the commissioner of natural

85.4 resources before construction may commence.

85.5 **Subd. 10. Administration, Emerging Issues, and**

85.6 **Contract Agreement Reimbursement**

3,126,000

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85.7 **(a) LCCMR Administrative Budget**

85.8 \$2,133,000 the first year is from the trust fund

85.9 to the Legislative-Citizen Commission on

85.10 Minnesota Resources for administration in

85.11 fiscal years 2024 and 2025 as provided in

85.12 Minnesota Statutes, section 116P.09,

85.13 subdivision 5. This appropriation is available

85.14 until June 30, 2025. Notwithstanding

85.15 Minnesota Statutes, section 116P.11,

85.16 paragraph (b), Minnesota Statutes, section

85.17 16A.281, applies to this appropriation.

85.18 **(b) Emerging Issues**

85.19 \$767,000 the first year is from the trust fund

85.20 to the Legislative-Citizen Commission on

85.21 Minnesota Resources to an emerging issues

85.22 account authorized in Minnesota Statutes,

85.23 section 116P.08, subdivision 4, paragraph (d).

85.24 **(c) Contract Agreement Reimbursement**

85.25 \$224,000 the first year is from the trust fund

85.26 to the commissioner of natural resources, at

85.27 the direction of the Legislative-Citizen

85.28 Commission on Minnesota Resources, for

85.29 expenses incurred in preparing and

85.30 administering contracts, including for the

85.31 agreements specified in this section.

85.32 **(d) Legislative Coordinating Commission Legacy**

85.33 **Website**

86.1 \$2,000 the first year is from the trust fund to
86.2 the Legislative Coordinating Commission for
86.3 the website required in Minnesota Statutes,
86.4 section 3.303, subdivision 10.

86.5 **Subd. 11. Availability of Appropriations**

86.6 Money appropriated in this section may not
86.7 be spent on activities unless they are directly
86.8 related to and necessary for a specific
86.9 appropriation and are specified in the work
86.10 plan approved by the Legislative-Citizen
86.11 Commission on Minnesota Resources. Money
86.12 appropriated in this section must not be spent
86.13 on indirect costs or other institutional overhead
86.14 charges that are not directly related to and
86.15 necessary for a specific appropriation. Costs
86.16 that are directly related to and necessary for
86.17 an appropriation, including financial services,
86.18 human resources, information services, rent,
86.19 and utilities, are eligible only if the costs can
86.20 be clearly justified and individually
86.21 documented specific to the appropriation's
86.22 purpose and would not be generated by the
86.23 recipient but for receipt of the appropriation.
86.24 No broad allocations for costs in either dollars
86.25 or percentages are allowed. Unless otherwise
86.26 provided, the amounts in this section are
86.27 available for three years beginning July 1,
86.28 2023, and ending June 30, 2026, when projects
86.29 must be completed and final products
86.30 delivered. For acquisition of real property, the
86.31 appropriations in this section are available for
86.32 an additional fiscal year if a binding contract
86.33 for acquisition of the real property is entered
86.34 into before the expiration date of the
86.35 appropriation. If a project receives a federal

87.1 award, the period of the appropriation is
87.2 extended to equal the federal award period to
87.3 a maximum trust fund appropriation length of
87.4 six years.

87.5 **Subd. 12. Data Availability Requirements Data**

87.6 Data collected by the projects funded under
87.7 this section must conform to guidelines and
87.8 standards adopted by Minnesota IT Services.
87.9 Spatial data must also conform to additional
87.10 guidelines and standards designed to support
87.11 data coordination and distribution that have
87.12 been published by the Minnesota Geospatial
87.13 Information Office. Descriptions of spatial
87.14 data must be prepared as specified in the state's
87.15 geographic metadata guideline and must be
87.16 submitted to the Minnesota Geospatial
87.17 Information Office. All data must be
87.18 accessible and free to the public unless made
87.19 private under the Data Practices Act,
87.20 Minnesota Statutes, chapter 13. To the extent
87.21 practicable, summary data and results of
87.22 projects funded under this section should be
87.23 readily accessible on the Internet and
87.24 identified as having received funding from the
87.25 environment and natural resources trust fund.

87.26 **Subd. 13. Project Requirements**

87.27 (a) As a condition of accepting an
87.28 appropriation under this section, an agency or
87.29 entity receiving an appropriation or a party to
87.30 an agreement from an appropriation must
87.31 comply with paragraphs (b) to (l) and
87.32 Minnesota Statutes, chapter 116P, and must
87.33 submit a work plan and annual or semiannual
87.34 progress reports in the form determined by the
87.35 Legislative-Citizen Commission on Minnesota

88.1 Resources for any project funded in whole or
88.2 in part with funds from the appropriation.
88.3 Modifications to the approved work plan and
88.4 budget expenditures must be made through
88.5 the amendment process established by the
88.6 Legislative-Citizen Commission on Minnesota
88.7 Resources.

88.8 (b) A recipient of money appropriated in this
88.9 section that conducts a restoration using funds
88.10 appropriated in this section must use native
88.11 plant species according to the Board of Water
88.12 and Soil Resources' native vegetation
88.13 establishment and enhancement guidelines
88.14 and include an appropriate diversity of native
88.15 species selected to provide habitat for
88.16 pollinators throughout the growing season as
88.17 required under Minnesota Statutes, section
88.18 84.973.

88.19 (c) For all restorations conducted with money
88.20 appropriated under this section, a recipient
88.21 must prepare an ecological restoration and
88.22 management plan that, to the degree
88.23 practicable, is consistent with the
88.24 highest-quality conservation and ecological
88.25 goals for the restoration site. Consideration
88.26 should be given to soil, geology, topography,
88.27 and other relevant factors that would provide
88.28 the best chance for long-term success and
88.29 durability of the restoration project. The plan
88.30 must include the proposed timetable for
88.31 implementing the restoration, including site
88.32 preparation, establishment of diverse plant
88.33 species, maintenance, and additional
88.34 enhancement to establish the restoration;
88.35 identify long-term maintenance and

89.1 management needs of the restoration and how
89.2 the maintenance, management, and
89.3 enhancement will be financed; and take
89.4 advantage of the best-available science and
89.5 include innovative techniques to achieve the
89.6 best restoration.

89.7 (d) An entity receiving an appropriation in this
89.8 section for restoration activities must provide
89.9 an initial restoration evaluation at the
89.10 completion of the appropriation and an
89.11 evaluation three years after the completion of
89.12 the expenditure. Restorations must be
89.13 evaluated relative to the stated goals and
89.14 standards in the restoration plan, current
89.15 science, and, when applicable, the Board of
89.16 Water and Soil Resources' native vegetation
89.17 establishment and enhancement guidelines.
89.18 The evaluation must determine whether the
89.19 restorations are meeting planned goals,
89.20 identify any problems with implementing the
89.21 restorations, and, if necessary, give
89.22 recommendations on improving restorations.
89.23 The evaluation must be focused on improving
89.24 future restorations.

89.25 (e) All restoration and enhancement projects
89.26 funded with money appropriated in this section
89.27 must be on land permanently protected by a
89.28 conservation easement or public ownership.

89.29 (f) A recipient of money from an appropriation
89.30 under this section must give consideration to
89.31 contracting with Conservation Corps
89.32 Minnesota for contract restoration and
89.33 enhancement services.

89.34 (g) All conservation easements acquired with
89.35 money appropriated under this section must:

- 90.1 (1) be permanent;
- 90.2 (2) specify the parties to an easement in the
90.3 easement;
- 90.4 (3) specify all provisions of an agreement that
90.5 are permanent;
- 90.6 (4) be sent to the Legislative-Citizen
90.7 Commission on Minnesota Resources in an
90.8 electronic format at least ten business days
90.9 before closing;
- 90.10 (5) include a long-term monitoring and
90.11 enforcement plan and funding for monitoring
90.12 and enforcing the easement agreement; and
- 90.13 (6) include requirements in the easement
90.14 document to protect the quantity and quality
90.15 of groundwater and surface water through
90.16 specific activities such as keeping water on
90.17 the landscape, reducing nutrient and
90.18 contaminant loading, and not permitting
90.19 artificial hydrological modifications.
- 90.20 (h) For any acquisition of lands or interest in
90.21 lands, a recipient of money appropriated under
90.22 this section must not agree to pay more than
90.23 100 percent of the appraised value for a parcel
90.24 of land using this money to complete the
90.25 purchase, in part or in whole, except that up
90.26 to ten percent above the appraised value may
90.27 be allowed to complete the purchase, in part
90.28 or in whole, using this money if permission is
90.29 received in advance of the purchase from the
90.30 Legislative-Citizen Commission on Minnesota
90.31 Resources.
- 90.32 (i) For any acquisition of land or interest in
90.33 land, a recipient of money appropriated under
90.34 this section must give priority to high-quality

91.1 natural resources or conservation lands that
91.2 provide natural buffers to water resources.

91.3 (j) For new lands acquired with money
91.4 appropriated under this section, a recipient
91.5 must prepare an ecological restoration and
91.6 management plan in compliance with
91.7 paragraph (c), including sufficient funding for
91.8 implementation unless the work plan addresses
91.9 why a portion of the money is not necessary
91.10 to achieve a high-quality restoration.

91.11 (k) To ensure public accountability for using
91.12 public funds, a recipient of money
91.13 appropriated under this section must, within
91.14 60 days of the transaction, provide to the
91.15 Legislative-Citizen Commission on Minnesota
91.16 Resources documentation of the selection
91.17 process used to identify parcels acquired and
91.18 provide documentation of all related
91.19 transaction costs, including but not limited to
91.20 appraisals, legal fees, recording fees,
91.21 commissions, other similar costs, and
91.22 donations. This information must be provided
91.23 for all parties involved in the transaction. The
91.24 recipient must also report to the
91.25 Legislative-Citizen Commission on Minnesota
91.26 Resources any difference between the
91.27 acquisition amount paid to the seller and the
91.28 state-certified or state-reviewed appraisal, if
91.29 a state-certified or state-reviewed appraisal
91.30 was conducted.

91.31 (l) A recipient of an appropriation from the
91.32 trust fund under this section must acknowledge
91.33 financial support from the environment and
91.34 natural resources trust fund in project
91.35 publications, signage, and other public

92.1 communications and outreach related to work
92.2 completed using the appropriation.
92.3 Acknowledgment may occur, as appropriate,
92.4 through use of the trust fund logo or inclusion
92.5 of language attributing support from the trust
92.6 fund. Each direct recipient of money
92.7 appropriated in this section, as well as each
92.8 recipient of a grant awarded pursuant to this
92.9 section, must satisfy all reporting and other
92.10 requirements incumbent upon constitutionally
92.11 dedicated funding recipients as provided in
92.12 Minnesota Statutes, section 3.303, subdivision
92.13 10, and Minnesota Statutes, chapter 116P.

92.14 (m) A recipient of an appropriation from the
92.15 trust fund under this section that is receiving
92.16 funding to conduct children's services, as
92.17 defined in Minnesota Statutes, section
92.18 299C.61, subdivision 7, must certify to the
92.19 Legislative-Citizen Commission on Minnesota
92.20 Resources, as part of the required work plan,
92.21 that criminal background checks for
92.22 background check crimes, as defined in
92.23 Minnesota Statutes, section 299C.61,
92.24 subdivision 2, are performed on all employees,
92.25 contractors, and volunteers that have or may
92.26 have access to a child to whom the recipient
92.27 provides children's services using the
92.28 appropriation.

92.29 **Subd. 14. Payment Conditions and Capital**
92.30 **Equipment Expenditures**

92.31 (a) All agreements, grants, or contracts
92.32 referred to in this section must be administered
92.33 on a reimbursement basis unless otherwise
92.34 provided in this section. Notwithstanding
92.35 Minnesota Statutes, section 16A.41,

93.1 expenditures made on or after July 1, 2023,
93.2 or the date the work plan is approved,
93.3 whichever is later, are eligible for
93.4 reimbursement unless otherwise provided in
93.5 this section. Periodic payments must be made
93.6 upon receiving documentation that the
93.7 deliverable items articulated in the approved
93.8 work plan have been achieved, including
93.9 partial achievements as evidenced by approved
93.10 progress reports. Reasonable amounts may be
93.11 advanced to projects to accommodate
93.12 cash-flow needs or match federal money. The
93.13 advances must be approved as part of the work
93.14 plan. No expenditures for capital equipment
93.15 are allowed unless expressly authorized in the
93.16 project work plan.

93.17 (b) Single-source contracts as specified in the
93.18 approved work plan are allowed.

93.19 **Subd. 15. Purchasing Recycled and Recyclable**
93.20 **Materials**

93.21 A political subdivision, public or private
93.22 corporation, or other entity that receives an
93.23 appropriation under this section must use the
93.24 appropriation in compliance with Minnesota
93.25 Statutes, section 16C.0725, regarding
93.26 purchasing recycled, repairable, and durable
93.27 materials, and Minnesota Statutes, section
93.28 16C.073, regarding purchasing and using
93.29 paper stock and printing.

93.30 **Subd. 16. Energy Conservation and Sustainable**
93.31 **Building Guidelines**

93.32 A recipient to whom an appropriation is made
93.33 under this section for a capital improvement
93.34 project must ensure that the project complies
93.35 with the applicable energy conservation and

- 94.1 sustainable building guidelines and standards
- 94.2 contained in law, including Minnesota
- 94.3 Statutes, sections 16B.325, 216C.19, and
- 94.4 216C.20, and rules adopted under those
- 94.5 sections. The recipient may use the energy
- 94.6 planning, advocacy, and State Energy Office
- 94.7 units of the Department of Commerce to
- 94.8 obtain information and technical assistance
- 94.9 on energy conservation and alternative-energy
- 94.10 development relating to planning and
- 94.11 constructing the capital improvement project.
- 94.12 **Subd. 17. Accessibility**
- 94.13 Structural and nonstructural facilities must
- 94.14 meet the design standards in the Americans
- 94.15 with Disabilities Act (ADA) accessibility
- 94.16 guidelines.
- 94.17 **Subd. 18. Carryforward; Extensions**
- 94.18 The availability of the appropriations for the
- 94.19 following projects is extended to June 30,
- 94.20 2024:
- 94.21 (1) Laws 2018, chapter 214, article 4, section
- 94.22 2, subdivision 6, paragraph (a), Minnesota
- 94.23 Invasive Terrestrial Plants and Pests Center -
- 94.24 Phase 4;
- 94.25 (2) Laws 2018, chapter 214, article 4, section
- 94.26 2, subdivision 8, paragraph (e), Restoring
- 94.27 Forests in Minnesota State Parks;
- 94.28 (3) Laws 2019, First Special Session chapter
- 94.29 4, article 2, section 2, subdivision 3, paragraph
- 94.30 (d), Minnesota Trumpeter Swan Migration
- 94.31 Ecology and Conservation;
- 94.32 (4) Laws 2019, First Special Session chapter
- 94.33 4, article 2, section 2, subdivision 8, paragraph

95.1 (g), Agricultural Weed Control Using
95.2 Autonomous Mowers;
95.3 (5) Laws 2019, First Special Session chapter
95.4 4, article 2, section 2, subdivision 10,
95.5 paragraph (d), Grants Management System;
95.6 and
95.7 (6) Laws 2021, First Special Session chapter
95.8 6, article 5, section 2, subdivision 10,
95.9 Emerging Issues Account; Wastewater
95.10 Renewable Energy Demonstration Grants.
95.11 Subd. 19. **Repurpose**
95.12 The unencumbered amount, estimated to be
95.13 \$176,000, in Laws 2021, First Special Session
95.14 chapter 6, article 6, section 2, subdivision 8,
95.15 paragraph (f), Restoring Upland Forests for
95.16 Birds, is for examining the impacts of
95.17 neonicotinoid exposure on the reproduction
95.18 and survival of Minnesota's game species,
95.19 including deer and prairie chicken. This
95.20 amount is in addition to the appropriation
95.21 under article 1, section 3, subdivision 6, for
95.22 these purposes and is available until June 30,
95.23 2027.

95.24 Sec. 3. Minnesota Statutes 2022, section 116P.05, subdivision 1, is amended to read:

95.25 Subdivision 1. **Membership.** (a) A Legislative-Citizen Commission on Minnesota
95.26 Resources of 17 members is created in the legislative branch, consisting of the chairs of the
95.27 house of representatives and senate committees on environment and natural resources finance
95.28 or designees appointed for the terms of the chairs, four members of the senate appointed
95.29 by the Subcommittee on Committees of the Committee on Rules and Administration, and
95.30 four members of the house of representatives appointed by the speaker.

95.31 (b) At least two members from the senate and two members from the house of
95.32 representatives must be from the minority caucus. Members are entitled to reimbursement
95.33 for per diem expenses plus travel expenses incurred in the services of the commission.

96.1 (c) Seven citizens are members of the commission, five appointed by the governor, one
96.2 appointed by the Senate Subcommittee on Committees of the Committee on Rules and
96.3 Administration, and one appointed by the speaker of the house. The citizen members are
96.4 selected and recommended to the appointing authorities according to subdivision 1a and
96.5 must:

96.6 (1) have experience or expertise in the science, policy, or practice of the protection,
96.7 conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife,
96.8 and other natural resources;

96.9 (2) have strong knowledge in the state's environment and natural resource issues around
96.10 the state; and

96.11 (3) have demonstrated ability to work in a collaborative environment.

96.12 (d) Members shall develop procedures to elect a chair that rotates between legislative
96.13 and citizen members each meeting. A citizen member, a senate member, and a house of
96.14 representatives member shall serve as chairs. The citizen members, senate members, and
96.15 house of representatives members must select their respective chairs. The chair shall preside
96.16 and convene meetings as often as necessary to conduct duties prescribed by this chapter.

96.17 (e) Appointed legislative members shall serve on the commission for two-year terms,
96.18 beginning in January of each odd-numbered year and continuing through the end of December
96.19 of the next even-numbered year. Appointed citizen members shall serve four-year terms,
96.20 beginning in January of the first year and continuing through the end of December of the
96.21 final year. Citizen and legislative members continue to serve until their successors are
96.22 appointed.

96.23 (f) A citizen member may be removed by an appointing authority for cause. Vacancies
96.24 occurring on the commission shall not affect the authority of the remaining members of the
96.25 commission to carry out their duties, and vacancies shall be filled for the remainder of the
96.26 term in the same manner under paragraphs (a) to (c).

96.27 (g) Citizen members are entitled to per diem and reimbursement for expenses incurred
96.28 in the services of the commission, as provided in section 15.059, subdivision 3, except that
96.29 a citizen member may be compensated at the rate of up to \$125 a day.

96.30 (h) The governor's appointments are subject to the advice and consent of the senate.

97.1 Sec. 4. Minnesota Statutes 2022, section 116P.05, subdivision 2, is amended to read:

97.2 Subd. 2. **Duties.** (a) The commission shall recommend an annual or biennial legislative
97.3 bill for appropriations from the environment and natural resources trust fund and shall adopt
97.4 a strategic plan as provided in section 116P.08. Approval of the recommended legislative
97.5 bill requires an affirmative vote of at least ~~12~~ 11 members of the commission.

97.6 (b) It is a condition of acceptance of the appropriations made from the Minnesota
97.7 environment and natural resources trust fund, and oil overcharge money under section 4.071,
97.8 subdivision 2, that the agency or entity receiving the appropriation must submit a work plan
97.9 and annual or semiannual progress reports in the form determined by the Legislative-Citizen
97.10 Commission on Minnesota Resources, and comply with applicable reporting requirements
97.11 under section 116P.16. None of the money provided may be spent unless the commission
97.12 has approved the pertinent work plan. Modifications to the approved work plan and budget
97.13 expenditures shall be made through the amendment process established by the commission.
97.14 The commission shall ensure that the expenditures and outcomes described in the work plan
97.15 for appropriations funded by the environment and natural resources trust fund are met.

97.16 (c) The peer review procedures created under section 116P.08 must also be used to
97.17 review, comment, and report to the commission on research proposals applying for an
97.18 appropriation from the oil overcharge money under section 4.071, subdivision 2.

97.19 (d) The commission may adopt operating procedures to fulfill its duties under this chapter.

97.20 (e) As part of the operating procedures, the commission shall:

97.21 (1) ensure that members' expectations are to participate in all meetings related to funding
97.22 decision recommendations;

97.23 (2) recommend adequate funding for increased citizen outreach and communications
97.24 for trust fund expenditure planning;

97.25 (3) allow administrative expenses as part of individual project expenditures based on
97.26 need;

97.27 (4) provide for project outcome evaluation;

97.28 (5) keep the grant application, administration, and review process as simple as possible;
97.29 and

97.30 (6) define and emphasize the leveraging of additional sources of money that project
97.31 proposers should consider when making trust fund proposals.

98.1 Sec. 5. Minnesota Statutes 2022, section 116P.15, is amended to read:

98.2 **116P.15 CAPITAL CONSTRUCTION AND LAND ACQUISITION;**
98.3 **RESTRICTIONS.**

98.4 Subdivision 1. **Scope.** A recipient of an appropriation from the trust fund or the Minnesota
98.5 future resources fund who acquires an interest in real property with the appropriation must
98.6 comply with ~~this section~~ subdivision 2. ~~For the purposes of this section, "interest in real~~
98.7 ~~property" includes, but is not limited to, an easement or fee title to property. A recipient of~~
98.8 an appropriation from the trust fund who uses any portion of the appropriation for a capital
98.9 construction project with a total cost of \$10,000 or more must comply with subdivision 3.

98.10 Subd. 2. **Land acquisition restrictions; modification procedure.** (a) An easement, fee
98.11 title, or other interest in real property acquired with an appropriation from the trust fund or
98.12 the Minnesota future resources fund must be used in perpetuity or for the specific term of
98.13 an easement interest for the purpose for which the appropriation was made. The ownership
98.14 of the interest in real property transfers to the state if: (1) the holder of the interest in real
98.15 property fails to comply with the terms and conditions of the grant agreement or work plan;
98.16 or (2) restrictions are placed on the land that preclude its use for the intended purpose as
98.17 specified in the appropriation.

98.18 (b) A recipient of funding who acquires an interest in real property subject to this section
98.19 may not alter the intended use of the interest in real property or convey any interest in the
98.20 real property acquired with the appropriation without the prior review and approval of the
98.21 commission or its successor. The commission shall notify the chairs and ranking minority
98.22 members of the legislative committees and divisions with jurisdiction over the trust fund
98.23 or Minnesota future resources fund at least 15 business days before approval under this
98.24 paragraph. The commission shall establish procedures to review requests from recipients
98.25 to alter the use of or convey an interest in real property. These procedures shall allow for
98.26 the replacement of the interest in real property with another interest in real property meeting
98.27 the following criteria:

98.28 (1) the interest must be at least equal in fair market value, as certified by the commissioner
98.29 of natural resources, to the interest being replaced; and

98.30 (2) the interest must be in a reasonably equivalent location, and have a reasonably
98.31 equivalent useful conservation purpose compared to the interest being replaced, taking into
98.32 consideration all effects from fragmentation of the whole habitat.

98.33 (c) A recipient of funding who acquires an interest in real property under paragraph (a)
98.34 must separately record a notice of funding restrictions in the appropriate local government

99.1 office where the conveyance of the interest in real property is filed. The notice of funding
99.2 agreement must contain:

99.3 (1) a legal description of the interest in real property covered by the funding agreement;

99.4 (2) a reference to the underlying funding agreement;

99.5 (3) a reference to this section; and

99.6 (4) the following statement:

99.7 "This interest in real property shall be administered in accordance with the terms,
99.8 conditions, and purposes of the grant agreement controlling the acquisition of the property.
99.9 The interest in real property, or any portion of the interest in real property, shall not be sold,
99.10 transferred, pledged, or otherwise disposed of or further encumbered without obtaining the
99.11 prior written approval of the Legislative-Citizen Commission on Minnesota Resources or
99.12 its successor. The ownership of the interest in real property transfers to the state if: (1) the
99.13 holder of the interest in real property fails to comply with the terms and conditions of the
99.14 grant agreement or work plan; or (2) restrictions are placed on the land that preclude its use
99.15 for the intended purpose as specified in the appropriation."

99.16 Subd. 3. Capital construction restrictions; modification procedure. (a) A recipient
99.17 of an appropriation from the trust fund who uses the appropriation to wholly or partially
99.18 construct a building, trail, campground, or other capital asset may not alter the intended use
99.19 of the capital asset or convey any interest in the capital asset for 25 years from the date the
99.20 project is completed without the prior review and approval of the commission or its successor.
99.21 The commission must notify the chairs and ranking minority members of the legislative
99.22 committees and divisions with jurisdiction over the trust fund at least 15 business days
99.23 before approval under this paragraph. The commission must establish procedures to review
99.24 requests from recipients to alter the use of or convey an interest in a capital asset under this
99.25 paragraph. These procedures must require that:

99.26 (1) the sale price must be at least fair market value; and

99.27 (2) the trust fund must be repaid a portion of the sale price equal to the percentage of
99.28 the total funding provided by the fund for constructing the capital asset.

99.29 (b) The commission or its successor may waive the requirements under paragraph (a),
99.30 clauses (1) and (2), by recommendation to the legislature if the transfer allows for a continued
99.31 use of the asset in a manner consistent with the original appropriation purpose or with the
99.32 purposes of the trust fund.

100.1 (c) If both a capital asset and the real property on which the asset is located were wholly
100.2 or partially purchased with an appropriation from the trust fund and the commission approves
100.3 a request to alter the use of or convey an interest in the real property under subdivision 2,
100.4 a separate approval under this subdivision to alter the use of the capital asset is not required.

100.5 (d) A recipient of an appropriation from the trust fund who uses the appropriation to
100.6 wholly or partially construct a building, trail, campground, or other capital asset must
100.7 separately record a notice of funding restrictions in the appropriate local government office.
100.8 The notice of funding restrictions must contain:

100.9 (1) a legal description of the interest in real property covered by the funding agreement;

100.10 (2) a reference to the underlying funding agreement;

100.11 (3) a reference to this subdivision; and

100.12 (4) the following statement:

100.13 "This interest in real property must be administered in accordance with the terms,
100.14 conditions, and purposes of the grant agreement controlling the improvement of the property.
100.15 The interest in real property, or any portion of the interest in real property, must not be
100.16 altered from its intended use or be sold, transferred, pledged, or otherwise disposed of or
100.17 further encumbered without obtaining the prior written approval of the Legislative-Citizen
100.18 Commission on Minnesota Resources or its successor."

100.19 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to money
100.20 appropriated on or after that date.

100.21 Sec. 6. Minnesota Statutes 2022, section 116P.16, is amended to read:

100.22 **116P.16 REAL PROPERTY INTERESTS; REPORT.**

100.23 (a) By December 1 each year, a recipient of an appropriation from the trust fund, that
100.24 is used for the acquisition of an interest in real property, including, but not limited to, an
100.25 easement or fee title, or for the construction of a building, trail, campground, or other capital
100.26 asset with a total cost of \$10,000 or more must submit annual reports on the status of the
100.27 real property to the Legislative-Citizen Commission on Minnesota Resources or its successor
100.28 in a form determined by the commission. The responsibility for reporting under this section
100.29 may be transferred by the recipient of the appropriation to another person who holds the
100.30 interest in the real property. To complete the transfer of reporting responsibility, the recipient
100.31 of the appropriation must:

101.1 (1) inform the person to whom the responsibility is transferred of that person's reporting
101.2 responsibility;

101.3 (2) inform the person to whom the responsibility is transferred of the property restrictions
101.4 under section 116P.15; and

101.5 (3) provide written notice to the commission of the transfer of reporting responsibility,
101.6 including contact information for the person to whom the responsibility is transferred.

101.7 (b) After the transfer, the person who holds the interest in the real property is responsible
101.8 for reporting requirements under this section.

101.9 (c) The annual reporting requirements on the status of a building, trail, campground, or
101.10 other capital asset with a total cost of \$10,000 or more and that was constructed with an
101.11 appropriation from the trust fund expire 25 years after the date the final progress report
101.12 under section 116P.05, subdivision 2, paragraph (b), is approved.

101.13 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to money
101.14 appropriated on or after that date.

101.15 **Sec. 7. [116P.21] ADDITIONAL CAPITAL CONSTRUCTION PROJECT**
101.16 **REQUIREMENTS.**

101.17 Subdivision 1. **Full funding.** If an appropriation from the trust fund for a capital
101.18 construction project or project phase is not alone sufficient to complete the project or project
101.19 phase and a commitment from sources other than the trust fund is required:

101.20 (1) the commitment must be in an amount that, when added to the appropriation from
101.21 the trust fund, is sufficient to complete the project or project phase; and

101.22 (2) the agency administering the appropriation from the trust fund must not distribute
101.23 the money until the commitment is determined to be sufficient. In determining the sufficiency
101.24 of a commitment under this clause, the agency must apply the standards and principles
101.25 applied by the commissioner of management and budget under section 16A.502.

101.26 Subd. 2. **Match.** A recipient of money appropriated from the trust fund for a capital
101.27 construction project must provide a cash or in-kind match from nontrust fund sources of at
101.28 least 50 percent of the total costs to complete the project or project phase.

101.29 Subd. 3. **Sustainable building guidelines.** The sustainable building guidelines established
101.30 under sections 16B.325 and 216B.241, subdivision 9, apply to new buildings and major
101.31 renovations funded from the trust fund. A recipient of money appropriated from the trust

102.1 fund for a new building or major renovation must ensure that the project complies with the
102.2 guidelines.

102.3 Subd. 4. **Applicability.** (a) Subdivisions 1, 2, and 3 do not apply to:

102.4 (1) a capital construction project with a total cost of less than \$10,000; or

102.5 (2) a land acquisition project.

102.6 (b) If land is acquired with trust fund money for the purpose of capital construction, the
102.7 land acquisition is not exempted under paragraph (a), clause (2).

102.8 Subd. 5. **Other capital construction statutes.** The following statutes also apply to

102.9 recipients of appropriations from the trust fund: sections 16B.32; 16B.326; 16B.335,

102.10 subdivisions 3 and 4; 16C.054; 16C.16; 16C.28; 16C.285; 138.40; 138.665; 138.666; 177.41

102.11 to 177.44; and 471.345.

102.12 **EFFECTIVE DATE.** This section is effective July 1, 2025, and applies to money
102.13 appropriated on or after that date.

102.14 Sec. 8. Laws 2022, chapter 94, section 2, subdivision 5, is amended to read:

102.15 Subd. 5. **Environmental Education** -0- 4,269,000

102.16 **(a) Teacher Field School: Stewardship through**
102.17 **Nature-Based Education**

102.18 \$500,000 the second year is from the trust
102.19 fund to the commissioner of natural resources
102.20 for an agreement with Hamline University to
102.21 create an immersive, research-backed field
102.22 school for teachers to use nature-based
102.23 education to benefit student well-being and
102.24 academic outcomes while increasing
102.25 stewardship habits.

102.26 **(b) Increasing K-12 Student Learning to Develop**
102.27 **Environmental Awareness, Appreciation, and**
102.28 **Interest**

102.29 \$1,602,000 the second year is from the trust
102.30 fund to the commissioner of natural resources
102.31 for an agreement with Osprey Wilds
102.32 Environmental Learning Center to partner with
102.33 Minnesota's five other accredited residential

103.1 environmental learning centers to provide
103.2 needs-based scholarships to ~~at least 25,000~~
103.3 K-12 students statewide for immersive
103.4 multiday environmental learning experiences.

103.5 **(c) Expanding Access to Wildlife Learning Bird**
103.6 **by Bird**

103.7 \$276,000 the second year is from the trust
103.8 fund to the commissioner of natural resources
103.9 to engage young people from diverse
103.10 communities in wildlife conservation through
103.11 bird-watching in schools, outdoor leadership
103.12 training, and participating in neighborhood
103.13 bird walks.

103.14 **(d) Engaging a Diverse Public in Environmental**
103.15 **Stewardship**

103.16 \$300,000 the second year is from the trust
103.17 fund to the commissioner of natural resources
103.18 for an agreement with Great River Greening
103.19 to increase participation in natural resources
103.20 restoration efforts through volunteer,
103.21 internship, and youth engagement activities
103.22 that target diverse audiences more accurately
103.23 reflecting local demographic and
103.24 socioeconomic conditions in Minnesota.

103.25 **(e) Bugs Below Zero: Engaging Citizens in**
103.26 **Winter Research**

103.27 \$198,000 the second year is from the trust
103.28 fund to the Board of Regents of the University
103.29 of Minnesota to raise awareness about the
103.30 winter life of bugs, inspire learning about
103.31 stream food webs, and engage citizen scientists
103.32 in research and environmental stewardship.

103.33 **(f) ESTEP: Earth Science Teacher Education**
103.34 **Project**

104.1 \$495,000 the second year is from the trust
104.2 fund to the commissioner of natural resources
104.3 for an agreement with the Minnesota Science
104.4 Teachers Association to provide professional
104.5 development for Minnesota science teachers
104.6 in environmental and earth science to
104.7 strengthen environmental education in schools.

104.8 **(g) YES! Students Take Action to Complete Eco**
104.9 **Projects**

104.10 \$199,000 the second year is from the trust
104.11 fund to the commissioner of natural resources
104.12 for an agreement with Prairie Woods
104.13 Environmental Learning Center, in partnership
104.14 with Ney Nature Center and Laurentian
104.15 Environmental Center, to empower Minnesota
104.16 youth to connect with natural resource experts,
104.17 identify ecological challenges, and take action
104.18 to complete innovative projects in their
104.19 communities.

104.20 **(h) Increasing Diversity in Environmental**
104.21 **Careers**

104.22 \$500,000 the second year is from the trust
104.23 fund to the commissioner of natural resources,
104.24 in cooperation with Conservation Corps
104.25 Minnesota and Iowa, to encourage a diversity
104.26 of students to pursue careers in the
104.27 environment and natural resources through
104.28 internships, mentorships, and fellowships with
104.29 the Department of Natural Resources, the
104.30 Board of Water and Soil Resources, and the
104.31 Pollution Control Agency.

104.32 **(i) Diversity and Access to Wildlife-Related**
104.33 **Opportunities**

104.34 \$199,000 the second year is from the trust
104.35 fund to the Board of Regents of the University

105.1 of Minnesota to broaden the state's
 105.2 conservation constituency by researching
 105.3 diverse communities' values about nature and
 105.4 wildlife experiences and identifying barriers
 105.5 to engagement.

105.6 Sec. 9. Laws 2022, chapter 94, section 2, subdivision 8, is amended to read:

105.7 **Subd. 8. Methods to Protect, Restore, and**
 105.8 **Enhance Land, Water, and Habitat** -0- 11,294,000

105.9 **(a) Minnesota's Volunteer Rare Plant**
 105.10 **Conservation Corps**

105.11 \$859,000 the second year is from the trust
 105.12 fund to the Board of Regents of the University
 105.13 of Minnesota for the Minnesota Landscape
 105.14 Arboretum to partner with the Department of
 105.15 Natural Resources and the Minnesota Native
 105.16 Plant Society to establish and train a volunteer
 105.17 corps to survey, monitor, and bank seed from
 105.18 Minnesota's rare plant populations and
 105.19 enhance the effectiveness and efficiencies of
 105.20 conservation efforts.

105.21 **(b) Conservation Corps Veterans Service Corps**
 105.22 **Program**

105.23 \$1,339,000 the second year is from the trust
 105.24 fund to the commissioner of natural resources
 105.25 for an agreement with Conservation Corps
 105.26 Minnesota to create a Veterans Service Corps
 105.27 program to accelerate natural resource
 105.28 restorations in Minnesota while providing
 105.29 workforce development opportunities for the
 105.30 state's veterans.

105.31 **(c) Creating Seed Sources of Early-Blooming**
 105.32 **Plants for Pollinators**

105.33 \$200,000 the second year is from the trust
 105.34 fund to the commissioner of natural resources
 105.35 to establish new populations of early-season

106.1 flowers by hand-harvesting and propagating
106.2 species that are currently lacking in prairie
106.3 restorations and that are essential to pollinator
106.4 health. This appropriation is available until
106.5 June 30, 2026, by which time the project must
106.6 be completed and final products delivered.

106.7 **(d) Hastings Lake Rebecca Park Area**

106.8 \$1,000,000 the second year is from the trust
106.9 fund to the commissioner of natural resources
106.10 for an agreement with the city of Hastings to
106.11 develop an ecological-based master plan for
106.12 Lake Rebecca Park and to enhance habitat
106.13 quality and construct passive recreational
106.14 facilities consistent with the master plan. No
106.15 funds for implementation may be spent until
106.16 the master plan is complete.

106.17 **(e) Pollinator Plantings and the Redistribution**
106.18 **of Soil Toxins**

106.19 \$610,000 the second year is from the trust
106.20 fund to the Board of Regents of the University
106.21 of Minnesota to map urban and suburban soil
106.22 toxins of concern, such as heavy metals and
106.23 microplastics, and to test whether pollinator
106.24 plantings can redistribute these toxins in the
106.25 soil of yards, parks, and community gardens
106.26 and reduce exposure to humans and wildlife.

106.27 **(f) PFAS Fungal-Wood Chip Filtering System**

106.28 \$189,000 the second year is from the trust
106.29 fund to the Board of Regents of the University
106.30 of Minnesota to identify, develop, and
106.31 field-test various types of waste wood chips
106.32 and fungi to sequester and degrade PFAS
106.33 leachate from contaminated waste sites. This
106.34 appropriation is subject to Minnesota Statutes,
106.35 section 116P.10.

107.1 **(g) Phytoremediation for Extracting Deicing**
107.2 **Salt**

107.3 \$451,000 the second year is from the trust
107.4 fund to the Board of Regents of the University
107.5 of Minnesota to protect lands and waters from
107.6 contamination by collaborating with the
107.7 Department of Transportation to develop
107.8 methods for using native plants to remediate
107.9 roadside deicing salt.

107.10 **(h) Mustinka River Fish and Wildlife Habitat**
107.11 **Corridor Rehabilitation**

107.12 \$2,692,000 the second year is from the trust
107.13 fund to the commissioner of natural resources
107.14 for an agreement with the Bois de Sioux
107.15 Watershed District to permanently rehabilitate
107.16 a straightened reach of the Mustinka River to
107.17 a naturally functioning stream channel and
107.18 floodplain corridor for water, fish, and wildlife
107.19 benefits.

107.20 **(i) Bohemian Flats Savanna Restoration**

107.21 \$286,000 the second year is from the trust
107.22 fund to the commissioner of natural resources
107.23 for an agreement with Minneapolis Park and
107.24 Recreation Board to restore an area of
107.25 compacted urban turf within Bohemian Flats
107.26 Park and adjacent to the Mississippi River to
107.27 an oak savanna ecosystem.

107.28 **(j) Watershed and Forest Restoration: What a**
107.29 **Match!**

107.30 \$3,318,000 the second year is from the trust
107.31 fund to the Board of Water and Soil
107.32 Resources, in cooperation with soil and water
107.33 conservation districts, the Mille Lacs Band of
107.34 Ojibwe, and the Department of Natural
107.35 Resources, to acquire interests in land and to

108.1 accelerate tree planting on ~~privately owned~~,
 108.2 protected lands for water-quality protection
 108.3 and carbon sequestration. Notwithstanding
 108.4 subdivision 14, paragraph (e), this
 108.5 appropriation may be spent to reforest lands
 108.6 protected through long-term contracts as
 108.7 provided in the approved work plan.

108.8 **(k) River Habitat Restoration and Recreation**
 108.9 **in Melrose**

108.10 \$350,000 the second year is from the trust
 108.11 fund to the commissioner of natural resources
 108.12 for an agreement with the city of Melrose to
 108.13 conduct habitat restoration and create fishing,
 108.14 canoeing, and camping opportunities along a
 108.15 segment of the Sauk River within the city of
 108.16 Melrose and to provide public education about
 108.17 stream restoration, fish habitat, and the
 108.18 importance of natural areas.

108.19 Sec. 10. Laws 2022, chapter 94, section 2, subdivision 9, is amended to read:

108.20	Subd. 9. Habitat and Recreation	-0-	26,179,000
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108.21 **(a) Mesabi Trail: Wahlsten Road (CR 26) ~~to~~**
 108.22 **toward Tower**

108.23 \$1,307,000 the second year is from the trust
 108.24 fund to the commissioner of natural resources
 108.25 for an agreement with the St. Louis and Lake
 108.26 Counties Regional Railroad Authority to
 108.27 acquire easements, engineer, and construct a
 108.28 segment of the Mesabi Trail beginning at the
 108.29 intersection of Wahlsten Road (CR 26) and
 108.30 Benson Road in Embarrass and extending ~~to~~
 108.31 toward Tower.

108.32 **(b) Environmental Learning Classroom with**
 108.33 **Trails**

109.1 \$82,000 the second year is from the trust fund
109.2 to the commissioner of natural resources for
109.3 an agreement with Mountain Iron-Buhl Public
109.4 Schools to build an outdoor classroom
109.5 pavilion, accessible trails, and a footbridge
109.6 within the Mountain Iron-Buhl School Forest
109.7 to conduct environmental education that
109.8 cultivates a lasting conservation ethic.

109.9 **(c) Local Parks, Trails, and Natural Areas Grant**
109.10 **Programs**

109.11 \$3,560,000 the second year is from the trust
109.12 fund to the commissioner of natural resources
109.13 to solicit, rank, and fund competitive matching
109.14 grants for local parks, trail connections, and
109.15 natural and scenic areas under Minnesota
109.16 Statutes, section 85.019. This appropriation is
109.17 for local nature-based recreation, connections
109.18 to regional and state natural areas, and
109.19 recreation facilities and may not be used for
109.20 athletic facilities such as sport fields, courts,
109.21 and playgrounds.

109.22 **(d) St. Louis River Re-Connect**

109.23 \$500,000 the second year is from the trust
109.24 fund to the commissioner of natural resources
109.25 for an agreement with the city of Duluth to
109.26 expand recreational access along the St. Louis
109.27 River and estuary by implementing the St.
109.28 Louis River National Water Trail outreach
109.29 plan, designing and constructing upgrades and
109.30 extensions to the Waabizheshikana Trail, and
109.31 installing interpretive features that describe
109.32 the cultural and ecological significance of the
109.33 area.

109.34 **(e) Native Prairie Stewardship and Prairie Bank**
109.35 **Easement Acquisition**

110.1 \$1,353,000 the second year is from the trust
110.2 fund to the commissioner of natural resources
110.3 to provide technical stewardship assistance to
110.4 private landowners, restore and enhance native
110.5 prairie protected by easements in the native
110.6 prairie bank, and acquire easements for the
110.7 native prairie bank in accordance with
110.8 Minnesota Statutes, section 84.96, including
110.9 preparing initial baseline property assessments.
110.10 Up to \$60,000 of this appropriation may be
110.11 deposited in the natural resources conservation
110.12 easement stewardship account created under
110.13 Minnesota Statutes, section 84.69, proportional
110.14 to the number of easements acquired.

110.15 **(f) Minnesota State Parks and State Trails**
110.16 **Maintenance and Development**

110.17 \$1,600,000 the second year is from the trust
110.18 fund to the commissioner of natural resources
110.19 for maintenance and development at state
110.20 parks, recreation areas, and trails to protect
110.21 Minnesota's natural heritage, enhance outdoor
110.22 recreation, and improve the efficiency of
110.23 public land management.

110.24 **(g) Minnesota State Trails Development**

110.25 \$7,387,000 the second year is from the trust
110.26 fund to the commissioner of natural resources
110.27 to expand recreational opportunities on
110.28 Minnesota state trails by rehabilitating and
110.29 enhancing existing state trails and replacing
110.30 or repairing existing state trail bridges.

110.31 **(h) SNA Habitat Restoration and Public**
110.32 **Engagement**

110.33 \$5,000,000 the second year is from the trust
110.34 fund to the commissioner of natural resources
110.35 for the scientific and natural areas (SNA)

- 111.1 program to restore and enhance exceptional
111.2 habitat on SNAs and increase public
111.3 involvement and outreach.
- 111.4 **(i) The Missing Link: Gull Lake Trail, Fairview**
111.5 **Township**
- 111.6 \$1,394,000 the second year is from the trust
111.7 fund to the commissioner of natural resources
111.8 for an agreement with Fairview Township to
111.9 complete the Gull Lake Trail by engineering
111.10 and constructing the trail's final segment
111.11 through Fairview Township in the Brainerd
111.12 Lakes area.
- 111.13 **(j) Silver Bay Multimodal Trailhead Project**
- 111.14 \$1,000,000 the second year is from the trust
111.15 fund to the commissioner of natural resources
111.16 for an agreement with the city of Silver Bay
111.17 to develop a multimodal trailhead center to
111.18 provide safe access to the Superior,
111.19 Gitchi-Gami, and C.J. Ramstad/North Shore
111.20 trails; Black Beach Park; and other
111.21 recreational destinations.
- 111.22 **(k) Brookston Campground, Boat Launch, and**
111.23 **Outdoor Recreational Facility**
- 111.24 \$453,000 the second year is from the trust
111.25 fund to the commissioner of natural resources
111.26 for an agreement with the city of Brookston
111.27 to build a campground, boat launch, and
111.28 outdoor recreation area on the banks of the St.
111.29 Louis River in northeastern Minnesota. Before
111.30 any trust fund dollars are spent, the city must
111.31 demonstrate that all funds to complete the
111.32 project are secured and a fiscal agent must be
111.33 approved in the work plan.
- 111.34 **(l) Silver Lake Trail Connection**

112.1 \$727,000 the second year is from the trust
112.2 fund to the commissioner of natural resources
112.3 for an agreement with the city of Virginia to
112.4 design, engineer, and construct a multiuse trail
112.5 that will connect Silver Lake Trail to a new
112.6 Miners Entertainment and Convention Center
112.7 and provide lighting on Bailey Lake Trail.

112.8 **(m) Floodwood Campground Improvement**
112.9 **Project**

112.10 \$816,000 the second year is from the trust
112.11 fund to the commissioner of natural resources
112.12 for an agreement with the city of Floodwood
112.13 to upgrade the Floodwood Campground and
112.14 connecting trails to provide high-quality nature
112.15 and recreation experience for people of all
112.16 ages.

112.17 **(n) Ranier Safe Harbor/Transient Dock - Phase**
112.18 **2**

112.19 \$1,000,000 the second year is from the trust
112.20 fund to the commissioner of natural resources
112.21 for an agreement with the city of Ranier to
112.22 construct a safe harbor and transient dock to
112.23 accommodate watercraft of many sizes to
112.24 improve public access for boat recreation on
112.25 Rainy Lake. Before trust fund dollars are
112.26 spent, a fiscal agent must be approved in the
112.27 work plan. Before any trust fund dollars are
112.28 spent, the city must demonstrate that all funds
112.29 to complete the project are secured. Any
112.30 revenue generated from selling products or
112.31 assets developed or acquired with this
112.32 appropriation must be repaid to the trust fund
112.33 unless a plan is approved for reinvestment of
112.34 income in the project as provided under
112.35 Minnesota Statutes, section 116P.10.

113.1 Sec. 11. APPROPRIATIONS GIVEN EFFECT ONCE.

113.2 If an appropriation or transfer in this article is enacted more than once during the 2023
113.3 regular session, the appropriation or transfer must be given effect once.

113.4 Sec. 12. EFFECTIVE DATE.

113.5 Unless otherwise provided, this article is effective the day following final enactment.

113.6 **ARTICLE 3**113.7 **POLLUTION CONTROL**

113.8 Section 1. Minnesota Statutes 2022, section 16A.151, subdivision 2, is amended to read:

113.9 Subd. 2. **Exceptions.** (a) If a state official litigates or settles a matter on behalf of specific
113.10 injured persons or entities, this section does not prohibit distribution of money to the specific
113.11 injured persons or entities on whose behalf the litigation or settlement efforts were initiated.
113.12 If money recovered on behalf of injured persons or entities cannot reasonably be distributed
113.13 to those persons or entities because they cannot readily be located or identified or because
113.14 the cost of distributing the money would outweigh the benefit to the persons or entities, the
113.15 money must be paid into the general fund.

113.16 (b) Money recovered on behalf of a fund in the state treasury other than the general fund
113.17 may be deposited in that fund.

113.18 (c) This section does not prohibit a state official from distributing money to a person or
113.19 entity other than the state in litigation or potential litigation in which the state is a defendant
113.20 or potential defendant.

113.21 (d) State agencies may accept funds as directed by a federal court for any restitution or
113.22 monetary penalty under United States Code, title 18, section 3663(a)(3), or United States
113.23 Code, title 18, section 3663A(a)(3). Funds received must be deposited in a special revenue
113.24 account and are appropriated to the commissioner of the agency for the purpose as directed
113.25 by the federal court.

113.26 (e) Tobacco settlement revenues as defined in section 16A.98, subdivision 1, paragraph
113.27 (t), may be deposited as provided in section 16A.98, subdivision 12.

113.28 (f) Any money received by the state resulting from a settlement agreement or an assurance
113.29 of discontinuance entered into by the attorney general of the state, or a court order in litigation
113.30 brought by the attorney general of the state, on behalf of the state or a state agency, related
113.31 to alleged violations of consumer fraud laws in the marketing, sale, or distribution of opioids

114.1 in this state or other alleged illegal actions that contributed to the excessive use of opioids,
114.2 must be deposited in the settlement account established in the opiate epidemic response
114.3 fund under section 256.043, subdivision 1. This paragraph does not apply to attorney fees
114.4 and costs awarded to the state or the Attorney General's Office, to contract attorneys hired
114.5 by the state or Attorney General's Office, or to other state agency attorneys.

114.6 (g) Notwithstanding paragraph (f), if money is received from a settlement agreement or
114.7 an assurance of discontinuance entered into by the attorney general of the state or a court
114.8 order in litigation brought by the attorney general of the state on behalf of the state or a state
114.9 agency against a consulting firm working for an opioid manufacturer or opioid wholesale
114.10 drug distributor, the commissioner shall deposit any money received into the settlement
114.11 account established within the opiate epidemic response fund under section 256.042,
114.12 subdivision 1. Notwithstanding section 256.043, subdivision 3a, paragraph (a), any amount
114.13 deposited into the settlement account in accordance with this paragraph shall be appropriated
114.14 to the commissioner of human services to award as grants as specified by the opiate epidemic
114.15 response advisory council in accordance with section 256.043, subdivision 3a, paragraph
114.16 (d).

114.17 (h) If the Minnesota Pollution Control Agency, through litigation or settlement of a
114.18 matter that could have resulted in litigation, recovers \$250,000 or more in a civil penalty
114.19 from violations of a permit issued by the agency, then 40 percent of the money recovered
114.20 must be distributed to the community health board, as defined in section 145A.02, where
114.21 the permitted facility is located. Within 30 days of a final court order in the litigation or the
114.22 effective date of the settlement agreement, the commissioner of the Minnesota Pollution
114.23 Control Agency must notify the applicable community health board that the litigation has
114.24 concluded or a settlement has been reached. The commissioner must collect the money and
114.25 transfer it to the applicable community health board. The community health board must
114.26 meet directly with the residents potentially affected by the pollution that was the subject of
114.27 the litigation or settlement to identify the residents' concerns and incorporate those concerns
114.28 into a project that benefits the residents. The project must be implemented by the community
114.29 health board and funded as directed in this paragraph. The community health board may
114.30 recover the reasonable costs it incurs to administer this paragraph from the funds transferred
114.31 to the board under this paragraph. This paragraph directs the transfer and use of money only
114.32 and does not create a right of intervention in the litigation or settlement of the enforcement
114.33 action for any person or entity. A supplemental environmental project funded as part of a
114.34 settlement agreement is not part of a civil penalty and must not be included in calculating
114.35 the amount of funds required to be distributed to a community health board under this

115.1 paragraph. For the purposes of this paragraph, "supplemental environmental project" means
115.2 a project that benefits the environment or public health that a regulated facility agrees to
115.3 undertake, though not legally required to do so, as part of a settlement with respect to an
115.4 enforcement action taken by the Minnesota Pollution Control Agency to resolve
115.5 noncompliance.

115.6 **EFFECTIVE DATE.** This section is effective the day following final enactment and
115.7 applies to all litigation actions or settlements from which the Minnesota Pollution Control
115.8 Agency recovers \$250,000 or more on or after that date.

115.9 Sec. 2. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to
115.10 read:

115.11 Subd. 8a. **Microplastics.** "Microplastics" means particles of plastic less than 500
115.12 micrometers in size.

115.13 Sec. 3. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to
115.14 read:

115.15 Subd. 8b. **Nanoplastics.** "Nanoplastics" means plastic particles with a size less than or
115.16 equal to 100 nanometers in size.

115.17 Sec. 4. Minnesota Statutes 2022, section 115.01, is amended by adding a subdivision to
115.18 read:

115.19 Subd. 10a. **Plastic.** "Plastic" means a synthetic material made from linking monomers
115.20 through a chemical reaction to create a polymer chain that can be molded or extruded at
115.21 high heat into various solid forms that retain their defined shapes during their life cycle and
115.22 after disposal. Plastic does not mean natural polymers that have not been chemically
115.23 modified.

115.24 Sec. 5. Minnesota Statutes 2022, section 115.03, subdivision 1, is amended to read:

115.25 Subdivision 1. **Generally.** (a) The agency commissioner is hereby given and charged
115.26 with the following powers and duties:

115.27 ~~(a)~~ (1) to administer and enforce all laws relating to the pollution of any of the waters
115.28 of the state;

115.29 ~~(b)~~ (2) to investigate the extent, character, and effect of the pollution of the waters of
115.30 this state and to gather data and information necessary or desirable in the administration or

116.1 enforcement of pollution laws, and to make such classification of the waters of the state as
116.2 it may deem advisable;

116.3 ~~(e)~~ (3) to establish and alter such reasonable pollution standards for any waters of the
116.4 state in relation to the public use to which they are or may be put as it shall deem necessary
116.5 for the purposes of this chapter and, with respect to the pollution of waters of the state,
116.6 chapter 116;

116.7 ~~(d)~~ (4) to encourage waste treatment, including advanced waste treatment, instead of
116.8 stream low-flow augmentation for dilution purposes to control and prevent pollution;

116.9 ~~(e)~~ (5) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable
116.10 orders, permits, variances, standards, rules, schedules of compliance, and stipulation
116.11 agreements, under such conditions as it may prescribe, in order to prevent, control or abate
116.12 water pollution, or for the installation or operation of disposal systems or parts thereof, or
116.13 for other equipment and facilities:

116.14 ~~(4)~~ (i) requiring the discontinuance of the discharge of sewage, industrial waste or other
116.15 wastes into any waters of the state resulting in pollution in excess of the applicable pollution
116.16 standard established under this chapter;

116.17 ~~(2)~~ (ii) prohibiting or directing the abatement of any discharge of sewage, industrial
116.18 waste, or other wastes, into any waters of the state or the deposit thereof or the discharge
116.19 into any municipal disposal system where the same is likely to get into any waters of the
116.20 state in violation of this chapter and, with respect to the pollution of waters of the state,
116.21 chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and
116.22 specifying the schedule of compliance within which such prohibition or abatement must be
116.23 accomplished;

116.24 ~~(3)~~ (iii) prohibiting the storage of any liquid or solid substance or other pollutant in a
116.25 manner which does not reasonably assure proper retention against entry into any waters of
116.26 the state that would be likely to pollute any waters of the state;

116.27 ~~(4)~~ (iv) requiring the construction, installation, maintenance, and operation by any person
116.28 of any disposal system or any part thereof, or other equipment and facilities, or the
116.29 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,
116.30 or the adoption of other remedial measures to prevent, control or abate any discharge or
116.31 deposit of sewage, industrial waste or other wastes by any person;

116.32 ~~(5)~~ (v) establishing, and from time to time revising, standards of performance for new
116.33 sources taking into consideration, among other things, classes, types, sizes, and categories

117.1 of sources, processes, pollution control technology, cost of achieving such effluent reduction,
117.2 and any nonwater quality environmental impact and energy requirements. Said standards
117.3 of performance for new sources shall encompass those standards for the control of the
117.4 discharge of pollutants which reflect the greatest degree of effluent reduction which the
117.5 agency determines to be achievable through application of the best available demonstrated
117.6 control technology, processes, operating methods, or other alternatives, including, where
117.7 practicable, a standard permitting no discharge of pollutants. New sources shall encompass
117.8 buildings, structures, facilities, or installations from which there is or may be the discharge
117.9 of pollutants, the construction of which is commenced after the publication by the agency
117.10 of proposed rules prescribing a standard of performance which will be applicable to such
117.11 source. Notwithstanding any other provision of the law of this state, any point source the
117.12 construction of which is commenced after May 20, 1973, and which is so constructed as to
117.13 meet all applicable standards of performance for new sources shall, consistent with and
117.14 subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water
117.15 Pollution Control Act, not be subject to any more stringent standard of performance for new
117.16 sources during a ten-year period beginning on the date of completion of such construction
117.17 or during the period of depreciation or amortization of such facility for the purposes of
117.18 section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period
117.19 ends first. Construction shall encompass any placement, assembly, or installation of facilities
117.20 or equipment, including contractual obligations to purchase such facilities or equipment, at
117.21 the premises where such equipment will be used, including preparation work at such
117.22 premises;

117.23 ~~(6)~~ (vi) establishing and revising pretreatment standards to prevent or abate the discharge
117.24 of any pollutant into any publicly owned disposal system, which pollutant interferes with,
117.25 passes through, or otherwise is incompatible with such disposal system;

117.26 ~~(7)~~ (vii) requiring the owner or operator of any disposal system or any point source to
117.27 establish and maintain such records, make such reports, install, use, and maintain such
117.28 monitoring equipment or methods, including where appropriate biological monitoring
117.29 methods, sample such effluents in accordance with such methods, at such locations, at such
117.30 intervals, and in such a manner as the agency shall prescribe, and providing such other
117.31 information as the agency may reasonably require;

117.32 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the
117.33 pollution of waters of the state, chapter 116, requiring the achievement of more stringent
117.34 limitations than otherwise imposed by effluent limitations in order to meet any applicable
117.35 water quality standard by establishing new effluent limitations, based upon section 115.01,

118.1 subdivision 13, clause (b), including alternative effluent control strategies for any point
118.2 source or group of point sources to insure the integrity of water quality classifications,
118.3 whenever the agency determines that discharges of pollutants from such point source or
118.4 sources, with the application of effluent limitations required to comply with any standard
118.5 of best available technology, would interfere with the attainment or maintenance of the
118.6 water quality classification in a specific portion of the waters of the state. Prior to
118.7 establishment of any such effluent limitation, the agency shall hold a public hearing to
118.8 determine the relationship of the economic and social costs of achieving such limitation or
118.9 limitations, including any economic or social dislocation in the affected community or
118.10 communities, to the social and economic benefits to be obtained and to determine whether
118.11 or not such effluent limitation can be implemented with available technology or other
118.12 alternative control strategies. If a person affected by such limitation demonstrates at such
118.13 hearing that, whether or not such technology or other alternative control strategies are
118.14 available, there is no reasonable relationship between the economic and social costs and
118.15 the benefits to be obtained, such limitation shall not become effective and shall be adjusted
118.16 as it applies to such person;

118.17 ~~(9)~~ (ix) modifying, in its discretion, any requirement or limitation based upon best
118.18 available technology with respect to any point source for which a permit application is filed
118.19 after July 1, 1977, upon a showing by the owner or operator of such point source satisfactory
118.20 to the agency that such modified requirements will represent the maximum use of technology
118.21 within the economic capability of the owner or operator and will result in reasonable further
118.22 progress toward the elimination of the discharge of pollutants; and

118.23 ~~(10)~~ (x) requiring that applicants for wastewater discharge permits evaluate in their
118.24 applications the potential reuses of the discharged wastewater;

118.25 ~~(f)~~ (6) to require to be submitted and to approve plans and specifications for disposal
118.26 systems or point sources, or any part thereof and to inspect the construction thereof for
118.27 compliance with the approved plans and specifications thereof;

118.28 ~~(g)~~ (7) to prescribe and alter rules, not inconsistent with law, for the conduct of the
118.29 agency and other matters within the scope of the powers granted to and imposed upon it by
118.30 this chapter and, with respect to pollution of waters of the state, in chapter 116, provided
118.31 that every rule affecting any other department or agency of the state or any person other
118.32 than a member or employee of the agency shall be filed with the secretary of state;

118.33 ~~(h)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold
118.34 such hearings as are necessary or which it may deem advisable for the discharge of its duties

119.1 under this chapter and, with respect to the pollution of waters of the state, under chapter
119.2 116, including, but not limited to, the issuance of permits, and to authorize any member,
119.3 employee, or agent appointed by it to conduct such investigations or, issue such notices and
119.4 hold such hearings;

119.5 ~~(9)~~ (9) for the purpose of water pollution control planning by the state and pursuant to
119.6 the Federal Water Pollution Control Act, as amended, to establish and revise planning areas,
119.7 adopt plans and programs and continuing planning processes, including, but not limited to,
119.8 basin plans and areawide waste treatment management plans, and to provide for the
119.9 implementation of any such plans by means of, including, but not limited to, standards, plan
119.10 elements, procedures for revision, intergovernmental cooperation, residual treatment process
119.11 waste controls, and needs inventory and ranking for construction of disposal systems;

119.12 ~~(10)~~ (10) to train water pollution control personnel, and charge ~~such training fees therefor~~
119.13 as are necessary to cover the agency's costs. All such fees received ~~shall~~ must be paid into
119.14 the state treasury and credited to the Pollution Control Agency training account;

119.15 (11) to provide chloride reduction training and charge training fees as necessary to cover
119.16 the agency's costs. All training fees received must be paid into the state treasury and credited
119.17 to the Pollution Control Agency training account;

119.18 ~~(12)~~ (12) to impose as additional conditions in permits to publicly owned disposal systems
119.19 appropriate measures to insure compliance by industrial and other users with any pretreatment
119.20 standard, including, but not limited to, those related to toxic pollutants, and any system of
119.21 user charges ratably as is hereby required under state law or said Federal Water Pollution
119.22 Control Act, as amended, or any regulations or guidelines promulgated thereunder;

119.23 ~~(13)~~ (13) to set a period not to exceed five years for the duration of any national pollutant
119.24 discharge elimination system permit or not to exceed ten years for any permit issued as a
119.25 state disposal system permit only;

119.26 ~~(14)~~ (14) to require each governmental subdivision identified as a permittee for a
119.27 wastewater treatment works to evaluate in every odd-numbered year the condition of its
119.28 existing system and identify future capital improvements that will be needed to attain or
119.29 maintain compliance with a national pollutant discharge elimination system or state disposal
119.30 system permit; and

119.31 ~~(15)~~ (15) to train subsurface sewage treatment system personnel, including persons who
119.32 design, construct, install, inspect, service, and operate subsurface sewage treatment systems,
119.33 and charge fees as necessary to pay the agency's costs. All fees received must be paid into

120.1 the state treasury and credited to the agency's training account. Money in the account is
120.2 appropriated to the agency to pay expenses related to training.

120.3 (b) The information required in paragraph (a), clause ~~(m)~~ (14), must be submitted in
120.4 every odd-numbered year to the commissioner on a form provided by the commissioner.
120.5 The commissioner shall provide technical assistance if requested by the governmental
120.6 subdivision.

120.7 (c) The powers and duties given the agency in this subdivision also apply to permits
120.8 issued under chapter 114C.

120.9 Sec. 6. Minnesota Statutes 2022, section 115.03, is amended by adding a subdivision to
120.10 read:

120.11 Subd. 12. **Biofuel plants.** A national pollutant discharge elimination system or state
120.12 disposal system permit issued by the agency to an ethanol plant, as defined in section 41A.09,
120.13 subdivision 2a, a biodiesel plant, or an advanced biofuel plant must, as a condition of the
120.14 permit, require the monitoring of wastewater for the presence of neonicotinoid pesticides
120.15 and perfluoroalkyl or polyfluoroalkyl substances. The permittee's monitoring system must
120.16 be capable of providing a permanent record of monitoring results which the permittee must
120.17 make available upon request of the commissioner or any person. The commissioner must
120.18 periodically inspect a permittee's monitoring system to verify accuracy.

120.19 Sec. 7. Minnesota Statutes 2022, section 115.061, is amended to read:

120.20 **115.061 DUTY TO NOTIFY; AVOIDING WATER POLLUTION.**

120.21 (a) Except as provided in paragraph (b), it is the duty of every person to notify the agency
120.22 immediately of the discharge, accidental or otherwise, of any substance or material under
120.23 its control which, if not recovered, may cause pollution of waters of the state, and the
120.24 responsible person shall recover as rapidly and as thoroughly as possible such substance or
120.25 material and take immediately such other action as may be reasonably possible to minimize
120.26 or abate pollution of waters of the state caused thereby.

120.27 (b) Notification is not required under paragraph (a) for a discharge of five gallons or
120.28 less of petroleum, as defined in section 115C.02, subdivision 10. This paragraph does not
120.29 affect the other requirements of paragraph (a).

120.30 (c) Promptly after notifying the agency of a discharge under paragraph (a), a publicly
120.31 owned treatment works or a publicly or privately owned domestic sewer system owner must
120.32 provide notice to the potentially impacted public and to any downstream drinking water

121.1 facility that may be impacted by the discharge. Notice to the public and to any drinking
121.2 water facility must be made using the most efficient communications system available to
121.3 the facility owner such as in person, telephone call, radio, social media, web page, or another
121.4 expedited form. In addition, signage must be posted at all impacted public use areas within
121.5 the same jurisdiction or notification must be provided to the entity that has jurisdiction over
121.6 any impacted public use areas. A notice under this paragraph must include the date and time
121.7 of the discharge, a description of the material released, a warning of the potential public
121.8 health risk, and the permittee's contact information.

121.9 (d) The agency must provide guidance that includes but is not limited to methods and
121.10 protocols for providing timely notice under this section.

121.11 Sec. 8. Minnesota Statutes 2022, section 115A.03, is amended by adding a subdivision to
121.12 read:

121.13 Subd. 37a. **Waste treated seed.** "Waste treated seed" means seed that is treated, as
121.14 defined in section 21.81, subdivision 28, and that is withdrawn from sale or that the end
121.15 user considers unusable or otherwise a waste.

121.16 Sec. 9. Minnesota Statutes 2022, section 115A.1415, is amended to read:

121.17 **115A.1415 ARCHITECTURAL PAINT; PRODUCT STEWARDSHIP PROGRAM;**
121.18 **STEWARDSHIP PLAN.**

121.19 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
121.20 meanings given:

121.21 (1) "architectural paint" means interior and exterior architectural coatings sold in
121.22 containers of five gallons or less. Architectural paint does not include industrial coatings,
121.23 original equipment coatings, or specialty coatings;

121.24 (2) "brand" means a name, symbol, word, or mark that identifies architectural paint,
121.25 rather than its components, and attributes the paint to the owner or licensee of the brand as
121.26 the producer;

121.27 (3) "discarded paint" means architectural paint that is no longer used for its manufactured
121.28 purpose;

121.29 (4) "producer" means a person that:

121.30 (i) has legal ownership of the brand, brand name, or cobrand of architectural paint sold
121.31 in the state;

122.1 (ii) imports architectural paint branded by a producer that meets item (i) when the
122.2 producer has no physical presence in the United States;

122.3 (iii) if items (i) and (ii) do not apply, makes unbranded architectural paint that is sold in
122.4 the state; or

122.5 (iv) sells architectural paint at wholesale or retail, does not have legal ownership of the
122.6 brand, and elects to fulfill the responsibilities of the producer for the architectural paint by
122.7 certifying that election in writing to the commissioner;

122.8 (5) "recycling" means the process of collecting and preparing recyclable materials and
122.9 reusing the materials in their original form or using them in manufacturing processes that
122.10 do not cause the destruction of recyclable materials in a manner that precludes further use;

122.11 (6) "retailer" means any person who offers architectural paint for sale at retail in the
122.12 state;

122.13 (7) "reuse" means donating or selling collected architectural paint back into the market
122.14 for its original intended use, when the architectural paint retains its original purpose and
122.15 performance characteristics;

122.16 (8) "sale" or "sell" means transfer of title of architectural paint for consideration, including
122.17 a remote sale conducted through a sales outlet, catalog, website, or similar electronic means.
122.18 Sale or sell includes a lease through which architectural paint is provided to a consumer by
122.19 a producer, wholesaler, or retailer;

122.20 (9) "stewardship assessment" means the amount added to the purchase price of
122.21 architectural paint sold in the state ~~that is necessary to cover the cost of collecting,~~
122.22 ~~transporting, and processing postconsumer architectural paint by the producer or stewardship~~
122.23 ~~organization pursuant to a product stewardship program~~ to implement a product stewardship
122.24 program according to an approved stewardship plan;

122.25 (10) "stewardship organization" means an organization appointed by one or more
122.26 producers to act as an agent on behalf of the producer to design, submit, and administer a
122.27 product stewardship program under this section; and

122.28 (11) "stewardship plan" means a detailed plan describing the manner in which a product
122.29 stewardship program under subdivision 2 will be implemented.

122.30 Subd. 2. **Product stewardship program.** For architectural paint sold in the state,
122.31 producers must, individually or through a stewardship organization, implement and finance
122.32 a statewide product stewardship program that manages the architectural paint by reducing
122.33 the paint's waste generation, promoting its reuse and recycling, and providing for negotiation

123.1 and execution of agreements to collect, transport, and process the architectural paint for
123.2 end-of-life recycling and reuse.

123.3 Subd. 3. **Participation required to sell.** (a) ~~On and after July 1, 2014, or three months~~
123.4 ~~after program plan approval, whichever is sooner,~~ No producer, wholesaler, or retailer may
123.5 sell or offer for sale in the state architectural paint unless the paint's producer participates
123.6 in an approved stewardship plan, either individually or through a stewardship organization.

123.7 (b) Each producer must operate a product stewardship program approved by the ~~agency~~
123.8 commissioner or enter into an agreement with a stewardship organization to operate, on the
123.9 producer's behalf, a product stewardship program approved by the ~~agency~~ commissioner.

123.10 Subd. 4. **Stewardship plan required.** (a) ~~On or before March 1, 2014, and~~ Before
123.11 offering architectural paint for sale in the state, a producer must submit a stewardship plan
123.12 to the ~~agency~~ commissioner and receive approval of the plan or must submit documentation
123.13 to the ~~agency~~ commissioner that demonstrates the producer has entered into an agreement
123.14 with a stewardship organization to be an active participant in an approved product
123.15 stewardship program as described in subdivision 2. A stewardship plan must include all
123.16 elements required under subdivision 5.

123.17 (b) ~~An~~ A proposed amendment to the plan, if determined necessary by the commissioner,
123.18 must be submitted to the commissioner for review and approval or rejection every five
123.19 years.

123.20 (c) ~~It is the responsibility of~~ The entities responsible for each stewardship plan ~~to~~ must
123.21 notify the ~~agency~~ commissioner within 30 days of any significant proposed changes ~~or~~
123.22 ~~modifications~~ to the plan or its implementation. Within 30 days of the notification, a written
123.23 proposed plan revision amendment must be submitted to the ~~agency~~ commissioner for
123.24 review and approval or rejection.

123.25 Subd. 5. **Plan content.** A stewardship plan must contain:

123.26 (1) certification that the product stewardship program will accept all discarded paint
123.27 regardless of which producer produced the architectural paint and its individual components;

123.28 (2) contact information for the individual and the entity submitting the stewardship plan,
123.29 a list of all producers participating in the product stewardship program, and the brands
123.30 covered by the product stewardship program;

123.31 (3) a description of the methods by which the discarded paint will be collected in all
123.32 areas in the state without relying on end-of-life fees, including an explanation of how the
123.33 collection system will be convenient and adequate to serve the needs of small businesses

124.1 and residents in both urban and rural areas on an ongoing basis and a discussion of how the
124.2 existing household hazardous waste infrastructure will be considered when selecting
124.3 collection sites;

124.4 (4) a description of how the adequacy of the collection program will be monitored and
124.5 maintained;

124.6 (5) the names and locations of collectors, transporters, and recyclers that will manage
124.7 discarded paint;

124.8 (6) a description of how the discarded paint and the paint's components will be safely
124.9 and securely transported, tracked, and handled from collection through final recycling and
124.10 processing;

124.11 (7) a description of the method that will be used to reuse, deconstruct, or recycle the
124.12 discarded paint to ensure that the paint's components, to the extent feasible, are transformed
124.13 or remanufactured into finished products for use;

124.14 (8) a description of the promotion and outreach activities that will be used to encourage
124.15 participation in the collection and recycling programs and how the activities' effectiveness
124.16 will be evaluated and the program modified, if necessary;

124.17 (9) the proposed stewardship assessment. ~~The producer or stewardship organization~~
124.18 ~~shall propose a uniform stewardship assessment for any architectural paint sold in the state.~~
124.19 ~~The proposed stewardship assessment shall be reviewed by an independent auditor to ensure~~
124.20 ~~that the assessment does not exceed the costs of the product stewardship program and the~~
124.21 ~~independent auditor shall recommend an amount for the stewardship assessment. The agency~~
124.22 ~~must approve the stewardship assessment~~ established according to subdivision 5a;

124.23 (10) evidence of adequate insurance and financial assurance that may be required for
124.24 collection, handling, and disposal operations;

124.25 (11) five-year performance goals, including an estimate of the percentage of discarded
124.26 paint that will be collected, reused, and recycled during each of the first five years of the
124.27 stewardship plan. The performance goals must include a specific goal for the amount of
124.28 discarded paint that will be collected and recycled and reused during each year of the plan.
124.29 The performance goals must be based on:

124.30 (i) the most recent collection data available for the state;

124.31 (ii) the estimated amount of architectural paint disposed of annually;

125.1 (iii) the weight of the architectural paint that is expected to be available for collection
125.2 annually; and

125.3 (iv) actual collection data from other existing stewardship programs.

125.4 The stewardship plan must state the methodology used to determine these goals; and

125.5 (12) a discussion of the status of end markets for collected architectural paint and what,
125.6 if any, additional end markets are needed to improve the functioning of the program.

125.7 Subd. 5a. Stewardship assessment. The producer or stewardship organization must
125.8 propose a uniform stewardship assessment for any architectural paint sold in the state that
125.9 covers but does not exceed the costs of developing the stewardship plan, operating and
125.10 administering the program in accordance with the stewardship plan and the requirements
125.11 of this section, and maintaining a financial reserve. A stewardship organization or producer
125.12 must not maintain a financial reserve in excess of 75 percent of the organization's annual
125.13 operating expenses. The producer or stewardship organization must retain an independent
125.14 auditor to review the proposed stewardship assessment to ensure that the assessment meets
125.15 the requirements of this section. The independent auditor must recommend an amount for
125.16 the stewardship assessment. If the financial reserve exceeds 75 percent of the producer or
125.17 stewardship organization's annual operating expenses, the producer or stewardship
125.18 organization must submit a proposed plan amendment according to subdivision 4, paragraph
125.19 (c), to comply with this subdivision. The commissioner must review and approve or reject
125.20 the stewardship assessment according to subdivision 7.

125.21 **Subd. 6. Consultation required.** Each stewardship organization or individual producer
125.22 submitting a stewardship plan or plan amendment must consult with stakeholders including
125.23 retailers, contractors, collectors, recyclers, local government, and customers during the
125.24 development of the plan or plan amendment.

125.25 **Subd. 7. Agency Commissioner review and approval.** (a) Within 90 days after receipt
125.26 ~~of receiving~~ a proposed stewardship plan, the ~~agency shall~~ commissioner must determine
125.27 whether the plan complies with ~~subdivision 4~~ this section. If the ~~agency~~ commissioner
125.28 approves a plan, the ~~agency shall~~ commissioner must notify the applicant of the plan approval
125.29 in writing. If the ~~agency~~ commissioner rejects a plan, the ~~agency shall~~ commissioner must
125.30 notify the applicant in writing of the reasons for rejecting the plan.

125.31 (b) An applicant whose plan is rejected by the ~~agency~~ commissioner must submit a
125.32 revised stewardship plan to the ~~agency~~ commissioner within 60 days after receiving notice
125.33 of rejection. A stewardship organization may submit a revised stewardship plan to the
125.34 commissioner on not more than two consecutive occasions. If, after the second consecutive

126.1 submission, the commissioner determines that the revised stewardship plan still does not
126.2 meet the requirements of this section, the commissioner must modify the stewardship plan
126.3 as necessary to meet the requirements of this section and approve the stewardship plan.

126.4 ~~(b)~~ (c) Any proposed ~~changes~~ amendment to a stewardship plan must be reviewed and
126.5 approved or rejected by the ~~agency~~ commissioner in writing according to this subdivision.

126.6 Subd. 8. **Plan availability.** All ~~draft~~ proposed stewardship plans and amendments and
126.7 approved stewardship plans shall and amendments must be placed on the agency's website
126.8 for at least 30 days and made available at the agency's headquarters for public review and
126.9 comment.

126.10 Subd. 9. **Conduct authorized.** A producer or stewardship organization that organizes
126.11 collection, transport, and processing of architectural paint under this section is immune from
126.12 liability for the conduct under state laws relating to antitrust, restraint of trade, unfair trade
126.13 practices, and other regulation of trade or commerce only to the extent that the conduct is
126.14 necessary to plan and implement the producer's or organization's chosen organized collection
126.15 or recycling system.

126.16 Subd. 10. **Producer responsibilities.** (a) On and after the date of implementation of a
126.17 product stewardship program according to this section, a producer of architectural paint
126.18 must add the stewardship assessment, as established under subdivision ~~5, clause (9)~~ 5a, to
126.19 the cost of architectural paint sold to retailers and distributors in the state by the producer.

126.20 (b) Producers of architectural paint or the stewardship organization ~~shall~~ must provide
126.21 consumers with educational materials regarding the stewardship assessment and product
126.22 stewardship program. The materials must include, but are not limited to, information
126.23 regarding available end-of-life management options for architectural paint offered through
126.24 the product stewardship program and information that notifies consumers that a charge for
126.25 the operation of the product stewardship program is included in the purchase price of
126.26 architectural paint sold in the state.

126.27 Subd. 11. **Retailer responsibilities.** (a) ~~On and after July 1, 2014, or three months after~~
126.28 ~~program plan approval, whichever is sooner,~~ No architectural paint may be sold in the state
126.29 unless the paint's producer is participating in an approved stewardship plan.

126.30 (b) On and after the implementation date of a product stewardship program according
126.31 to this section, each retailer or distributor, as applicable, must ensure that the full amount
126.32 of the stewardship assessment added to the cost of architectural paint by producers under
126.33 subdivision 10 is included in the purchase price of all architectural paint sold in the state.

127.1 (c) Any retailer may participate, on a voluntary basis, as a designated collection point
127.2 pursuant to a product stewardship program under this section and in accordance with
127.3 applicable law.

127.4 (d) No retailer or distributor shall be found to be in violation of this subdivision if, on
127.5 the date the architectural paint was ordered from the producer or its agent, the producer was
127.6 listed as compliant on the agency's website according to subdivision 14.

127.7 Subd. 12. **Stewardship reports.** ~~Beginning October 1, 2015, By April 1 each year,~~
127.8 producers of architectural paint sold in the state must individually or through a stewardship
127.9 organization submit an annual report to the ~~agency~~ commissioner describing the product
127.10 stewardship program for the preceding calendar year. At a minimum, the report must contain:

127.11 (1) a description of the methods used to collect, transport, and process architectural paint
127.12 in all regions of the state;

127.13 (2) the weight of all architectural paint collected in all regions of the state and a
127.14 comparison to the performance goals and recycling rates established in the stewardship
127.15 plan;

127.16 (3) the amount of unwanted architectural paint collected in the state by method of
127.17 disposition, including reuse, recycling, and other methods of processing;

127.18 (4) samples of educational materials provided to consumers and an evaluation of the
127.19 effectiveness of the materials and the methods used to disseminate the materials; and

127.20 (5) an independent financial audit.

127.21 Subd. 13. **Data classification.** Trade secret and sales information, as defined under
127.22 section 13.37, submitted to the ~~agency~~ commissioner under this section are private or
127.23 nonpublic data under section 13.37.

127.24 Subd. 14. **Agency Commissioner responsibilities.** ~~The agency shall~~ commissioner must
127.25 provide, on ~~its~~ the agency's website, a list of all compliant producers and brands participating
127.26 in stewardship plans that the ~~agency~~ commissioner has approved and a list of all producers
127.27 and brands the ~~agency~~ commissioner has identified as noncompliant with this section.

127.28 Subd. 15. **Local government responsibilities.** (a) A city, county, or other public agency
127.29 may choose to participate voluntarily in a product stewardship program.

127.30 (b) Cities, counties, and other public agencies are encouraged to work with producers
127.31 and stewardship organizations to assist in meeting product stewardship program reuse and
127.32 recycling obligations, by providing education and outreach or using other strategies.

128.1 (c) A city, county, or other public agency that participates in a product stewardship
128.2 program must report for the first year of the program to the agency commissioner using the
128.3 reporting form provided by the agency commissioner on the cost savings as a result of
128.4 participation and must describe how the savings were used.

128.5 Subd. 16. **Administrative fee.** (a) The stewardship organization or individual producer
128.6 submitting a stewardship plan ~~shall~~ must pay an annual administrative fee to the
128.7 commissioner. The agency commissioner may establish a variable fee based on relevant
128.8 factors, including, but not limited to, the portion of architectural paint sold in the state by
128.9 members of the organization compared to the total amount of architectural paint sold in the
128.10 state by all organizations submitting a stewardship plan.

128.11 (b) ~~Prior to July 1, 2014, and Before July 1 annually thereafter~~ each year, the agency
128.12 ~~shall~~ commissioner must identify the costs ~~it~~ the agency incurs under this section. The
128.13 ~~agency shall~~ commissioner must set the fee at an amount that, when paid by every
128.14 stewardship organization or individual producer that submits a stewardship plan, is adequate
128.15 to reimburse the agency's full costs of administering this section. The total amount of annual
128.16 fees collected under this subdivision must not exceed the amount necessary to reimburse
128.17 costs incurred by the agency to administer this section.

128.18 (c) A stewardship organization or individual producer subject to this subdivision must
128.19 pay the ~~agency's~~ commissioner's administrative fee under paragraph (a) on or before July
128.20 ~~1, 2014, and annually thereafter~~ each year. Each year after the initial payment, the annual
128.21 administrative fee may not exceed five percent of the aggregate stewardship assessment
128.22 added to the cost of all architectural paint sold by producers in the state for the preceding
128.23 calendar year.

128.24 (d) All fees received under this section ~~shall~~ must be deposited in the state treasury and
128.25 credited to a product stewardship account in the special revenue fund. ~~For fiscal years 2014,~~
128.26 ~~2015, 2016, and 2017,~~ The amount collected under this section is annually appropriated to
128.27 the agency commissioner to implement and enforce this section.

128.28 Subd. 17. **Duty to provide information.** Upon request of the commissioner for purposes
128.29 of determining compliance with this section, a person must furnish to the commissioner
128.30 any information that the person has or may reasonably obtain.

128.31 Sec. 10. Minnesota Statutes 2022, section 115A.565, subdivision 1, is amended to read:

128.32 Subdivision 1. **Grant program established.** The commissioner must make competitive
128.33 grants to political subdivisions or federally recognized Tribes ~~to establish curbside recycling~~

129.1 ~~or composting, increase~~ for waste reduction, reuse, recycling or, and composting, reduce
129.2 ~~the amount of recyclable materials entering disposal facilities, or reduce the costs associated~~
129.3 ~~with hauling waste by locating collection sites as close as possible to the site where the~~
129.4 ~~waste is generated~~ of source-separated compostable materials or yard waste. To be eligible
129.5 for grants under this section, a political subdivision or federally recognized Tribe must be
129.6 located outside the seven-county metropolitan area and a city must have a population of
129.7 less than 45,000.

129.8 Sec. 11. Minnesota Statutes 2022, section 115A.565, subdivision 3, is amended to read:

129.9 Subd. 3. **Priorities; eligible projects.** (a) If applications for grants exceed the available
129.10 appropriations, grants must be made for projects that, in the commissioner's judgment,
129.11 provide the highest return in public benefits.

129.12 (b) To be eligible to receive a grant, a project must:

129.13 (1) be locally administered;

129.14 (2) have an educational component and measurable outcomes;

129.15 (3) request \$250,000 or less;

129.16 (4) demonstrate local direct and indirect matching support of at least a quarter amount
129.17 of the grant request; ~~and~~

129.18 (5) include at least one of the following elements:

129.19 ~~(i) transition to residential recycling through curbside or centrally located collection~~
129.20 ~~sites;~~

129.21 ~~(ii) development of local recycling systems to support curbside recycling; or~~

129.22 ~~(iii) development or expansion of local recycling systems to support recycling bulk~~
129.23 ~~materials, including, but not limited to, electronic waste.~~

129.24 (i) waste reduction;

129.25 (ii) reuse;

129.26 (iii) recycling; or

129.27 (iv) composting of source-separated compostable materials or yard waste; and

129.28 (6) demonstrate that the project will reduce waste generation through waste reduction
129.29 or reuse or that the project will increase the amount of recyclable materials or
129.30 source-separated compostable materials diverted from a disposal facility.

130.1 Sec. 12. [115A.566] ZERO-WASTE GRANT PROGRAM.

130.2 Subdivision 1. Definitions. (a) For purposes of this section and notwithstanding section
130.3 115A.03, the terms in this subdivision have the meanings given.

130.4 (b) "Compost" means a product that:

130.5 (1) is manufactured through the controlled aerobic, biological decomposition of
130.6 biodegradable materials; and

130.7 (2) has undergone mesophilic and thermophilic temperatures, which significantly reduces
130.8 the viability of pathogens and weed seeds and stabilizes the carbon such that it is beneficial
130.9 to plant growth.

130.10 (c) "Composting" means the controlled microbial degradation of organic waste to yield
130.11 a humus-like product.

130.12 (d) "Eligible entity" means:

130.13 (1) a small business;

130.14 (2) a nonprofit organization; or

130.15 (3) a unit of government.

130.16 (e) "Embodied energy" means energy that was used to create a product or material.

130.17 (f) "Environmental justice area" means an area in the state that, based on the most recent
130.18 data published by the United States Census Bureau, meets one or more of the following
130.19 criteria:

130.20 (1) 50 percent or more of the area's total population is nonwhite;

130.21 (2) 40 percent or more of households in the area have an income that is at or below 185
130.22 percent of the federal poverty level; or

130.23 (3) the area is located in Indian Country, as defined in United States Code, title 18,
130.24 section 1151.

130.25 (g) "Life-cycle emissions" means the environmental impacts of products, processes, or
130.26 services through production, usage, and disposal.

130.27 (h) "Living wage" means the minimum income necessary to allow a person working 40
130.28 hours per week to afford the cost of housing, food, and other material necessities.

131.1 (i) "Nonprofit organization" means an organization whose purpose and activities serve
131.2 the organization's mission to benefit the public and that is not operated to profit other persons
131.3 or entities.

131.4 (j) "Recycled" means a material that has undergone recycling and has been sent to a
131.5 responsible end market.

131.6 (k) "Recycling" means the process of collecting, sorting, cleansing, treating, and
131.7 reconstituting material that would otherwise be disposed of onto land or into water or the
131.8 atmosphere and returning the material to or maintaining the material in the economic
131.9 mainstream in the form of recovered material for new, reused, or reconstituted products
131.10 that meet the quality standards necessary to be used in the marketplace. Recycling does not
131.11 include energy recovery or energy generation by any means, including but not limited to
131.12 combustion, incineration, pyrolysis, gasification, solvolysis, thermal desorption, waste to
131.13 fuel, or landfill disposal of discarded material or discarded product component materials,
131.14 including the use of materials as landfill cover.

131.15 (l) "Responsible end market" means a materials market in which recycling materials or
131.16 disposing of contaminants is conducted in a way that benefits the environment and minimizes
131.17 risks to public health and worker health and safety.

131.18 (m) "Reuse" means to use a product, packaging, or resource that is:

131.19 (1) designed and marketed to be used multiple times for the same purpose;

131.20 (2) designed for durability to function properly in its original condition for multiple uses;
131.21 and

131.22 (3) made of a material supported by adequate infrastructure to ensure the material can
131.23 be conveniently and safely used or refilled for multiple cycles.

131.24 (n) "Rural area" means an area of the state that is not within the boundaries of a city
131.25 where:

131.26 (1) the population is 50,000 or more; and

131.27 (2) the immediately adjacent urbanized and urbanizing areas have a population density
131.28 of more than 100 persons per square mile.

131.29 (o) "Small business" has the meaning given under section 645.445;

131.30 (p) "Source reduction" means an activity that prevents generation of waste or prevents
131.31 inclusion of toxic materials in waste, including:

131.32 (1) reuse of a product in its original form;

132.1 (2) increasing the lifespan of a product;

132.2 (3) reducing material or the toxicity of material used in production or packaging in a
132.3 manner that does not impede the product's ability to be recycled; or

132.4 (4) changing procurement, consumption, or waste generation habits to result in smaller
132.5 quantities or lower toxicity of waste generated.

132.6 (q) "Source-separated" means a stream of recyclable materials separated at the point of
132.7 waste creation before materials are collected and centralized. Source-separated does not
132.8 include technologies that sort mixed municipal solid waste into recyclable and nonrecyclable
132.9 materials.

132.10 (r) "Unit of government" means a city, county, public school district, town, or Tribal
132.11 government in the state.

132.12 (s) "Zero waste" means conserving all resources by means of responsible production,
132.13 consumption, reuse, and recovery of products, packaging, and materials without burning
132.14 or otherwise destroying embodied energy, with no discharges to land, water, or air that
132.15 threaten the environment or human health.

132.16 (t) "Zero-waste practice" means a practice used to help achieve zero waste, including
132.17 source reduction, recycling, and composting.

132.18 Subd. 2. **Grant program.** The commissioner must establish a competitive grant program
132.19 for eligible entities to pursue projects that are consistent with zero-waste practices in one
132.20 or more of the following categories:

132.21 (1) electronic source reduction and recycling according to subdivision 3;

132.22 (2) source reduction and reuse according to subdivision 4;

132.23 (3) market development according to subdivision 5; or

132.24 (4) recycling and composting infrastructure according to subdivision 6.

132.25 Subd. 3. **Electronic source reduction and recycling.** (a) Projects under this subdivision
132.26 must relate to electronic source reduction and recycling. Grants may be used for
132.27 infrastructure, technology, research and development, and product repair and refurbishment.

132.28 (b) Projects must not include an electronic waste buy-back program that provides
132.29 compensation for used electronics as a credit toward the purchase of additional electronics.

132.30 (c) For projects in which recyclers are receiving electronics for materials processing,
132.31 such as for shredding and dismantling, the recyclers must be certified by an ANSI-ASQ

133.1 National Accreditation Board or similar accredited third-party certification body to an
133.2 environmentally sound management standard.

133.3 Subd. 4. **Source reduction and reuse.** (a) Projects under this subdivision must relate
133.4 to source reduction, reuse, or both source reduction and reuse. Grants may be used for
133.5 product or manufacturing redesign or redevelopment to reduce life-cycle emissions,
133.6 by-products, packaging, and other outputs or for educational programming and outreach
133.7 activities to encourage changes in consumer behavior.

133.8 (b) For projects involving product or manufacturing redesign or redevelopment:

133.9 (1) the applicable manufacturer must pay a living wage; and

133.10 (2) the redesign or redevelopment must not result in higher toxicity or increased emissions
133.11 and must reduce overall life-cycle emissions.

133.12 Subd. 5. **Market development.** (a) Projects under this subdivision must relate to market
133.13 development with respect to source reduction, recycling, and composting, including creating
133.14 demand for sorted recyclable commodities, refurbished goods, or compost.

133.15 (b) Projects must target easily or commonly recycled materials that are disproportionately
133.16 disposed of in landfills or incinerated and must reduce the volume, weight, or toxicity of
133.17 waste and waste by-products.

133.18 (c) Projects must not conflict with other laws or requirements identified by the
133.19 commissioner.

133.20 Subd. 6. **Recycling and composting infrastructure.** (a) Projects under this subdivision
133.21 must relate to recycling or composting infrastructure. Grants may be used for facilities,
133.22 machinery, equipment, and other physical necessities required for collecting or processing
133.23 on a city- or county-wide scale.

133.24 (b) Projects under this subdivision must result in increased capacity for residential and
133.25 commercial source-separated organics, yard waste, and recycling streams. Projects focused
133.26 on composting infrastructure must generate a usable product that has demonstrable
133.27 environmental benefits when compared to the input materials, such as compost with added
133.28 nutrient content.

133.29 (c) Eligible compost projects must compost source-separated organic materials or yard
133.30 waste. Composting material derived from mixed municipal solid waste is not an eligible
133.31 project under this subdivision.

134.1 Subd. 7. Grant application process; requirements. (a) The commissioner must award
134.2 grants to eligible entities through a competitive grant process. In the request for proposals,
134.3 the commissioner must:

134.4 (1) specify the maximum amount of funding to be awarded to a project;

134.5 (2) establish the minimum percentage of total project funds that an applicant must
134.6 contribute to the project, if any; and

134.7 (3) prioritize the eligible applicants.

134.8 (b) The commissioner must develop, in consultation with the agency's Environmental
134.9 Justice Advisory Group, a streamlined and accessible application process.

134.10 (c) To apply for a grant, an eligible entity must submit a written application to the
134.11 commissioner on a form prescribed by the commissioner. The application must include any
134.12 relevant information requested by the commissioner.

134.13 (d) The application must demonstrate that the eligible entity has set specific source
134.14 reduction, recycling, or composting targets or estimates for the project's reduction of life-cycle
134.15 emissions.

134.16 (e) Projects awarded grants under this section must be completed within three years.

134.17 Subd. 8. Grant award process. (a) In awarding grants under this section, the
134.18 commissioner must award at least 60 percent of available money to eligible entities with
134.19 projects located in environmental justice areas and 30 percent of available funds to eligible
134.20 entities with projects located in rural areas.

134.21 (b) The commissioner must give priority to eligible entities with projects that:

134.22 (1) achieve source reduction;

134.23 (2) support existing or create new jobs that pay a living wage, with additional preference
134.24 for jobs for individuals with barriers to employment;

134.25 (3) prevent or address any negative environmental consequences of the proposed project;

134.26 (4) demonstrate a need for additional investment in infrastructure and projects to achieve
134.27 source reduction, recycling, or composting targets set by the local unit of government
134.28 responsible for waste and recycling projects in the geographic area;

134.29 (5) will encourage further investment in source reduction, recycling, or composting
134.30 projects; or

135.1 (6) will incorporate multistakeholder involvement, including nonprofit, commercial,
135.2 and public sector partners.

135.3 Sec. 13. **[115A.993] PROHIBITED DISPOSAL METHODS.**

135.4 A person must not dispose of waste treated seed in a manner inconsistent with the product
135.5 label, where applicable, or by:

135.6 (1) burial near a drinking water source or any creek, stream, river, lake, or other surface
135.7 water;

135.8 (2) composting; or

135.9 (3) incinerating within a home or other dwelling.

135.10 Sec. 14. Minnesota Statutes 2022, section 115B.17, subdivision 14, is amended to read:

135.11 **Subd. 14. Requests for review, investigation, and oversight.** (a) The commissioner
135.12 may, upon request, assist a person in determining whether real property has been the site
135.13 of a release or threatened release of a hazardous substance, pollutant, or contaminant. The
135.14 commissioner may also assist in, or supervise, the development and implementation of
135.15 reasonable and necessary response actions. Assistance may include review of agency records
135.16 and files, and review and approval of a requester's investigation plans and reports and
135.17 response action plans and implementation.

135.18 (b) Except as otherwise provided in this paragraph, the person requesting assistance
135.19 under this subdivision shall pay the agency for the agency's cost, as determined by the
135.20 commissioner, of providing assistance. A state agency, political subdivision, or other public
135.21 entity is not required to pay for the agency's cost to review agency records and files. ~~Money~~
135.22 ~~received by the agency for assistance under this section~~ The first \$350,000 received annually
135.23 by the agency for assistance under this subdivision from persons who are not otherwise
135.24 responsible under sections 115B.01 to 115B.18 must be deposited in the remediation fund
135.25 and is exempt from section 16A.1285. Money received after the first \$350,000 must be
135.26 deposited in the state treasury and credited to an account in the special revenue fund. Money
135.27 in the account is annually appropriated to the commissioner for the purposes of administering
135.28 this subdivision.

135.29 (c) When a person investigates a release or threatened release in accordance with an
135.30 investigation plan approved by the commissioner under this subdivision, the investigation
135.31 does not associate that person with the release or threatened release for the purpose of section
135.32 115B.03, subdivision 3, paragraph (a), clause (4).

136.1 Sec. 15. Minnesota Statutes 2022, section 115B.171, subdivision 3, is amended to read:

136.2 Subd. 3. **Test reporting.** (a) By ~~January~~ March 15 each year, the commissioner of the
136.3 Pollution Control Agency must report to each community in the east metropolitan area a
136.4 summary of the results of the testing for private wells in the community. The report must
136.5 include information on the number of wells tested and trends of PFC contamination in
136.6 private wells in the community. Reports to communities under this section must also be
136.7 published on the Pollution Control Agency's website.

136.8 (b) By ~~January~~ March 15 each year, the commissioner of the Pollution Control Agency
136.9 must report to the legislature, as provided in section 3.195, on the testing for private wells
136.10 conducted in the east metropolitan area, including copies of the community reports required
136.11 in paragraph (a), the number of requests for well testing in each community, and the total
136.12 amount spent for testing private wells in each community.

136.13 Sec. 16. Minnesota Statutes 2022, section 115B.52, subdivision 4, is amended to read:

136.14 Subd. 4. **Reporting.** The commissioner of the Pollution Control Agency and the
136.15 commissioner of natural resources must jointly submit:

136.16 (1) by April 1, 2019, an implementation plan detailing how the commissioners will:

136.17 (i) determine how the priorities in the settlement will be met and how the spending will
136.18 move from the first priority to the second priority and the second priority to the third priority
136.19 outlined in the settlement; and

136.20 (ii) evaluate and determine what projects receive funding;

136.21 (2) by ~~February 1 and August 1~~ October 1 each year, a ~~biannual~~ report to the chairs and
136.22 ranking minority members of the legislative policy and finance committees with jurisdiction
136.23 over environment and natural resources on expenditures from the water quality and
136.24 sustainability account during the previous ~~six months~~ fiscal year; and

136.25 (3) by ~~August~~ October 1, 2019 2023, and each year thereafter, a report to the legislature
136.26 on expenditures from the water quality and sustainability account during the previous fiscal
136.27 year and a spending plan for anticipated expenditures from the account during the current
136.28 fiscal year.

137.1 Sec. 17. Minnesota Statutes 2022, section 116.02, is amended to read:

137.2 **116.02 POLLUTION CONTROL AGENCY; CREATION AND POWERS.**

137.3 Subdivision 1. **Creation.** A pollution control agency, designated as the Minnesota
137.4 Pollution Control Agency, ~~is hereby created~~ consists of the commissioner and eight members
137.5 appointed by the governor, by and with the advice and consent of the senate.

137.6 Subd. 2a. **Terms, compensation, removal, vacancies.** The membership terms,
137.7 compensation, removal of members, and filling of vacancies on the agency is as provided
137.8 in section 15.0575.

137.9 Subd. 3a. **Membership.** (a) The membership of the Pollution Control Agency must be
137.10 broadly representative of the skills and experience necessary to effectuate the policy of
137.11 sections 116.01 to 116.075, except that no member other than the commissioner may be an
137.12 officer or employee of the state or federal government.

137.13 (b) The membership of the Pollution Control Agency must reflect the diversity of the
137.14 state of Minnesota in terms of race, gender, and geography.

137.15 (c) Only two members at one time may be officials or employees of a municipality or
137.16 any governmental subdivision, but neither may be a member ex-officio or otherwise on the
137.17 management board of a municipal sanitary sewage disposal system.

137.18 (d) Membership must include:

137.19 (1) at least one enrolled member of one of the 11 federally recognized Tribes in the state;

137.20 (2) at least three members who live in environmental justice communities and identify
137.21 as American Indian or Alaskan Natives, Black or African American, Hispanic or Latino,
137.22 Asian, Pacific Islander, members of a community of color, or low-income. An environmental
137.23 justice community means a community with significant representation of communities of
137.24 color, low-income communities, or Tribal and Indigenous communities, that experience,
137.25 or are at risk of experiencing, higher or more adverse human health or environmental effects;

137.26 (3) at least one livestock or crop, or both, farmer with fewer than 200 head of livestock
137.27 or 500 acres of cropland, or both; and

137.28 (4) at least one member of a labor union.

137.29 Subd. 4a. **Chair.** The commissioner serves as chair of the agency. The agency elects
137.30 other officers as the agency deems necessary.

137.31 Subd. 5. **Agency successor to commission.** The Minnesota Pollution Control Agency
137.32 is the successor of the Water Pollution Control Commission, and all powers and duties now

138.1 vested in or imposed upon said commission by chapter 115, or any act amendatory thereof
138.2 or supplementary thereto, are hereby transferred to, imposed upon, and vested in the
138.3 commissioner of the Minnesota Pollution Control Agency.

138.4 Subd. 6a. Required decisions. (a) The agency must make final decisions on the following
138.5 matters:

138.6 (1) a petition for preparing an environmental assessment worksheet, if the project proposer
138.7 or a person commenting on the proposal requests that the decision be made by the agency
138.8 and the agency requests that it make the decision under subdivision 8a;

138.9 (2) the need for an environmental impact statement following preparation of an
138.10 environmental assessment worksheet under applicable rules, if:

138.11 (i) the agency has received a request for an environmental impact statement;

138.12 (ii) the project proposer or a person commenting on the proposal requests that the
138.13 declaration be made by the agency and the agency requests that it make the decision under
138.14 subdivision 8a; or

138.15 (iii) the commissioner is recommending preparation of an environmental impact
138.16 statement;

138.17 (3) the scope and adequacy of environmental impact statements;

138.18 (4) issuing, reissuing, modifying, or revoking a permit;

138.19 (5) final adoption or amendment of agency rules for which a public hearing is required
138.20 under section 14.25 or for which the commissioner decides to proceed directly to a public
138.21 hearing under section 14.14, subdivision 1;

138.22 (6) approving or denying an application for a variance from an agency rule; and

138.23 (7) whether to reopen, rescind, or reverse a decision of the agency.

138.24 (b) In reviewing projects, the agency must consider whether there has been free prior
138.25 and informed consent via government-to-government consultation with Tribal nations, and
138.26 the way a project will impact the ability of communities to exercise rights guaranteed by
138.27 treaties.

138.28 Subd. 7a. Additional decisions. The commissioner may request that the agency make
138.29 additional decisions or provide advice to the commissioner.

138.30 Subd. 8a. Other actions. (a) Any other action not specifically within the authority of
138.31 the commissioner must be made by the agency if:

139.1 (1) before the commissioner's final decision on the action, one or more members of the
139.2 agency notify the commissioner of their request that the decision be made by the agency;
139.3 or

139.4 (2) any person submits a petition to the commissioner requesting that the decision be
139.5 made by the agency and the commissioner grants the petition.

139.6 (b) If the commissioner denies a petition submitted under paragraph (a), clause (2), the
139.7 commissioner must advise the agency and the petitioner of the reasons for the denial.

139.8 Subd. 9a. **Providing information.** (a) The commissioner must inform interested persons
139.9 as appropriate in public notices, and other public documents, of their right to request the
139.10 agency to make decisions in specific matters according to subdivision 6a and the right of
139.11 agency members to request that decisions be made by the agency according to subdivision
139.12 8a.

139.13 (b) The commissioner must regularly inform the agency of activities that have broad
139.14 policy implications or potential environmental significance and of activities in which the
139.15 public has exhibited substantial interest.

139.16 Subd. 11. **Changing decisions.** (a) The agency must not reopen, rescind, or reverse a
139.17 decision of the agency except upon:

139.18 (1) the affirmative vote of two-thirds of the agency; or

139.19 (2) a finding that there was an irregularity in a hearing related to the decision, an error
139.20 of law, or a newly discovered material issue of fact.

139.21 (b) The requirements in paragraph (a) are minimum requirements and do not limit the
139.22 agency's authority under sections 14.06 and 116.07, subdivision 3, to adopt rules:

139.23 (1) applying the requirement in paragraph (a), clause (1) or (2), to certain decisions of
139.24 the agency; or

139.25 (2) establishing additional or more stringent requirements for reopening, rescinding, or
139.26 reversing decisions of the agency.

139.27 Subd. 12. **Conflict of interest.** A public member of the Pollution Control Agency must
139.28 not participate in the discussion or decision on a matter in which the member or an immediate
139.29 family member has a financial interest.

140.1 Sec. 18. Minnesota Statutes 2022, section 116.03, subdivision 1, is amended to read:

140.2 Subdivision 1. **Office.** (a) The Office of Commissioner of the Pollution Control Agency
140.3 is created and is under the supervision and control of the commissioner, who is appointed
140.4 by the governor under the provisions of section 15.06.

140.5 (b) The commissioner may appoint a deputy commissioner and assistant commissioners
140.6 who ~~shall be~~ are in the unclassified service.

140.7 (c) The commissioner shall make all decisions on behalf of the agency that are not
140.8 required to be made by the agency under section 116.02.

140.9 Sec. 19. Minnesota Statutes 2022, section 116.03, subdivision 2a, is amended to read:

140.10 Subd. 2a. **Mission; efficiency.** It is part of the agency's mission that within the agency's
140.11 resources, the commissioner and the members of the agency shall endeavor to:

140.12 (1) prevent the waste or unnecessary spending of public money;

140.13 (2) use innovative fiscal and human resource practices to manage the state's resources
140.14 and operate the agency as efficiently as possible;

140.15 (3) coordinate the agency's activities wherever appropriate with the activities of other
140.16 governmental agencies;

140.17 (4) use technology where appropriate to increase agency productivity, improve customer
140.18 service, increase public access to information about government, and increase public
140.19 participation in the business of government;

140.20 (5) ~~utilize~~ use constructive and cooperative labor-management practices to the extent
140.21 otherwise required by chapters 43A and 179A;

140.22 (6) report to the legislature on the performance of agency operations and the
140.23 accomplishment of agency goals in the agency's biennial budget according to section 16A.10,
140.24 subdivision 1; and

140.25 (7) recommend to the legislature appropriate changes in law necessary to carry out the
140.26 mission and improve the performance of the agency.

140.27 Sec. 20. Minnesota Statutes 2022, section 116.06, subdivision 1, is amended to read:

140.28 Subdivision 1. **Applicability.** The definitions given in this section shall obtain for the
140.29 purposes of sections 116.01 to ~~116.075~~ 116.076 except as otherwise expressly provided or
140.30 indicated by the context.

141.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

141.2 Sec. 21. Minnesota Statutes 2022, section 116.06, is amended by adding a subdivision to
141.3 read:

141.4 Subd. 6a. **Commissioner.** "Commissioner" means the commissioner of the Pollution
141.5 Control Agency.

141.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

141.7 Sec. 22. Minnesota Statutes 2022, section 116.06, is amended by adding a subdivision to
141.8 read:

141.9 Subd. 10a. **Environmental justice.** "Environmental justice" means that:

141.10 (1) communities of color, Indigenous communities, and low-income communities have
141.11 a healthy environment and are treated fairly when environmental statutes, rules, and policies
141.12 are developed, adopted, implemented, and enforced; and

141.13 (2) in all decisions that have the potential to affect the environment of an environmental
141.14 justice area or the public health of its residents, due consideration is given to the history of
141.15 the area's and its residents' cumulative exposure to pollutants and to any current
141.16 socioeconomic conditions that increase the physical sensitivity of those residents to additional
141.17 exposure to pollutants.

141.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

141.19 Sec. 23. Minnesota Statutes 2022, section 116.06, is amended by adding a subdivision to
141.20 read:

141.21 Subd. 10b. **Environmental justice area.** "Environmental justice area" means one or
141.22 more census tracts in Minnesota:

141.23 (1) in which, based on the most recent data published by the United States Census Bureau:

141.24 (i) 40 percent or more of the population is nonwhite;

141.25 (ii) 35 percent or more of the households have an income at or below 200 percent of the
141.26 federal poverty level; or

141.27 (iii) 40 percent or more of the population over the age of five have limited English
141.28 proficiency; or

141.29 (2) located within Indian Country, as defined in United State Code, title 18, section 1151.

142.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

142.2 Sec. 24. **[116.062] AIR TOXICS EMISSIONS REPORTING.**

142.3 (a) The commissioner must require owners and operators of a facility issued an air quality
142.4 permit by the agency, except a facility issued an Option B registration permit under
142.5 Minnesota Rules, chapter 7007.1120, to annually report the facility's air toxics emissions
142.6 to the agency, including a facility not required as a condition of its air quality permit to keep
142.7 records of air toxics emissions. The commissioner must determine the method to be used
142.8 by a facility to directly measure or estimate air toxics emissions. The commissioner must
142.9 amend permits and complete rulemaking, and may enter into enforceable agreements with
142.10 facility owners and operators, in order to make the reporting requirements under this section
142.11 enforceable.

142.12 (b) For the purposes of this section, "air toxics" means chemical compounds or compound
142.13 classes that are emitted into the air by a permitted facility and that are:

142.14 (1) hazardous air pollutants listed under the federal Clean Air Act, United States Code,
142.15 title 42, section 7412, as amended;

142.16 (2) chemicals reported as released into the atmosphere by a facility located in the state
142.17 for the Toxic Release Inventory under the federal Emergency Planning and Community
142.18 Right-to-Know Act, United States Code, title 42, section 11023, as amended;

142.19 (3) chemicals for which the Department of Health has developed health-based values
142.20 or risk assessment advice;

142.21 (4) chemicals for which the risk to human health has been assessed by either the federal
142.22 Environmental Protection Agency's Integrated Risk Information System or its Provisional
142.23 Peer-Reviewed Toxicity Values; or

142.24 (5) chemicals reported by facilities in the agency's most recent triennial emissions
142.25 inventory.

142.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

142.27 Sec. 25. **[116.063] ODOR MANAGEMENT.**

142.28 Subdivision 1. **Definitions.** For the purposes of this section, the following terms have
142.29 the meanings given:

142.30 (1) "commissioner" means the commissioner of the Pollution Control Agency;

143.1 (2) "objectionable odor" means air pollution consisting of an odor that, considering its
143.2 characteristics, intensity, frequency, and duration:

143.3 (i) is or can reasonably be expected to be injurious to public health or welfare; or

143.4 (ii) unreasonably interferes with the enjoyment of life or the use of property of persons
143.5 exposed to the odor; and

143.6 (3) "odor complaint" means a notification received and recorded by the commissioner
143.7 or by a political subdivision from an identifiable person that describes the nature, duration,
143.8 and location of an odor.

143.9 Subd. 2. **Odor control.** (a) While responding to an odor complaint or during an inspection
143.10 of a facility, the commissioner may determine the facility is emitting an objectionable odor.

143.11 (b) A facility must implement odor control measures if determined by the commissioner
143.12 to be emitting an objectionable odor.

143.13 Subd. 3. **Objectionable odor; management plan.** (a) If the commissioner determines
143.14 that an odor emitted from a facility is an objectionable odor, the commissioner must notify
143.15 the owner or operator of the facility and require the owner or operator to develop an
143.16 odor-management plan designed to mitigate odor emissions. The plan must be approved by
143.17 a licensed engineer before it is submitted to the commissioner for review.

143.18 (b) The owner or operator of the facility must submit the odor-management plan required
143.19 under paragraph (a) to the commissioner for review within 90 days of receiving notification
143.20 from the commissioner. The commissioner may grant an extension for submitting the
143.21 odor-management plan for up to an additional 90 days for good cause.

143.22 (c) The commissioner must provide guidance to the owner or operator in developing an
143.23 odor-management plan.

143.24 (d) An odor-management plan must contain, at a minimum, for each odor source
143.25 contributing to odor emissions:

143.26 (1) a description of plant operations and materials that generate odors;

143.27 (2) proposed changes in equipment, operations, or materials that are designed to mitigate
143.28 odor emissions;

143.29 (3) the estimated effectiveness of the plan in reducing odor emissions;

143.30 (4) the estimated cost of implementing the plan; and

143.31 (5) a schedule of plan implementation activities.

144.1 (e) The commissioner may accept, reject, or modify an odor-management plan submitted
144.2 under this subdivision.

144.3 (f) If the revised odor-management plan is not acceptable to the commissioner or is
144.4 implemented but fails to reduce the facility's odor emissions to a level where the odor is no
144.5 longer an objectionable odor, the commissioner may:

144.6 (1) require the facility owner to submit a revised odor management plan within 90 days;

144.7 (2) impose penalties under section 115.071, or

144.8 (3) modify the facility's air emission permit under section 116.07, subdivision 4a,
144.9 paragraph (d).

144.10 Subd. 4. **Exemptions.** This section does not apply to:

144.11 (1) on-farm animal and agricultural operations;

144.12 (2) motor vehicles and transportation facilities;

144.13 (3) municipal wastewater treatment plants;

144.14 (4) single-family dwellings not used for commercial purposes;

144.15 (5) materials odorized for safety purposes;

144.16 (6) painting and coating operations that are not required to be permitted;

144.17 (7) restaurants; and

144.18 (8) temporary activities and operations.

144.19 Subd. 5. **Rulemaking required.** (a) The commissioner must adopt rules to implement
144.20 this section, and section 14.125 does not apply.

144.21 (b) The commissioner must comply with chapter 14 and must complete the statement
144.22 of need and reasonableness according to chapter 14 and section 116.07, subdivision 2,
144.23 paragraph (f).

144.24 (c) The rules must include:

144.25 (1) an odor standard or standards for air pollution that may qualify as objectionable odor
144.26 under subdivision 1, clause (2);

144.27 (2) a process for determining if an odor is objectionable;

144.28 (3) a process for investigating and addressing odor complaints;

144.29 (4) guidance for developing odor-management plans; and

145.1 (5) procedures and criteria for determining the success or failure of an odor-management
 145.2 plan.

145.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.

145.4 Sec. 26. Minnesota Statutes 2022, section 116.07, subdivision 4a, is amended to read:

145.5 Subd. 4a. **Permits.** (a) The ~~Pollution Control Agency~~ commissioner may issue, continue
 145.6 in effect or deny permits, under such conditions as it may prescribe for the prevention of
 145.7 pollution, for the emission of air contaminants, or for the installation or operation of any
 145.8 emission facility, air contaminant treatment facility, treatment facility, potential air
 145.9 contaminant storage facility, or storage facility, or any part thereof, or for the sources or
 145.10 emissions of noise pollution.

145.11 (b) The ~~Pollution Control Agency~~ commissioner may also issue, continue in effect or
 145.12 deny permits, under such conditions as it may prescribe for the prevention of pollution, for
 145.13 the storage, collection, transportation, processing, or disposal of waste, or for the installation
 145.14 or operation of any system or facility, or any part thereof, related to the storage, collection,
 145.15 transportation, processing, or disposal of waste.

145.16 (c) The ~~agency~~ commissioner may not issue ~~a permit, renew, or approve a major~~
 145.17 amendment to a facility permit that potentially increases pollution levels or the toxicity of
 145.18 emissions in an environmental justice area without analyzing and considering:

145.19 (1) the cumulative levels and effects of past and current environmental pollution from
 145.20 all sources on the environment and residents of the geographic area within which the facility's
 145.21 emissions are likely to be deposited, provided that the facility is located in a community in
 145.22 a city of the first class in Hennepin County that meets all of the following conditions:
 145.23 environmental justice area, including mobile sources and toxic chemicals contaminating
 145.24 soils; and

145.25 (2) the demographic, social, and economic characteristics of the exposed population in
 145.26 the environmental justice area that affect the population's sensitivity to exposure to additional
 145.27 pollution, as required under subdivision 4m.

145.28 ~~(1) is within a half mile of a site designated by the federal government as an EPA~~
 145.29 ~~superfund site due to residential arsenic contamination;~~

145.30 ~~(2) a majority of the population are low-income persons of color and American Indians;~~

145.31 ~~(3) a disproportionate percent of the children have childhood lead poisoning, asthma,~~
 145.32 ~~or other environmentally related health problems;~~

146.1 ~~(4) is located in a city that has experienced numerous air quality alert days of dangerous~~
146.2 ~~air quality for sensitive populations between February 2007 and February 2008; and~~

146.3 ~~(5) is located near the junctions of several heavily trafficked state and county highways~~
146.4 ~~and two one-way streets which carry both truck and auto traffic.~~

146.5 (d) ~~The Pollution Control Agency~~ commissioner may revoke or modify any permit issued
146.6 under this subdivision and section 116.081 whenever it is necessary, in the opinion of the
146.7 ~~agency~~ commissioner, to prevent or abate pollution.

146.8 (e) ~~The Pollution Control Agency~~ commissioner has the authority for approval over the
146.9 siting, expansion, or operation of a solid waste facility with regard to environmental issues.
146.10 However, ~~the agency's~~ issuance of a permit does not release the permittee from any liability,
146.11 penalty, or duty imposed by any applicable county ordinances. Nothing in this chapter
146.12 precludes, or shall be construed to preclude, a county from enforcing land use controls,
146.13 regulations, and ordinances existing at the time of the permit application and adopted
146.14 pursuant to sections ~~366.10 to 366.181~~, 394.21 to 394.37, or 462.351 to 462.365, with regard
146.15 to the siting, expansion, or operation of a solid waste facility.

146.16 (f) Except as prohibited by federal law, a person may commence construction,
146.17 reconstruction, replacement, or modification of any facility ~~prior to the issuance of a~~
146.18 ~~construction permit by the agency~~ before the commissioner issues a construction permit.

146.19 (g) A permit application must indicate whether the permit action sought is likely to
146.20 impact the environment or the health of residents of an environmental justice area and must
146.21 include the data used by the applicant to make the determination. If the application is filed
146.22 before the commissioner identifies all environmental justice areas in the state under section
146.23 116.076, the commissioner must determine whether, based on the application's projected
146.24 impacts of issuing the permit, the area impacted qualifies as an environmental justice area
146.25 and whether, as a result, a cumulative analysis is required.

146.26 (h) The commissioner must review the applicant's determination made under paragraph
146.27 (g), and is responsible for determining whether a proposed permit will impact the environment
146.28 or health of an environmental justice area.

146.29 (i) The agency's reasonable costs of complying with this subdivision are to be reimbursed
146.30 by the permit applicant.

146.31 **EFFECTIVE DATE.** This section is effective the day following final enactment and
146.32 applies to an application for a new permit, permit renewal, or major permit amendment filed
146.33 with the commissioner on or after that date.

147.1 Sec. 27. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
147.2 read:

147.3 Subd. 4m. **Demographic analysis.** (a) A permit applicant subject to subdivision 4a,
147.4 paragraph (c), must provide the information listed in clauses (1) to (15), if available, in the
147.5 permit application. The commissioner, in collaboration with the State Demographic Center,
147.6 the Minnesota Department of Health, and other state agencies, must provide an applicant
147.7 with a list of sources for the information required in clauses (1) to (15). The information is
147.8 intended to indicate the degree of sensitivity of the exposed population to incremental
147.9 pollution emitted from a facility seeking a permit or permit amendment and the exposed
147.10 population's ability to withstand, respond to, or recover from exposure to additional pollution.
147.11 This required information includes:

147.12 (1) racial and ethnic characteristics;

147.13 (2) income and poverty levels;

147.14 (3) the age distribution;

147.15 (4) the birth rate;

147.16 (5) education levels;

147.17 (6) the incidence of and hospital admission rates for respiratory disease, pulmonary
147.18 disease, cancer, diabetes, asthma, high levels of blood lead concentrations, compromised
147.19 immune systems, and other conditions that may be exacerbated by exposure to pollution;

147.20 (7) the incidence of substandard housing conditions;

147.21 (8) the proportion of the population without access to health insurance and medical care;

147.22 (9) the proportion of the population receiving public assistance and medical assistance;

147.23 (10) the incidence of low and very low food security, as defined by the United States
147.24 Department of Agriculture publication Food Security in the U.S., Definitions of Food
147.25 Security (2006 and as subsequently amended);

147.26 (11) biomonitoring data indicating body burdens of environmental pollutants;

147.27 (12) the presence of subpopulations that may be particularly sensitive to exposure to
147.28 additional pollutants, including workers exposed to toxic chemicals in the workplace and
147.29 subsistence fishers and hunters;

147.30 (13) microclimate or topographical factors of the area that affect exposure levels;

148.1 (14) other environmental stressors, including but not limited to noise, that impact the
148.2 area population; and

148.3 (15) how the factors examined under this paragraph may interact to increase the likelihood
148.4 of portions of the population sustaining an adverse effect from exposure to the additional
148.5 pollution emitted by the permitted facility.

148.6 (b) A permit applicant must provide the information required under this subdivision to
148.7 the commissioner in a format and at a level of quality and completeness required by the
148.8 commissioner.

148.9 (c) The costs of complying with this subdivision must be paid by the permit applicant.

148.10 **EFFECTIVE DATE.** This section is effective the day following final enactment and
148.11 applies to an application for a new permit, permit renewal, or major permit amendment filed
148.12 with the commissioner on or after that date.

148.13 Sec. 28. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
148.14 read:

148.15 Subd. 4n. **Permits; environmental justice area.** (a) At a public meeting held on a permit
148.16 application required to undergo a cumulative analysis under subdivision 4a, paragraph (c),
148.17 the commissioner must ensure that an accurate and complete reporting of public comments
148.18 is made part of the public record on which the decision on permit issuance is based.

148.19 (b) Notwithstanding any other law, the commissioner must, after reviewing the permit
148.20 application, the analysis of cumulative pollution conducted under subdivision 4a, paragraph
148.21 (c), the permit applicant's demographic analysis under subdivision 4m, and any additional
148.22 relevant information, including testimony and written comments received at a public meeting,
148.23 determine whether the incremental environmental impacts that would result in an
148.24 environmental justice area from approving the permit will, in conjunction with the cumulative
148.25 pollution impacts and any heightened sensitivity to additional pollution of residents of the
148.26 environmental justice area, cause or contribute to increased levels of environmental or health
148.27 impacts compared with denying the permit.

148.28 (b) If the commissioner determines that approving the permit would cause or contribute
148.29 to increased levels of environmental or health impacts compared with denying the permit,
148.30 the commissioner must:

148.31 (1) deny the permit; or

149.1 (2) place conditions on the permit that eliminate any contribution to increased levels of
149.2 environmental or health impacts from the permitted facility in an environmental justice
149.3 area.

149.4 **EFFECTIVE DATE.** This section is effective the day following final enactment and
149.5 applies to an application for a new permit, permit renewal, or major permit amendment filed
149.6 with the agency on or after that date.

149.7 Sec. 29. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
149.8 read:

149.9 Subd. 4o. **Nonexpiring state individual permits; public informational meeting.** (a)
149.10 For each facility issued a nonexpiring state individual air quality permit by the agency, the
149.11 agency must hold a separate public informational meeting at regular intervals to allow the
149.12 public to make comments or inquiries regarding any aspect of the permit, including but not
149.13 limited to permit conditions, testing results, the facility's operations, and permit compliance.
149.14 The public informational meeting must be held at a location near the permitted facility and
149.15 convenient to the public. Individuals employed at the facility who are responsible for the
149.16 facility meeting the conditions of the permit and agency officials must be present at the
149.17 public informational meeting. For nonexpiring state individual air quality permits issued or
149.18 reissued after December 31, 2018, a public informational meeting must be held under this
149.19 subdivision no later than five years after the permit is issued or reissued and every five years
149.20 thereafter. For nonexpiring state individual air quality permits issued on or before December
149.21 31, 2018, a public informational meeting must be held under this subdivision no later than
149.22 December 31, 2024, and every five years thereafter.

149.23 (b) For the purposes of this section, "state individual air quality permit" means an air
149.24 quality permit that:

149.25 (1) is issued to an individual facility that is required to obtain a permit under Minnesota
149.26 Rules, part 7007.0250, subparts 2 to 6; and

149.27 (2) is not a general permit issued under Minnesota Rules, part 7007.1100.

149.28 (c) As required under subdivision 4d, the agency's direct and indirect reasonable costs
149.29 of conducting the activities under this subdivision must be recovered through air quality
149.30 permit fees.

149.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

150.1 Sec. 30. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
150.2 read:

150.3 Subd. 4p. **Permit review denial.** If the commissioner determines that a person's request
150.4 for the agency to review an existing permit is not warranted, the commissioner must state
150.5 the reasons for the determination in writing within 15 days of the determination.

150.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.

150.7 Sec. 31. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
150.8 read:

150.9 Subd. 4q. **Aboveground storage tanks; fees.** (a) The commissioner must collect permit
150.10 fees for aboveground storage tank facilities in amounts not greater than necessary to cover
150.11 the reasonable costs of developing, reviewing, and acting upon applications for agency
150.12 permits and implementing and enforcing the conditions of the permits. The fee schedule
150.13 must reflect reasonable and routine direct and indirect costs associated with permitting,
150.14 implementation, enforcement, and other activities necessary to operate the aboveground
150.15 storage tank program.

150.16 (b) Each fiscal year, the commissioner must adjust the fees as necessary to maintain an
150.17 annual income that covers the legislative appropriation needed to administer the aboveground
150.18 storage tank program according to paragraph (a). The commissioner must adjust fees
150.19 according to the criteria established under paragraph (c) and as required under paragraph
150.20 (d). Fees established under this subdivision are exempt from section 16A.1285.

150.21 (c) The commissioner must adopt rules that specify criteria for establishing:

150.22 (1) an annual fee from permitted aboveground storage tank facilities; and

150.23 (2) a permit application fee for aboveground storage tank facility permit applications.

150.24 (d) The commissioner must annually increase the fees under this subdivision by the
150.25 percentage, if any, by which the Consumer Price Index for the most recent calendar year
150.26 ending before the beginning of the year the fee is collected exceeds the Consumer Price
150.27 Index for calendar year 2022. For purposes of this paragraph, the Consumer Price Index for
150.28 any calendar year is the average of the Consumer Price Index for all-urban consumers
150.29 published by the United States Department of Labor as of the close of the 12-month period
150.30 ending on August 31 of each calendar year. The revision of the Consumer Price Index that
150.31 is most consistent with the Consumer Price Index for calendar year 2022 must be used.

151.1 (e) Fees collected under this subdivision must be deposited in the state treasury and
151.2 credited to the environmental fund and must be used for the purposes specified in paragraph
151.3 (a).

151.4 (f) This paragraph expires when the commissioner adopts the initial rules required under
151.5 paragraph (c). Until the commissioner adopts the initial rules under paragraph (c):

151.6 (1) the annual fee for major aboveground storage tank facilities is equal to the quotient
151.7 of dividing the legislative appropriation under paragraph (b) by the number of major
151.8 aboveground storage tank facilities; and

151.9 (2) there is no permit application fee for aboveground storage tank facilities.

151.10 Sec. 32. Minnesota Statutes 2022, section 116.07, subdivision 6, is amended to read:

151.11 **Subd. 6. Pollution Control Agency; exercise of powers.** In exercising all its powers,
151.12 the commissioner of the Pollution Control Agency shall give due consideration to must:

151.13 (1) consider the establishment, maintenance, operation and expansion of business,
151.14 commerce, trade, industry, traffic, and other economic factors and other material matters
151.15 affecting the feasibility and practicability of any proposed action, including, but not limited
151.16 to, the burden on a municipality of any tax which may result therefrom, and shall must take
151.17 or provide for such action as may be reasonable, feasible, and practical under the
151.18 circumstances; and

151.19 (2) to the extent reasonable, feasible, and practical under the circumstances:

151.20 (i) ensure that actions or programs that have a direct, indirect, or cumulative impact on
151.21 environmental justice areas incorporate community-focused practices and procedures in
151.22 agency processes, including communication, outreach, engagement, and education to enhance
151.23 meaningful, timely, and transparent community access;

151.24 (ii) collaborate with other state agencies to identify, develop, and implement means to
151.25 eliminate and reverse environmental and health inequities and disparities;

151.26 (iii) promote the utility and availability of environmental data and analysis for
151.27 environmental justice areas, other agencies, federally recognized Tribal governments, and
151.28 the public;

151.29 (iv) encourage coordination and collaboration with residents of environmental justice
151.30 areas to address environmental and health inequities and disparities; and

151.31 (v) ensure environmental justice values are represented to the agency from a
151.32 commissioner-appointed environmental justice advisory committee that is composed of

152.1 diverse members and that is developed and operated in a manner open to the public and in
152.2 accordance with the duties described in the bylaws and charter adopted and maintained by
152.3 the commissioner.

152.4 Sec. 33. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
152.5 read:

152.6 Subd. 7f. **Financial assurance.** (a) Before the commissioner issues or renews a permit
152.7 for a feedlot with a capacity of 1,000 or more animal units, the permit applicant must submit
152.8 to the commissioner proof of financial assurance that satisfies the requirements under this
152.9 subdivision. Financial assurance must be of an amount sufficient to pay the closure costs
152.10 determined under paragraph (c) for the feedlot and manure storage area, with all terms and
152.11 conditions of the financial assurance instrument approved by the commissioner. The
152.12 commissioner, in evaluating financial assurance, may consult individuals with documented
152.13 experience in the analysis. The applicant must pay all costs incurred by the commissioner
152.14 to obtain the analysis.

152.15 (b) A permittee must maintain sufficient financial assurance for the duration of the permit
152.16 and demonstrate to the commissioner's satisfaction that:

152.17 (1) money will be available and made payable to the commissioner if the commissioner
152.18 determines the permittee is not in full compliance with the closure requirements established
152.19 by the commissioner in rule for feedlots and manure storage areas;

152.20 (2) the financial assurance instrument is fully valid, binding, and enforceable under state
152.21 and federal law;

152.22 (3) the financial assurance instrument is not dischargeable through bankruptcy; and

152.23 (4) the financial assurance provider will give the commissioner at least 120 days' notice
152.24 before canceling the financial assurance instrument.

152.25 (c) The permit applicant must submit to the commissioner a documented estimate of
152.26 costs required to implement the closure requirements established by the commissioner in
152.27 rule for feedlots and manure storage areas. Cost estimates must incorporate current dollar
152.28 values at the time of the estimate and any additional costs required by the commissioner to
152.29 oversee and hire a third party to implement the closure requirements. The applicant must
152.30 not incorporate the estimated salvage or market value of manure, animals, structures,
152.31 equipment, land, or other assets. The commissioner must evaluate and may modify the
152.32 applicant's cost estimates and may consult individuals with documented experience in feedlot

153.1 or manure storage area closure or remediation. The applicant must pay all costs incurred
153.2 by the commissioner to obtain the consultation.

153.3 Sec. 34. Minnesota Statutes 2022, section 116.07, is amended by adding a subdivision to
153.4 read:

153.5 Subd. 7g. **Abandoned manure storage areas.** At least annually, the commissioner must
153.6 compile a list of abandoned manure storage areas in the state. A list compiled under this
153.7 subdivision is not a feedlot inventory for purposes of subdivision 7b. For purposes of this
153.8 subdivision, "abandoned manure storage areas" means solid and liquid manure storage areas
153.9 that have been previously registered with the state as a feedlot with a manure storage area
153.10 and have:

153.11 (1) permanently ceased operation and are subject to, but not in compliance with, the
153.12 closure requirements established by the commissioner in rule for feedlots and manure storage
153.13 areas; or

153.14 (2) been unused for at least three years.

153.15 Sec. 35. **[116.076] ENVIRONMENTAL JUSTICE AREAS; BOUNDARIES; MAPS.**

153.16 (a) No later than December 1, 2023, the commissioner must determine the boundaries
153.17 of all environmental justice areas in Minnesota. The determination of the geographic
153.18 boundaries of an environmental justice area may be appealed by filing a petition that contains
153.19 evidence to support amending the commissioner's determination. The petition must be
153.20 signed by at least 50 residents of census tracts within or adjacent to the environmental justice
153.21 area, as determined by the commissioner. The commissioner may, after reviewing the
153.22 petition, amend the boundaries of an environmental justice area.

153.23 (b) The commissioner must post updated maps of each environmental justice area in the
153.24 state on the agency website.

153.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

153.26 Sec. 36. **[116.943] PRODUCTS CONTAINING PFAS.**

153.27 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
153.28 the meanings given.

153.29 (b) "Adult mattress" means a mattress other than a crib mattress or toddler mattress.

154.1 (c) "Air care product" means a chemically formulated consumer product labeled to
154.2 indicate that the purpose of the product is to enhance or condition the indoor environment
154.3 by eliminating odors or freshening the air.

154.4 (d) "Automotive maintenance product" means a chemically formulated consumer product
154.5 labeled to indicate that the purpose of the product is to maintain the appearance of a motor
154.6 vehicle, including products for washing, waxing, polishing, cleaning, or treating the exterior
154.7 or interior surfaces of motor vehicles. Automotive maintenance product does not include
154.8 automotive paint or paint repair products.

154.9 (e) "Carpet or rug" means a fabric marketed or intended for use as a floor covering.

154.10 (f) "Cleaning product" means a finished product used primarily for domestic, commercial,
154.11 or institutional cleaning purposes, including but not limited to an air care product, an
154.12 automotive maintenance product, a general cleaning product, or a polish or floor maintenance
154.13 product.

154.14 (g) "Commissioner" means the commissioner of the Pollution Control Agency.

154.15 (h) "Cookware" means durable houseware items used to prepare, dispense, or store food,
154.16 foodstuffs, or beverages. Cookware includes but is not limited to pots, pans, skillets, grills,
154.17 baking sheets, baking molds, trays, bowls, and cooking utensils.

154.18 (i) "Cosmetic" means articles, excluding soap:

154.19 (1) intended to be rubbed, poured, sprinkled, or sprayed on, introduced into, or otherwise
154.20 applied to the human body or any part thereof for the purpose of cleansing, beautifying,
154.21 promoting attractiveness, or altering the appearance; and

154.22 (2) intended for use as a component of any such article.

154.23 (j) "Currently unavoidable use" means a use of PFAS that the commissioner has
154.24 determined by rule under this section to be essential for health, safety, or the functioning
154.25 of society and for which alternatives are not reasonably available.

154.26 (k) "Fabric treatment" means a substance applied to fabric to give the fabric one or more
154.27 characteristics, including but not limited to stain resistance or water resistance.

154.28 (l) "Intentionally added" means PFAS deliberately added during the manufacture of a
154.29 product where the continued presence of PFAS is desired in the final product or one of the
154.30 product's components to perform a specific function.

154.31 (m) "Juvenile product" means a product designed or marketed for use by infants and
154.32 children under 12 years of age:

155.1 (1) including but not limited to a baby or toddler foam pillow; bassinet; bedside sleeper;
155.2 booster seat; changing pad; child restraint system for use in motor vehicles and aircraft;
155.3 co-sleeper; crib mattress; highchair; highchair pad; infant bouncer; infant carrier; infant
155.4 seat; infant sleep positioner; infant swing; infant travel bed; infant walker; nap cot; nursing
155.5 pad; nursing pillow; play mat; playpen; play yard; polyurethane foam mat, pad, or pillow;
155.6 portable foam nap mat; portable infant sleeper; portable hook-on chair; soft-sided portable
155.7 crib; stroller; and toddler mattress; and

155.8 (2) not including a children's electronic product such as a personal computer, audio and
155.9 video equipment, calculator, wireless phone, game console, handheld device incorporating
155.10 a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit,
155.11 or power cord; a medical device; or an adult mattress.

155.12 (n) "Manufacturer" means the person that creates or produces a product or whose brand
155.13 name is affixed to the product. In the case of a product imported into the United States,
155.14 manufacturer includes the importer or first domestic distributor of the product if the person
155.15 that manufactured or assembled the product or whose brand name is affixed to the product
155.16 does not have a presence in the United States.

155.17 (o) "Medical device" has the meaning given "device" under United States Code, title
155.18 21, section 321, subsection (h).

155.19 (p) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of
155.20 fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

155.21 (q) "Product" means an item manufactured, assembled, packaged, or otherwise prepared
155.22 for sale to consumers, including but not limited to its product components, sold or distributed
155.23 for personal, residential, commercial, or industrial use, including for use in making other
155.24 products.

155.25 (r) "Product component" means an identifiable component of a product, regardless of
155.26 whether the manufacturer of the product is the manufacturer of the component.

155.27 (s) "Ski wax" means a lubricant applied to the bottom of snow runners, including but
155.28 not limited to skis and snowboards, to improve their grip or glide properties. Ski wax includes
155.29 related tuning products.

155.30 (t) "Textile" means an item made in whole or part from a natural or synthetic fiber, yarn,
155.31 or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, viscose,
155.32 nylon, and polyester.

156.1 (u) "Textile furnishings" means textile goods of a type customarily used in households
156.2 and businesses, including but not limited to draperies, floor coverings, furnishings, bedding,
156.3 towels, and tablecloths.

156.4 (v) "Upholstered furniture" means an article of furniture that is designed to be used for
156.5 sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling
156.6 material.

156.7 Subd. 2. **Information required.** (a) On or before January 1, 2026, a manufacturer of a
156.8 product sold, offered for sale, or distributed in the state that contains intentionally added
156.9 PFAS must submit to the commissioner information that includes:

156.10 (1) a brief description of the product, including a universal product code (UPC), stock
156.11 keeping unit (SKU), or other numeric code assigned to the product;

156.12 (2) the purpose for which PFAS are used in the product, including in any product
156.13 components;

156.14 (3) the amount of each PFAS, identified by its chemical abstracts service registry number,
156.15 in the product, reported as an exact quantity determined using commercially available
156.16 analytical methods or as falling within a range approved for reporting purposes by the
156.17 commissioner;

156.18 (4) the name and address of the manufacturer and the name, address, and phone number
156.19 of a contact person for the manufacturer; and

156.20 (5) any additional information requested by the commissioner as necessary to implement
156.21 the requirements of this section.

156.22 (b) With the approval of the commissioner, a manufacturer may supply the information
156.23 required in paragraph (a) for a category or type of product rather than for each individual
156.24 product.

156.25 (c) A manufacturer must submit the information required under this subdivision whenever
156.26 a new product is sold, offered for sale, or distributed in the state and update and revise the
156.27 information whenever there is significant change in the information or when requested to
156.28 do so by the commissioner.

156.29 (d) A person may not sell, offer for sale, or distribute for sale in the state a product
156.30 containing intentionally added PFAS if the manufacturer has failed to provide the information
156.31 required under this subdivision and the person has received notification under subdivision
156.32 4.

157.1 Subd. 3. **Information requirement waivers; extensions.** (a) The commissioner may
157.2 waive all or part of the information requirement under subdivision 2 if the commissioner
157.3 determines that substantially equivalent information is already publicly available.

157.4 (b) The commissioner may enter into an agreement with one or more other states or
157.5 political subdivisions of a state to collect information and may accept information to a shared
157.6 system as meeting the information requirement under subdivision 2.

157.7 (c) The commissioner may extend the deadline for submission by a manufacturer of the
157.8 information required under subdivision 2 if the commissioner determines that more time is
157.9 needed by the manufacturer to comply with the submission requirement.

157.10 (d) The commissioner may grant a waiver under this subdivision to a manufacturer or
157.11 a group of manufacturers for multiple products or a product category.

157.12 Subd. 4. **Testing required and certificate of compliance.** (a) If the commissioner has
157.13 reason to believe that a product contains intentionally added PFAS and the product is being
157.14 offered for sale in the state, the commissioner may direct the manufacturer of the product
157.15 to, within 30 days, provide the commissioner with testing results that demonstrate the amount
157.16 of each of the PFAS, identified by its chemical abstracts service registry number, in the
157.17 product, reported as an exact quantity determined using commercially available analytical
157.18 methods or as falling within a range approved for reporting purposes by the commissioner.

157.19 (b) If testing demonstrates that the product does not contain intentionally added PFAS,
157.20 the manufacturer must provide the commissioner a certificate attesting that the product does
157.21 not contain intentionally added PFAS, including testing results and any other relevant
157.22 information.

157.23 (c) If testing demonstrates that the product contains intentionally added PFAS, the
157.24 manufacturer must provide the commissioner with the testing results and the information
157.25 required under subdivision 2.

157.26 (d) A manufacturer must notify persons who sell or offer for sale a product prohibited
157.27 under subdivision 2 or 5 that the sale of that product is prohibited in this state and provide
157.28 the commissioner with a list of the names and addresses of those notified.

157.29 (e) The commissioner may notify persons who sell or offer for sale a product prohibited
157.30 under subdivision 2 or 5 that the sale of that product is prohibited in this state.

157.31 Subd. 5. **Prohibitions.** (a) Beginning January 1, 2025, a person may not sell, offer for
157.32 sale, or distribute for sale in this state the following products if the product contains
157.33 intentionally added PFAS:

158.1 (1) carpets or rugs;

158.2 (2) cleaning products;

158.3 (3) cookware;

158.4 (4) cosmetics;

158.5 (5) dental floss;

158.6 (6) fabric treatments;

158.7 (7) juvenile products;

158.8 (8) menstruation products;

158.9 (9) textile furnishings;

158.10 (10) ski wax; or

158.11 (11) upholstered furniture.

158.12 (b) The commissioner may by rule identify products by category or use that may not be
158.13 sold, offered for sale, or distributed for sale in this state if they contain intentionally added
158.14 PFAS and designate effective dates. Effective dates must begin no earlier than January 1,
158.15 2025, and no later than January 2, 2032. The commissioner must prioritize the prohibition
158.16 of the sale of product categories that, in the commissioner's judgment, are most likely to
158.17 contaminate or harm the state's environment and natural resources if they contain intentionally
158.18 added PFAS. The commissioner may exempt products by rule when the use of PFAS is a
158.19 currently unavoidable use as determined by the commissioner.

158.20 (c) Beginning January 1, 2032, a person may not sell, offer for sale, or distribute for sale
158.21 in this state any product that contains intentionally added PFAS, unless the commissioner
158.22 has determined by rule that the use of PFAS in the product is a currently unavoidable use.
158.23 The commissioner may specify specific products or product categories for which the
158.24 commissioner has determined the use of PFAS is a currently unavoidable use.

158.25 Subd. 6. Fees. The commissioner may establish by rule a fee payable by a manufacturer
158.26 to the commissioner upon submission of the information required under subdivision 2 to
158.27 cover the agency's reasonable costs to implement this section. Fees collected under this
158.28 subdivision must be deposited in an account in the environmental fund.

158.29 Subd. 7. Enforcement. (a) The commissioner may enforce this section under sections
158.30 115.071 and 116.072. The commissioner may coordinate with the commissioners of
158.31 commerce and health in enforcing this section.

159.1 (b) When requested by the commissioner, a person must furnish to the commissioner
159.2 any information that the person may have or may reasonably obtain that is relevant to show
159.3 compliance with this section.

159.4 Subd. 8. Exemptions. This section does not apply to:

159.5 (1) a product for which federal law governs the presence of PFAS in the product in a
159.6 manner that preempts state authority;

159.7 (2) a product regulated under section 325F.072 or 325F.075; or

159.8 (3) the sale or resale of a used product.

159.9 Subd. 9. Rules. The commissioner may adopt rules necessary to implement this section.

159.10 Section 14.125 does not apply to the commissioner's rulemaking authority under this section.

159.11 Sec. 37. Minnesota Statutes 2022, section 116C.03, subdivision 2a, is amended to read:

159.12 Subd. 2a. Public members. The membership terms, compensation, removal, and filling
159.13 of vacancies of public members of the board shall be as provided in section 15.0575, except
159.14 that a public member may be compensated at the rate of up to \$125 a day.

159.15 Sec. 38. Minnesota Statutes 2022, section 116D.04, is amended by adding a subdivision
159.16 to read:

159.17 Subd. 2c. Demographic analysis. An environmental assessment worksheet and
159.18 environmental impact statement that indicate that a proposed project increases pollution
159.19 levels or the toxicity of emissions in an environmental justice area, as defined under section
159.20 116.06, must contain a demographic analysis of the population exposed to the proposed
159.21 project's impacts as required under section 116.07, subdivision 4m.

159.22 EFFECTIVE DATE. This section is effective the day following final enactment and
159.23 applies to an environmental assessment worksheet that has been determined by a responsible
159.24 governmental unit to be complete on or after that date and to an environmental impact
159.25 statement determined by a responsible governmental unit to be adequate on or after that
159.26 date.

160.1 Sec. 39. Minnesota Statutes 2022, section 325E.046, is amended to read:

160.2 **325E.046 STANDARDS FOR LABELING PLASTIC BAGS, FOOD OR**
160.3 **BEVERAGE PRODUCTS, AND PACKAGING.**

160.4 Subdivision 1. **"Biodegradable" label.** A manufacturer, distributor, or wholesaler may
160.5 not sell or offer for sale and any other person may not knowingly sell or offer for sale in
160.6 this state a ~~plastic bag covered product~~ labeled "biodegradable," "degradable,"
160.7 "decomposable," or any form of those terms, or in any way imply that the ~~bag covered~~
160.8 ~~product~~ will chemically decompose into innocuous elements in a reasonably short period
160.9 ~~of time in a landfill, composting, or other terrestrial environment unless a scientifically~~
160.10 ~~based standard for biodegradability is developed and the bags are certified as meeting the~~
160.11 ~~standard. break down, fragment, degrade, biodegrade, or decompose in a landfill or other~~
160.12 ~~environment, unless an ASTM standard specification is adopted for the term claimed and~~
160.13 ~~the product is certified as meeting the specification, in compliance with the provisions of~~
160.14 ~~subdivision 2a.~~

160.15 Subd. 2. **"Compostable" label.** (a) A manufacturer, distributor, or wholesaler may not
160.16 sell or offer for sale and any other person may not knowingly sell or offer for sale in this
160.17 state a ~~plastic bag covered product~~ labeled "compostable" unless, at the time of sale or offer
160.18 ~~for sale, the ~~bag covered product~~:~~

160.19 (1) meets the ASTM Standard Specification for ~~Compostable~~ Labeling of Plastics
160.20 ~~Designed to be Aerobically Composted in Municipal or Industrial Facilities (D6400). Each~~
160.21 ~~bag must be labeled to reflect that it meets the standard. For purposes of this subdivision,~~
160.22 ~~"ASTM" has the meaning given in section 296A.01, subdivision 6. or its successor or the~~
160.23 ~~ASTM Standard Specification for Labeling of End Items that Incorporate Plastics and~~
160.24 ~~Polymers as Coatings or Additives with Paper and Other Substrates Designed to be~~
160.25 ~~Aerobically Composted in Municipal or Industrial Facilities (D6868) or its successor, and~~
160.26 ~~the covered product is labeled to reflect that it meets the specification;~~

160.27 (2) is comprised of only wood without any coatings or additives; or

160.28 (3) is comprised of only paper without any coatings or additives.

160.29 (b) A covered product labeled "compostable" and meeting the criteria under paragraph
160.30 (a) must be clearly and prominently labeled on the product, or on the product's smallest unit
160.31 of sale, to reflect that it is intended for an industrial or commercial compost facility. The
160.32 label required under this paragraph must be in a legible text size and font.

161.1 Subd. 2a. Certification of products. Beginning January 1, 2026, a manufacturer,
161.2 distributor, or wholesaler may not sell or offer for sale and any other person may not
161.3 knowingly sell or offer for sale in this state a covered product labeled as "biodegradable"
161.4 or "compostable" unless the covered product is certified as meeting the requirements of
161.5 subdivision 1 or 2, as applicable, by an entity that:

161.6 (1) is a nonprofit corporation;

161.7 (2) as its primary focus of operation, promotes the production, use, and appropriate end
161.8 of life for materials and products that are designed to fully biodegrade in specific biologically
161.9 active environments such as industrial composting; and

161.10 (3) is technically capable of and willing to perform analysis necessary to determine a
161.11 product's compliance with subdivision 1 or 2, as applicable.

161.12 **Subd. 3. Enforcement; civil penalty; injunctive relief.** (a) A ~~manufacturer, distributor,~~
161.13 ~~or wholesaler~~ person who violates ~~subdivision 1 or 2~~ this section is subject to a civil or
161.14 administrative penalty of \$100 for each prepackaged saleable unit sold or offered for sale
161.15 up to a maximum of \$5,000 and may be enjoined from those violations.

161.16 (b) The attorney general may bring an action in the name of the state in a court of
161.17 competent jurisdiction for recovery of civil penalties or for injunctive relief as provided in
161.18 this subdivision. The attorney general may accept an assurance of discontinuance of acts
161.19 in violation of ~~subdivision 1 or 2~~ this section in the manner provided in section 8.31,
161.20 subdivision 2b.

161.21 (c) The commissioner of the Pollution Control Agency may enforce this section under
161.22 sections 115.071 and 116.072. The commissioner may coordinate with the commissioners
161.23 of commerce and health in enforcing this section.

161.24 (d) When requested by the commissioner of the Pollution Control Agency, a person
161.25 selling or offering for sale a covered product labeled as "compostable" must furnish to the
161.26 commissioner any information that the person may have or may reasonably obtain that is
161.27 relevant to show compliance with this section.

161.28 **Subd. 4. Definitions.** For purposes of this section, the following terms have the meanings
161.29 given:

161.30 (1) "ASTM" has the meaning given in section 296A.01, subdivision 6;

161.31 (2) "covered product" means a bag, food or beverage product, or packaging;

162.1 (3) "food or beverage product" means a product that is used to wrap, package, contain,
162.2 serve, store, prepare, or consume a food or beverage, such as plates, bowls, cups, lids, trays,
162.3 straws, utensils, and hinged or lidded containers; and

162.4 (4) "packaging" has the meaning given in section 115A.03, subdivision 22b.

162.5 **EFFECTIVE DATE.** This section is effective January 1, 2025.

162.6 **Sec. 40. [325E.3892] LEAD AND CADMIUM IN CONSUMER PRODUCTS;**
162.7 **PROHIBITION.**

162.8 Subdivision 1. **Definitions.** For purposes of this section, "covered product" means any
162.9 of the following products or product components:

162.10 (1) jewelry;

162.11 (2) toys;

162.12 (3) cosmetics and personal care products;

162.13 (4) puzzles, board games, card games, and similar games;

162.14 (5) play sets and play structures;

162.15 (6) outdoor games;

162.16 (7) school supplies;

162.17 (8) pots and pans;

162.18 (9) cups, bowls, and other food containers;

162.19 (10) craft supplies and jewelry-making supplies;

162.20 (11) chalk, crayons, paints, and other art supplies;

162.21 (12) fidget spinners;

162.22 (13) costumes, costume accessories, and children's and seasonal party supplies;

162.23 (14) keys, key chains, and key rings; and

162.24 (15) clothing, footwear, headwear, and accessories.

162.25 Subd. 2. **Prohibition.** (a) A person must not import, manufacture, sell, hold for sale, or
162.26 distribute or offer for use in this state any covered product containing:

162.27 (1) lead at more than 0.009 percent by total weight (90 parts per million); or

162.28 (2) cadmium at more than 0.0075 percent by total weight (75 parts per million).

163.1 (b) This section does not apply to covered products containing lead or cadmium, or both,
163.2 when regulation is preempted by federal law.

163.3 Subd. 3. **Enforcement.** (a) The commissioners of the Pollution Control Agency,
163.4 commerce, and health may coordinate to enforce this section. The commissioner of the
163.5 Pollution Control Agency or commerce may, with the attorney general, enforce any federal
163.6 restrictions on the sale of products containing lead or cadmium, or both, as allowed under
163.7 federal law. The commissioner of the Pollution Control Agency may enforce this section
163.8 under sections 115.071 and 116.072. The commissioner of commerce may enforce this
163.9 section under section 45.027, subdivisions 1 to 6, 325F.10 to 325F.12, and 325F.14 to
163.10 325F.16. The attorney general may enforce this section under section 8.31.

163.11 (b) When requested by the commissioner of the Pollution Control Agency, the
163.12 commissioner of commerce, or the attorney general, a person must furnish to the
163.13 commissioner or attorney general any information that the person may have or may
163.14 reasonably obtain that is relevant to show compliance with this section.

163.15 Sec. 41. Minnesota Statutes 2022, section 325F.072, subdivision 1, is amended to read:

163.16 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
163.17 the meanings given.

163.18 (b) "Class B firefighting foam" means foam designed ~~for flammable liquid fires to~~
163.19 prevent or extinguish a fire in flammable liquids, combustible liquids, petroleum greases,
163.20 tars, oils, oil-based paints, solvents, lacquers, alcohols, and flammable gases.

163.21 (c) "PFAS chemicals" or "perfluoroalkyl and polyfluoroalkyl substances" means, ~~for~~
163.22 ~~the purposes of firefighting agents,~~ a class of fluorinated organic chemicals containing at
163.23 least one fully fluorinated carbon atom ~~and designed to be fully functional in class B~~
163.24 ~~firefighting foam formulations.~~

163.25 (d) "Political subdivision" means a county, city, town, or a metropolitan airports
163.26 commission organized and existing under sections 473.601 to 473.679.

163.27 (e) "State agency" means an agency as defined in section 16B.01, subdivision 2.

163.28 (f) "Testing" means calibration testing, conformance testing, and fixed system testing.

163.29 Sec. 42. Minnesota Statutes 2022, section 325F.072, subdivision 3, is amended to read:

163.30 Subd. 3. ~~**Prohibition of testing and training.**~~ (a) ~~Beginning July 1, 2020,~~ No person,
163.31 ~~political subdivision, or state agency shall discharge class B firefighting foam that contains~~

164.1 ~~intentionally added~~ manufacture or knowingly sell, offer for sale, distribute for sale, or
164.2 distribute for use in this state, and no person shall use in this state, class B firefighting foam
164.3 containing PFAS chemicals;

164.4 ~~(1) for testing purposes, unless the testing facility has implemented appropriate~~
164.5 ~~containment, treatment, and disposal measures to prevent releases of foam to the environment;~~
164.6 ~~or~~

164.7 ~~(2) for training purposes, unless otherwise required by law, and with the condition that~~
164.8 ~~the training event has implemented appropriate containment, treatment, and disposal measures~~
164.9 ~~to prevent releases of foam to the environment. For training purposes, class B foam that~~
164.10 ~~contains intentionally added PFAS chemicals shall not be used.~~

164.11 ~~(b) This section does not restrict:~~

164.12 ~~(1) the manufacture, sale, or distribution of class B firefighting foam that contains~~
164.13 ~~intentionally added PFAS chemicals; or~~

164.14 ~~(2) the discharge or other use of class B firefighting foams that contain intentionally~~
164.15 ~~added PFAS chemicals in emergency firefighting or fire prevention operations.~~

164.16 (b) This subdivision does not apply to the manufacture, sale, distribution, or use of class
164.17 B firefighting foam for which the inclusion of PFAS chemicals is required by federal law,
164.18 including but not limited to Code of Federal Regulations, title 14, section 139.317. If a
164.19 federal requirement to include PFAS chemicals in class B firefighting foam is revoked after
164.20 January 1, 2024, class B firefighting foam subject to the revoked requirements is no longer
164.21 exempt under this paragraph effective one year after the day of revocation.

164.22 (c) This subdivision does not apply to the manufacture, sale, distribution, or use of class
164.23 B firefighting foam for purposes of use at an airport, as defined under section 360.013,
164.24 subdivision 39, until the state fire marshal makes a determination that:

164.25 (1) the Federal Aviation Administration has provided policy guidance on the transition
164.26 to fluorine-free firefighting foam;

164.27 (2) a fluorine-free firefighting foam product is included in the Federal Aviation
164.28 Administration's Qualified Product Database; and

164.29 (3) firefighting foam product included in the database under clause (2) is commercially
164.30 available in quantities sufficient to reliably meet the requirements under Code of Federal
164.31 Regulations, title 14, section 139.

165.1 (d) Until the state fire marshal makes a determination under paragraph (c), the operator
165.2 of an airport using class B firefighting foam containing PFAS chemicals must, on or before
165.3 December 31 of each calendar year, submit a report to the state fire marshal regarding the
165.4 status of the airport's conversion to class B firefighting foam products without intentionally
165.5 added PFAS, the disposal of class B firefighting foam products with intentionally added
165.6 PFAS, and an assessment of the factors listed in paragraph (c) as applied to the airport.

165.7 **EFFECTIVE DATE.** This section is effective January 1, 2024.

165.8 Sec. 43. Minnesota Statutes 2022, section 325F.072, is amended by adding a subdivision
165.9 to read:

165.10 Subd. 3a. **Discharge for testing and training.** A person, political subdivision, or state
165.11 agency exempted from the prohibitions under subdivision 3 may not discharge class B
165.12 firefighting foam that contains intentionally added PFAS chemicals for:

165.13 (1) testing purposes, unless the testing facility has implemented appropriate containment,
165.14 treatment, and disposal measures to prevent releases of foam to the environment; or

165.15 (2) training purposes, unless otherwise required by law, and with the condition that the
165.16 training event has implemented appropriate containment, treatment, and disposal measures
165.17 to prevent releases of foam to the environment.

165.18 **EFFECTIVE DATE.** This section is effective January 1, 2024.

165.19 Sec. 44. **TREATED SEED WASTE DISPOSAL RULEMAKING.**

165.20 The commissioner of the Pollution Control Agency, in consultation with the commissioner
165.21 of agriculture and the University of Minnesota, must adopt rules under Minnesota Statutes,
165.22 chapter 14, providing for the safe and lawful disposal of waste treated seed. The rules must
165.23 clearly identify the regulatory jurisdiction of state agencies and local governments with
165.24 regard to such seed. Additional Minnesota Department of Agriculture staff will not be hired
165.25 until rulemaking is completed.

165.26 Sec. 45. **AIR TOXICS EMISSIONS; RULEMAKING.**

165.27 Subdivision 1. **Definitions.** For the purposes of this section:

165.28 (1) "agency" means the Minnesota Pollution Control Agency;

165.29 (2) "air toxics" has the meaning given in section 116.062;

165.30 (3) "commissioner" means the commissioner of the Minnesota Pollution Control Agency;

166.1 (4) "continuous emission monitoring system" has the meaning given in Minnesota Rules,
166.2 part 7017.1002, subpart 4;

166.3 (5) "environmental justice area" means one or more census tracts in Minnesota:

166.4 (i) in which, based on the most recent data published by the United States Census Bureau:

166.5 (A) 40 percent or more of the population is nonwhite;

166.6 (B) 35 percent or more of the households have an income at or below 200 percent of the
166.7 federal poverty level; or

166.8 (C) 40 percent or more of the population over the age of five has limited English
166.9 proficiency; or

166.10 (ii) located within Indian Country, as defined in United States Code, title 18, section
166.11 1151;

166.12 (6) "performance test" has the meaning given in Minnesota Rules, part 7017.2005,
166.13 subpart 4; and

166.14 (7) "volatile organic compound" has the meaning given in Minnesota Rules, chapter
166.15 7005.0100, subpart 45.

166.16 Subd. 2. **Rulemaking required.** The commissioner shall adopt rules under chapter 14
166.17 to implement and govern the rules governing the regulation of facilities that emit air toxics.
166.18 Notwithstanding Minnesota Statutes, section 14.125, the agency must publish notice of
166.19 intent to adopt rules within 36 months of the effective date of this act, or the authority for
166.20 the rules expires.

166.21 Subd. 3. **Content of rules.** (a) The rules required under subdivision 2 must address, at
166.22 a minimum:

166.23 (1) specific air toxics to be regulated, including, at a minimum, those defined in
166.24 subdivision 1;

166.25 (2) types of facilities to be regulated, including, at a minimum, facilities that have been
166.26 issued an air quality permit by the commissioner, other than an Option B registration permit
166.27 under Minnesota Rules, chapter 7007.1120, and:

166.28 (i) emit air toxics, whether the emissions are limited in a permit or not; or

166.29 (ii) purchase or use material containing volatile organic compounds;

166.30 (3) performance tests conducted by facilities to measure the volume of air toxics emissions
166.31 and testing methods, procedures, protocols, and frequency;

167.1 (4) required monitoring of air emissions, including using continuous emission monitoring
167.2 systems for certain facilities, and monitoring of production inputs or other production
167.3 parameters;

167.4 (5) requirements for reporting information to the agency to assist the agency in
167.5 determining the amount of the facility's air toxics emissions and the facility's compliance
167.6 with emission limits in the facility's permit;

167.7 (6) record keeping related to air toxics emissions; and

167.8 (7) frequency of facility inspections and inspection activities that provide information
167.9 about air toxics emissions.

167.10 (b) In developing the rules, the commissioner must establish testing, monitoring,
167.11 reporting, record keeping, and inspection requirements for facilities that reflect:

167.12 (1) the different risks to human health and the environment posed by the specific air
167.13 toxics and amounts emitted by a facility, such that facilities posing greater risks are required
167.14 to provide more frequent evidence of permit compliance, including but not limited to
167.15 performance tests, agency inspections, and reporting;

167.16 (2) the facility's record of compliance with air toxics emission limits and other permit
167.17 conditions; and

167.18 (3) any exposure of residents of an environmental justice area to the facility's air toxics
167.19 emissions.

167.20 Subd. 4. **Modifying permits.** Within three years after adopting the rules required in
167.21 subdivision 2, the commissioner must amend existing air quality permits, including but not
167.22 limited to federal permits, individual state total facility permits, and capped emission permits,
167.23 as necessary to conform with the rules.

167.24 Subd. 5. **Rulemaking cost.** The commissioner must collect the agency's costs to develop
167.25 the rulemaking required under this section and to conduct regulatory activities, including
167.26 but not limited to monitoring, inspection, and data collection and maintenance, required as
167.27 a result of the rulemaking through the annual fee paid by owners or operators of facilities
167.28 required to obtain air quality permits from the agency, as required under Minnesota Statutes,
167.29 section 116.07, subdivision 4d, paragraph (b).

167.30 **EFFECTIVE DATE.** This section is effective the day following final enactment.

168.1 **Sec. 46. POSITION ESTABLISHED; POLLUTION CONTROL AGENCY.**

168.2 The commissioner of the Pollution Control Agency must establish a new full-time
168.3 equivalent position of community liaison, funded through air quality permit fees, as specified
168.4 in Minnesota Statutes, section 116.07, subdivision 4d, to conduct the administrative tasks
168.5 necessary to successfully implement the nonexpiring permit public meeting requirements
168.6 under Minnesota Statutes, section 116.07, subdivision 4o, and other regulatory activities
168.7 requiring interaction between the agency and residents in communities exposed to air
168.8 pollutants emitted by facilities permitted by the agency.

168.9 **Sec. 47. COMMUNITY AIR-MONITORING SYSTEMS; PILOT GRANT**
168.10 **PROGRAM.**

168.11 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision
168.12 have the meanings given.

168.13 (b) "Agency" means the Minnesota Pollution Control Agency.

168.14 (c) "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

168.15 (d) "Community air-monitoring system" means a system of devices monitoring ambient
168.16 air quality at many locations within a small geographic area that is subject to air pollution
168.17 from a variety of stationary and mobile sources in order to obtain frequent measurements
168.18 of pollution levels, to detect differences in exposure to pollution over distances no larger
168.19 than a city block, and to identify areas where pollution levels are inordinately elevated.

168.20 (e) "Environmental justice area" means one or more census tracts in Minnesota:

168.21 (1) in which, based on the most recent data published by the United States Census Bureau:

168.22 (i) 40 percent or more of the population is nonwhite;

168.23 (ii) 35 percent or more of the households have an income at or below 200 percent of the
168.24 federal poverty level; or

168.25 (iii) 40 percent or more of the population over the age of five has limited English
168.26 proficiency; or

168.27 (2) located within Indian Country, as defined in United State Code, title 18, section 1151.

168.28 (f) "Nonprofit organization" means an organization that is exempt from taxation under
168.29 section 501(c)(3) of the Internal Revenue Code.

169.1 Subd. 2. **Establishing program.** A pilot grant program for community air-monitoring
169.2 systems is established in the agency to measure air pollution levels at many locations within
169.3 an environmental justice area in Minneapolis.

169.4 Subd. 3. **Eligible applicants.** Grants under this section may be awarded to applicants
169.5 consisting of a partnership between a nonprofit organization located in or working with
169.6 residents located in an environmental justice area in which the community air-monitoring
169.7 system is to be deployed and an entity that has experience deploying, operating, and
169.8 interpreting data from air-monitoring systems.

169.9 Subd. 4. **Eligible projects.** Grants may be awarded under this section to applicants
169.10 whose proposals:

169.11 (1) use a variety of air-monitoring technologies approved for use by the commissioner,
169.12 including but not limited to stationary monitors, sensor-based handheld devices, and mobile
169.13 devices that can be attached to vehicles or drones to measure air pollution levels;

169.14 (2) obtain data at fixed locations and from handheld monitoring devices that are carried
169.15 by residents of the community on designated walking routes in the targeted community and
169.16 that can provide high-frequency measurements;

169.17 (3) use the monitoring data to generate maps of pollution levels throughout the monitored
169.18 area; and

169.19 (4) provide monitoring data to the agency to help inform:

169.20 (i) agency decisions, including placement of the agency's stationary air monitors and
169.21 the development of programs to reduce air emissions that impact environmental justice
169.22 areas; and

169.23 (ii) decisions by other governmental bodies regarding transportation or land use planning.

169.24 Subd. 5. **Eligible expenditures.** Grants may be used only for:

169.25 (1) planning the configuration and deployment of the community air-monitoring system;

169.26 (2) purchasing and installing air-monitoring devices as part of the community
169.27 air-monitoring system;

169.28 (3) training and paying persons to operate stationary, handheld, and mobile devices to
169.29 measure air pollution;

169.30 (4) developing data and mapping systems to analyze, organize, and present the
169.31 air-monitoring data collected; and

170.1 (5) writing a final report on the project, as required under subdivision 9.

170.2 Subd. 6. **Application and grant award process.** An eligible applicant must submit an
170.3 application to the commissioner on a form prescribed by the commissioner. The
170.4 commissioner must develop administrative procedures governing the application and grant
170.5 award process. The commissioner must act as fiscal agent for the grant program and is
170.6 responsible for receiving and reviewing grant applications and awarding grants under this
170.7 section.

170.8 Subd. 7. **Grant awards; priorities.** In awarding grants under this section, the
170.9 commissioner must give priority to proposed projects that:

170.10 (1) take place in areas with high rates of illness associated with exposure to air pollution,
170.11 including asthma, chronic obstructive pulmonary disease, heart disease, chronic bronchitis,
170.12 and cancer;

170.13 (2) promote public access to and transparency of air-monitoring data developed through
170.14 the project; and

170.15 (3) conduct outreach activities to promote community awareness of and engagement
170.16 with the project.

170.17 Subd. 8. **Report to agency.** No later than 90 days after a project ends, a grantee must
170.18 submit a written report to the commissioner describing the project's findings and results
170.19 and any recommendations for agency actions, programs, or activities to reduce levels of air
170.20 pollution measured by the community air-monitoring system. The grantee must also submit
170.21 to the commissioner all air-monitoring data developed by the project.

170.22 Subd. 9. **Report to legislature.** No later than March 15, 2025, the commissioner must
170.23 submit a report to the chairs and ranking minority members of the legislative committees
170.24 with primary jurisdiction over environment policy and finance on the results of the grant
170.25 program, including:

170.26 (1) any changes in the agency's air-monitoring network that will occur as a result of data
170.27 developed under the program;

170.28 (2) any actions the agency has taken or proposes to take to reduce levels of pollution
170.29 that impact the environmental justice areas that received grants under the program; and

170.30 (3) any recommendations for legislation, including whether the program should be
170.31 extended or expanded.

170.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

171.1 Sec. 48. PETROLEUM TANK RELEASE CLEANUP; REPORT.

171.2 The commissioner of the Pollution Control Agency must perform the duties under clauses
171.3 (1) to (5) with respect to the petroleum tank release cleanup program governed by Minnesota
171.4 Statutes, chapter 115C, and must, no later than January 15, 2025, report the results to the
171.5 chairs and ranking minority members of the senate and house of representatives committees
171.6 with primary jurisdiction over environment policy and finance. The report must include any
171.7 recommendations for legislation. The commissioner must:

171.8 (1) explicitly define the conditions that must be present in order for the commissioner
171.9 to classify a site as posing a low potential risk to public health and the environment and
171.10 ensure that all agency staff use the definition in assessing potential risks. In determining
171.11 the conditions that indicate that a site poses a low risk, the commissioner must consider
171.12 relevant site conditions, including but not limited to the nature of groundwater flow, soil
171.13 type, and proximity of features at or near the site that could potentially become contaminated;

171.14 (2) develop guidelines to incorporate consideration of potential future uses of a
171.15 contaminated property into all agency staff decisions regarding site remediation;

171.16 (3) develop scientifically based and measurable technical standards that allow the quality
171.17 of the agency's performance in remediating petroleum-contaminated properties to be
171.18 evaluated and conduct such evaluations periodically;

171.19 (4) in collaboration with the Petroleum Tank Release Compensation Board and the
171.20 commissioner of commerce, examine whether and how to establish technical qualifications
171.21 for consultants hired to remediate petroleum-contaminated properties as a strategy to improve
171.22 the quality of remediation work, and how agencies can share information on consultant
171.23 performance; and

171.24 (5) in collaboration with the commissioner of commerce, make consultants who remediate
171.25 petroleum-contaminated sites more accountable for the quality of their work by:

171.26 (i) requiring a thorough evaluation of the past performance of a contractor being
171.27 considered for hire;

171.28 (ii) developing a formal system of measures and procedures by which to evaluate the
171.29 work; and

171.30 (iii) sharing evaluations with the commissioner of commerce and with responsible parties.

171.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

172.1 **Sec. 49. POLLUTION CONTROL AGENCY PUBLIC MEMBERS; INITIAL**
172.2 **APPOINTMENTS AND TERMS.**

172.3 The governor must appoint public members of the Pollution Control Agency under
172.4 Minnesota Statutes, section 116.02, by August 1, 2023. The governor shall designate two
172.5 of the members first appointed to serve a term of one year, two members to serve a term of
172.6 two years, two members to serve a term of three years, and two members to serve a term
172.7 of four years.

172.8 **Sec. 50. FEEDLOT FINANCIAL ASSURANCE REQUIREMENTS COMPLIANCE**
172.9 **SCHEDULE.**

172.10 The commissioner of the Pollution Control Agency may phase in the new financial
172.11 assurance requirements under Minnesota Statutes, section 116.07, subdivision 7f, during
172.12 the next reissuance of the national pollutant discharge elimination system general permit
172.13 for concentrated animal feeding operations, MNG440000. The commissioner must establish
172.14 a schedule for permittees to come into compliance with the requirements. The schedule
172.15 must require 250 permittees per year to comply, beginning with the operations with the
172.16 largest number of animal units.

172.17 **Sec. 51. MANURE STORAGE AREA REPORTS REQUIRED.**

172.18 Subdivision 1. **Reports.** (a) No later than December 15, 2023, the commissioner of the
172.19 Pollution Control Agency must develop a list based on registration data for each county of
172.20 potentially abandoned manure storage areas.

172.21 (b) No later than January 15, 2025, each delegated county must report to the commissioner
172.22 of the Pollution Control Agency a list of abandoned manure storage areas located in the
172.23 county. The report must be submitted by the county feedlot officer.

172.24 (c) No later than January 15, 2025, the Pollution Control Agency regional feedlot staff
172.25 must compile a list of abandoned manure storage areas located in counties under their
172.26 regulatory jurisdiction that do not have delegation agreements with the agency.

172.27 (d) No later than February 15, 2025, the commissioner of the Pollution Control Agency
172.28 must submit a compilation report and list of abandoned manure storage areas to the legislative
172.29 committees with jurisdiction over agriculture and environment. The report must include
172.30 recommendations for remediation. The commissioner must seek advice from the Minnesota
172.31 Association of County Feedlot Officers and livestock associations for recommendations,
172.32 including existing and any proposed options for remediation.

173.1 (e) For purposes of this section, "abandoned manure storage areas" has the meaning
173.2 given in Minnesota Statutes, section 116.07, subdivision 7g.

173.3 (f) Reports and lists required under this section are not feedlot inventories for purposes
173.4 of Minnesota Statutes, section 116.07, subdivision 7b.

173.5 Subd. 2. **Delegated counties.** (a) Except as provided in paragraph (b), during the 2023
173.6 and 2024 delegation years, the commissioner of the Pollution Control Agency must not
173.7 penalize a delegated county for a performance issue or shortcoming attributable to the
173.8 county's reassignment of county feedlot officer resources necessary to comply with the
173.9 additional requirements imposed upon the county under subdivision 1.

173.10 (b) The commissioner may penalize a county during the 2023 or 2024 delegation year
173.11 for a performance issue or shortcoming attributable to the county's reassignment of county
173.12 feedlot officer resources only if the specific penalty is approved by a majority of the board
173.13 of the Minnesota Association of County Feedlot Officers.

173.14 **Sec. 52. PFAS MANUFACTURERS FEE WORK GROUP.**

173.15 The commissioner of the Pollution Control Agency, in cooperation with the
173.16 commissioners of revenue and management and budget, must establish a work group to
173.17 review options for collecting a fee from manufacturers of PFAS in the state. By February
173.18 15, 2024, the commissioner must submit a report to the chairs and ranking minority members
173.19 of the legislative committees and divisions with jurisdiction over the environment and
173.20 natural resources with recommendations.

173.21 **Sec. 53. TEMPORARY EXEMPTION FOR TERMINALS AND OIL REFINERIES.**

173.22 Subdivision 1. **Temporary exemption.** Minnesota Statutes, section 325F.072, subdivision
173.23 3, does not apply to the manufacture, sale, distribution, or use of class B firefighting foam
173.24 for the purposes of use at a terminal or oil refinery until January 1, 2026.

173.25 Subd. 2. **Extension; waiver.** (a) A person who operates a terminal or oil refinery may
173.26 apply to the state fire marshal for a waiver to extend the exemption under subdivision 1,
173.27 beyond January 1, 2026, as provided in this subdivision.

173.28 (b) The state fire marshal may grant a waiver to extend the exemption under subdivision
173.29 1 for a specific use if the applicant provides all of the following:

173.30 (1) clear and convincing evidence that there is no commercially available replacement
173.31 that does not contain intentionally added PFAS chemicals and that is capable of suppressing
173.32 fire for that specific use;

174.1 (2) information on the amount of firefighting foam containing intentionally added PFAS
174.2 chemicals stored, used, or released on-site on an annual basis;

174.3 (3) a detailed plan, with timelines, for the operator of the terminal or oil refinery to
174.4 transition to firefighting foam that does not contain intentionally added PFAS chemicals
174.5 for that specific use; and

174.6 (4) a plan for meeting the requirements under subdivision 3.

174.7 (c) The state fire marshal must ensure there is an opportunity for public comment during
174.8 the waiver process. The state fire marshal must consider both information provided by the
174.9 applicant and information provided through public comment when making a decision on
174.10 whether to grant a waiver. The term of a waiver must not exceed two years. The state fire
174.11 marshal must not grant a waiver for a specific use if any other terminal or oil refinery is
174.12 known to have transitioned to commercially available class B firefighting foam that does
174.13 not contain intentionally added PFAS chemicals for that specific use. All waivers must
174.14 expire by January 1, 2028. A person that anticipates applying for a waiver for a terminal or
174.15 oil refinery must submit a notice of intent to the state fire marshal by January 1, 2025, in
174.16 order to be considered for a waiver beyond January 1, 2026. The state fire marshal must
174.17 notify the waiver applicant of a decision within six months of the waiver submission date.

174.18 (d) The state fire marshal must provide an applicant for a waiver under this subdivision
174.19 an opportunity to:

174.20 (1) correct deficiencies when applying for a waiver; and

174.21 (2) provide evidence to dispute a determination that another terminal or oil refinery is
174.22 known to have transitioned to commercially available class B firefighting foam that does
174.23 not contain intentionally added PFAS chemicals for that specific use, including evidence
174.24 that the specific use is different.

174.25 Subd. 3. **Use requirements.** (a) A person that uses class B firefighting foam containing
174.26 intentionally added PFAS chemicals under this section must:

174.27 (1) implement tactics that have been demonstrated to prevent release directly to the
174.28 environment, such as to unsealed ground, soakage pits, waterways, or uncontrolled drains;

174.29 (2) attempt to fully contain all fire foams with PFAS on-site using demonstrated practices
174.30 designed to contain all PFAS releases;

174.31 (3) implement containment measures such as bunds and ponds that are controlled,
174.32 impervious to PFAS chemicals, and do not allow firewater, wastewater, runoff, and other

175.1 wastes to be released to the environment, such as to soils, groundwater, waterways, or
175.2 stormwater; and

175.3 (4) dispose of all firewater, wastewater, runoff, impacted soils, and other wastes in a
175.4 way that prevents releases to the environment.

175.5 (b) A terminal or oil refinery that has received a waiver under this section may provide
175.6 and use class B firefighting foam containing intentionally added PFAS chemicals in the
175.7 form of mutual aid to another terminal or oil refinery at the request of authorities only if
175.8 the other terminal or oil refinery also has a waiver.

175.9 **EFFECTIVE DATE.** This section is effective January 1, 2024.

175.10 Sec. 54. **FIREFIGHTER TURNOUT GEAR; REPORT.**

175.11 (a) The commissioner of the Pollution Control Agency, in cooperation with the
175.12 commissioner of health, must submit a report to the chairs and ranking minority members
175.13 of the legislative committees and divisions with jurisdiction over environment and natural
175.14 resources regarding perfluoroalkyl and polyfluoroalkyl substances (PFAS) in turnout gear
175.15 by January 15, 2024. The report must include:

175.16 (1) current turnout gear requirements and options for eliminating or reducing PFAS in
175.17 turnout gear;

175.18 (2) current turnout gear disposal methods and recommendations for future disposal to
175.19 prevent PFAS contamination; and

175.20 (3) recommendations and protocols for PFAS biomonitoring in firefighters, including
175.21 a process for allowing firefighters to voluntarily register for biomonitoring.

175.22 (b) For the purposes of this section, "turnout gear" is the personal protective equipment
175.23 (PPE) used by firefighters.

175.24 Sec. 55. **PFAS WATER QUALITY STANDARDS.**

175.25 (a) The commissioner of the Pollution Control Agency must adopt rules establishing
175.26 water quality standards for:

175.27 (1) perfluorooctanoic acid (PFOA);

175.28 (2) perfluorooctane sulfonic acid (PFOS);

175.29 (3) perfluorononanoic acid (PFNA);

176.1 (4) hexafluoropropylene oxide dimer acid (HFPO-DA, commonly known as GenX
176.2 Chemicals);

176.3 (5) perfluorohexane sulfonic acid (PFHxS); and

176.4 (6) perfluorobutane sulfonic acid (PFBS).

176.5 (b) The commissioner must adopt the rules establishing the water quality standards
176.6 required under this section by July 1, 2026, and Minnesota Statutes, section 14.125, does
176.7 not apply.

176.8 **Sec. 56. HEALTH RISK LIMIT; PERFLUOROOCTANE SULFONATE.**

176.9 By July 1, 2025, the commissioner of health must amend the health risk limit for
176.10 perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that
176.11 the health risk limit does not exceed 0.015 parts per billion. In amending the health risk
176.12 limit for PFOS, the commissioner must comply with Minnesota Statutes, section 144.0751,
176.13 requiring a reasonable margin of safety to adequately protect the health of infants, children,
176.14 and adults.

176.15 **Sec. 57. PATH TO ZERO WASTE; REPORT.**

176.16 (a) By July 15, 2025, the commissioner of the Pollution Control Agency must conduct
176.17 a study and prepare a report that includes a pathway to achieve zero waste and submit the
176.18 report to the chairs and ranking minority members of the senate and house of representatives
176.19 committees with jurisdiction over environmental policy and finance and energy policy.

176.20 (b) The commissioner must seek outside technical support from certified zero waste
176.21 experts to conduct the study and prepare the report. The report must abide by the
176.22 internationally peer-reviewed definition of zero waste and the zero waste hierarchy as
176.23 codified by the Zero Waste International Alliance, and include:

176.24 (1) an overview of how municipal solid waste is currently managed;

176.25 (2) a summary of infrastructure, programs, and resources needed to reach zero waste
176.26 over a 2021 baseline by 2045 or sooner;

176.27 (3) an analysis that outlines the impact of different strategies to achieve zero waste;

176.28 (4) strategic policy initiatives that will be required to manage waste at the top of the zero
176.29 waste hierarchy, as the state strives to achieve zero waste;

176.30 (5) a discussion of the feasibility, assumptions, and projected timeframe for achieving
176.31 zero waste if proposed policies are implemented and necessary investments are made,

177.1 including the projected need for land disposal capacity based on the estimated growth in
177.2 waste generation and the practicable ability of existing technologies to reduce waste to avoid
177.3 disposal;

177.4 (6) recommendations for reducing the environmental and human health impacts of waste
177.5 disposal during the transition to zero waste, especially across environmental justice areas;

177.6 (7) a life cycle analysis comparing incineration and landfilling ash, direct use of
177.7 landfilling, and zero waste implementation. This analysis must include, at a minimum, the
177.8 impacts of greenhouse gas emissions, toxic chemical pollutants, including cancer and
177.9 noncancer effects, particulate matter emissions, and smog formation from emissions of
177.10 nitrogen oxides and volatile organic compounds and their impacts on asthma and respiratory
177.11 health. The analysis must present the results so that the global warming and other health
177.12 and environmental impacts can be evaluated side-by-side using the same units, such as a
177.13 monetized social and environmental harm indicator. A separate environmental justice
177.14 analysis must be conducted, analyzing the demographics around any existing and proposed
177.15 waste disposal facilities. Using the best available data, the report must evaluate the costs of
177.16 each option and the impacts on local job support; and

177.17 (8) the role of nonburn alternatives in the destruction of problem materials such as
177.18 invasive species, pharmaceuticals, and perfluoroalkyl and polyfluoroalkyl substances.

177.19 (c) The commissioner must obtain input from counties and cities inside and outside the
177.20 seven-county metropolitan area, recycling and composting facilities, waste haulers,
177.21 environmental organizations, Tribal representatives, and other interested parties in preparing
177.22 the report. The development of the report must include stakeholder input from diverse
177.23 communities located in environmental justice areas that contain a waste facility. The
177.24 commissioner must provide for an open public comment period of at least 60 days on the
177.25 draft report. Written public comments and any commissioner responses must be included
177.26 in the final report.

177.27 **Sec. 58. REPORT REQUIRED; RECYCLING AND REUSING SOLAR**
177.28 **PHOTOVOLTAIC MODULES AND INSTALLATION COMPONENTS.**

177.29 (a) The commissioner of the Pollution Control Agency, in consultation with the
177.30 commissioners of commerce and employment and economic development, must coordinate
177.31 preparation of a report on developing a statewide system to reuse and recycle solar
177.32 photovoltaic modules and installation components in the state.

178.1 (b) The report must include options for a system to collect, reuse, and recycle solar
178.2 photovoltaic modules and installation components at end of life. Any system option included
178.3 in the report must be convenient and accessible throughout the state, recover 100 percent
178.4 of discarded components, and maximize value and materials recovery. Any system option
178.5 developed must include analysis of:

178.6 (1) the reuse and recycling values of solar photovoltaic modules, installation components,
178.7 and recovered materials;

178.8 (2) system infrastructure and technology needs;

178.9 (3) how to maximize in-state employment and economic development;

178.10 (4) net costs for the program; and

178.11 (5) potential benefits and negative impacts of the plan on environmental justice and
178.12 Tribal communities.

178.13 (c) The report must include a survey of solar photovoltaic modules and installation
178.14 components that are currently coming out of service and those projected to come out of
178.15 service in the future in Minnesota. The report must include a description of how solar
178.16 photovoltaic modules and installation components are currently being managed at end of
178.17 life and how they would likely be managed in the future without the proposed reuse and
178.18 recycling system.

178.19 (d) After completing the report, the commissioner must convene a working group to
178.20 advise on developing policy recommendations for a statewide system to manage solar
178.21 photovoltaic modules and installation components. The working group must include, but
178.22 is not limited to:

178.23 (1) the commissioners of commerce and employment and economic development or
178.24 their designees;

178.25 (2) representatives of the solar industry and electric utilities;

178.26 (3) representatives of state, local, and Tribal governments; and

178.27 (4) other relevant stakeholders.

178.28 (e) By January 15, 2025, the commissioner must submit the report and the policy
178.29 recommendations developed under this section to the chairs and ranking minority members
178.30 of the legislative committees and divisions with jurisdiction over environment and natural
178.31 resources policy and finance and energy policy and finance.

179.1 Sec. 59. **REVISOR INSTRUCTION.**

179.2 The revisor of statutes must change the term "master plan" or similar term to "plan"
179.3 wherever the term appears in Minnesota Statutes, sections 473.803 to 473.8441. The revisor
179.4 may make grammatical changes related to the term change.

179.5 Sec. 60. **REPEALER.**

179.6 Minnesota Statutes 2022, sections 115.44, subdivision 9; 116.011; 325E.389; and
179.7 325E.3891, are repealed.

179.8 **ARTICLE 4**179.9 **NATURAL RESOURCES**

179.10 Section 1. Minnesota Statutes 2022, section 16A.152, subdivision 2, is amended to read:

179.11 Subd. 2. **Additional revenues; priority.** (a) If on the basis of a forecast of general fund
179.12 revenues and expenditures, the commissioner of management and budget determines that
179.13 there will be a positive unrestricted budgetary general fund balance at the close of the
179.14 biennium, the commissioner of management and budget must allocate money to the following
179.15 accounts and purposes in priority order:

179.16 (1) the cash flow account established in subdivision 1 until that account reaches
179.17 \$350,000,000;

179.18 (2) the budget reserve account established in subdivision 1a until that account reaches
179.19 \$2,377,399,000;

179.20 (3) the amount necessary to increase the aid payment schedule for school district aids
179.21 and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest
179.22 tenth of a percent without exceeding the amount available and with any remaining funds
179.23 deposited in the budget reserve;

179.24 (4) the amount necessary to restore all or a portion of the net aid reductions under section
179.25 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75,
179.26 subdivision 5, by the same amount;

179.27 (5) the amount necessary to increase the Minnesota 21st century fund by not more than
179.28 the difference between \$5,000,000 and the sum of the amounts credited and canceled to it
179.29 in the previous 12 months under Laws 2020, chapter 71, article 1, section 11, until the sum
179.30 of all transfers under this section and all amounts credited or canceled under Laws 2020,
179.31 chapter 71, article 1, section 11, equals \$20,000,000; ~~and~~

180.1 (6) the amount necessary to compensate the permanent school fund for lands in the
180.2 Lowland Conifer Carbon Reserve as required under section 88.85, subdivision 9; and

180.3 ~~(6)~~ (7) for a forecast in November only, the amount remaining after the transfer under
180.4 clause (5) must be used to reduce the percentage of accelerated June liability sales tax
180.5 payments required under section 289A.20, subdivision 4, paragraph (b), until the percentage
180.6 equals zero, rounded to the nearest tenth of a percent. By March 15 following the November
180.7 forecast, the commissioner must provide the commissioner of revenue with the percentage
180.8 of accelerated June liability owed based on the reduction required by this clause. By April
180.9 15 each year, the commissioner of revenue must certify the percentage of June liability
180.10 owed by vendors based on the reduction required by this clause.

180.11 (b) The amounts necessary to meet the requirements of this section are appropriated
180.12 from the general fund within two weeks after the forecast is released or, in the case of
180.13 transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations
180.14 schedules otherwise established in statute.

180.15 (c) The commissioner of management and budget shall certify the total dollar amount
180.16 of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education.
180.17 The commissioner of education shall increase the aid payment percentage and reduce the
180.18 property tax shift percentage by these amounts and apply those reductions to the current
180.19 fiscal year and thereafter.

180.20 Sec. 2. Minnesota Statutes 2022, section 84.02, is amended by adding a subdivision to
180.21 read:

180.22 Subd. 6c. **Restored prairie.** "Restored prairie" means a restoration that uses at least 25
180.23 representative and biologically diverse native prairie plant species and that occurs on land
180.24 that was previously cropped or used as pasture.

180.25 Sec. 3. Minnesota Statutes 2022, section 84.0274, subdivision 6, is amended to read:

180.26 Subd. 6. **State's responsibilities.** When the state proposes to purchase land for natural
180.27 resources purposes, the commissioner of natural resources and, where applicable, the
180.28 commissioner of administration shall have the following responsibilities:

180.29 (1) the responsibility to deal fairly and openly with the landowner in the purchase of
180.30 property;

180.31 (2) the responsibility to refrain from discussing price with the landowner before an
180.32 appraisal has been made. In addition, the same person shall not both appraise and negotiate

181.1 for purchase of a tract of land. This paragraph does not apply to the state when discussing
181.2 with a landowner the trout stream easement payment determined under section 84.0272,
181.3 subdivision 2, the native prairie bank easement payment determined under section 84.96,
181.4 subdivision 5, or the Camp Ripley's Army compatible use buffer easement payment
181.5 determined under section 84.0277, subdivision 2;

181.6 (3) the responsibility to use private fee appraisers to lower the state's acquisition costs
181.7 to the greatest extent practicable; and

181.8 (4) the responsibility to acquire land in as expeditious a manner as possible. No option
181.9 shall be made for a period of greater than two months if no survey is required or for nine
181.10 months if a survey is required, unless the landowner, in writing, expressly requests a longer
181.11 period of time. ~~Provided that, if county board approval of the transaction is required pursuant~~
181.12 ~~to section 97A.145, no time limits shall apply.~~ If the state elects not to purchase property
181.13 upon which it has an option, it shall pay the landowner \$500 after the expiration of the
181.14 option period. If the state elects to purchase the property, unless the landowner elects
181.15 otherwise, payment to the landowner shall be made no later than 90 days following the
181.16 state's election to purchase the property provided that the title is marketable and the owner
181.17 acts expeditiously to complete the transaction.

181.18 Sec. 4. Minnesota Statutes 2022, section 84.0276, is amended to read:

181.19 **84.0276 LAND TRANSFERS BY A FEDERAL AGENCY.**

181.20 Before the commissioner of natural resources accepts agricultural land or a farm
181.21 homestead transferred in fee by a federal agency, the commissioner must consult with the
181.22 Board of Water and Soil Resources for a determination of marginal land, tillable farmland,
181.23 and farm homestead. ~~The commissioner must comply with the acquisition procedure under~~
181.24 ~~section 97A.145, subdivision 2, if the agricultural land or farm homestead was in an~~
181.25 ~~agricultural preserve as provided in section 40A.10.~~

181.26 Sec. 5. Minnesota Statutes 2022, section 84.415, subdivision 3, is amended to read:

181.27 Subd. 3. **Application, form.** The application for license or permit ~~shall be in~~
181.28 ~~quadruplicate, and shall~~ must include ~~with each copy~~ a legal description of the lands or
181.29 waters affected, a metes and bounds description of the required right-of-way, a map showing
181.30 said features, and a detailed design of any structures necessary, or in lieu thereof shall be
181.31 in such other form, and include such other descriptions, maps or designs, as the commissioner
181.32 may require. The commissioner may at any time order such changes or modifications

182.1 respecting construction or maintenance of structures or other conditions of the license or
182.2 permit as the commissioner deems necessary to protect the public health and safety.

182.3 Sec. 6. Minnesota Statutes 2022, section 84.415, subdivision 6, is amended to read:

182.4 Subd. 6. **Supplemental application fee and monitoring fee.** (a) In addition to the
182.5 application fee and utility crossing fees specified in Minnesota Rules, the commissioner of
182.6 natural resources shall assess the applicant for a utility license the following fees:

182.7 (1) ~~a to cover reasonable costs for reviewing an application and preparing a license,~~
182.8 supplemental application fee ~~of~~ fees as follows:

182.9 (i) \$1,750 for a public water crossing license and a supplemental application fee of
182.10 \$3,000 for a public lands crossing license, to cover reasonable costs for reviewing the
182.11 application and preparing the license for electric power lines, cables, or conduits of 100
182.12 kilovolts or more and for main pipelines for gas, liquids, or solids in suspension;

182.13 (ii) \$1,000 for a public water crossing license and \$1,000 for a public lands crossing
182.14 license for applications to which item (i) does not apply; and

182.15 (iii) for all applications, an additional \$500 for each water crossing or land crossing in
182.16 excess of two crossings; and

182.17 (2) a monitoring fee to cover the projected reasonable costs for monitoring the
182.18 construction of the utility line and preparing special terms and conditions of the license to
182.19 ensure proper construction. The commissioner must give the applicant an estimate of the
182.20 monitoring fee before the applicant submits the fee.

182.21 (b) The applicant shall pay fees under this subdivision to the commissioner of natural
182.22 resources. The commissioner shall not issue the license until the applicant has paid all fees
182.23 in full.

182.24 (c) Upon completion of construction of the improvement for which the license or permit
182.25 was issued, the commissioner shall refund the unobligated balance from the monitoring fee
182.26 revenue. The commissioner shall not return the application fees, even if the application is
182.27 withdrawn or denied.

182.28 ~~(d) If the fees collected under paragraph (a), clause (1), are not sufficient to cover the~~
182.29 ~~costs of reviewing the applications and preparing the licenses, the commissioner shall~~
182.30 ~~improve efficiencies and otherwise reduce department costs and activities to ensure the~~
182.31 ~~revenues raised under paragraph (a), clause (1), are sufficient, and that no other funds are~~
182.32 ~~necessary to carry out the requirements.~~

183.1 (d) For purposes of this subdivision:

183.2 (1) "water crossing" means each location where the proposed utility will cross a public
183.3 water between banks or shores; and

183.4 (2) "land crossing" means each quarter-quarter section or government lot where the
183.5 proposed utility will cross public land.

183.6 Sec. 7. Minnesota Statutes 2022, section 84.415, subdivision 7, is amended to read:

183.7 Subd. 7. **Application fee exemption.** (a) A utility license for crossing public lands or
183.8 public waters is exempt from all application fees specified ~~in this section and~~ in rules adopted
183.9 under this section.

183.10 (b) This subdivision does not apply to electric power lines, cables, or conduits 100
183.11 kilovolts or greater or to main pipelines for gas, liquids, or solids in suspension.

183.12 Sec. 8. Minnesota Statutes 2022, section 84.415, is amended by adding a subdivision to
183.13 read:

183.14 Subd. 9. **Fees for renewing license.** At the end of the license period, if both parties wish
183.15 to renew a license, the commissioner must assess the applicant for all fees in this section
183.16 as if the renewal is an application for a new license.

183.17 Sec. 9. Minnesota Statutes 2022, section 84.788, subdivision 5, is amended to read:

183.18 Subd. 5. **Report of ownership transfers; fee.** (a) Application for transfer of ownership
183.19 of an off-highway motorcycle registered under this section must be made to the commissioner
183.20 within 15 days of the date of transfer.

183.21 (b) An application for transfer must be executed by the ~~registered~~ current owner and the
183.22 purchaser using a bill of sale that includes the vehicle serial number.

183.23 (c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser
183.24 fails to apply for transfer of ownership as provided under this subdivision.

183.25 Sec. 10. Minnesota Statutes 2022, section 84.82, subdivision 2, is amended to read:

183.26 Subd. 2. **Application, issuance, issuing fee.** (a) Application for registration or
183.27 reregistration shall be made to the commissioner or an authorized deputy registrar of motor
183.28 vehicles in a format prescribed by the commissioner and shall state the legal name and
183.29 address of every owner of the snowmobile.

184.1 (b) A person who purchases a snowmobile from a retail dealer shall make application
184.2 for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary
184.3 21-day registration permit to each purchaser who applies to the dealer for registration. The
184.4 temporary permit must contain the dealer's identification number and phone number. Each
184.5 retail dealer shall submit completed registration and fees to the deputy registrar at least once
184.6 a week. No fee may be charged by a dealer to a purchaser for providing the temporary
184.7 permit.

184.8 (c) Upon receipt of the application and the appropriate fee, the commissioner or deputy
184.9 registrar shall issue to the applicant, or provide to the dealer, an assigned registration number
184.10 or a commissioner or deputy registrar temporary 21-day permit. The registration number
184.11 must be printed on a registration decal issued by the commissioner or a deputy registrar.
184.12 Once issued, the registration ~~number~~ decal must be affixed to the snowmobile in a clearly
184.13 visible and permanent manner for enforcement purposes ~~as the commissioner of natural~~
184.14 ~~resources shall prescribe~~ according to subdivision 3b. A dealer subject to paragraph (b)
184.15 shall provide the registration materials or temporary permit to the purchaser within the
184.16 temporary 21-day permit period. The registration is not valid unless signed by at least one
184.17 owner.

184.18 (d) Each deputy registrar of motor vehicles acting pursuant to section 168.33 shall also
184.19 be a deputy registrar of snowmobiles. The commissioner of natural resources in agreement
184.20 with the commissioner of public safety may prescribe the accounting and procedural
184.21 requirements necessary to ensure efficient handling of registrations and registration fees.
184.22 Deputy registrars shall strictly comply with these accounting and procedural requirements.

184.23 (e) In addition to other fees prescribed by law, an issuing fee of \$4.50 is charged for
184.24 each snowmobile registration renewal, duplicate or replacement registration card, and
184.25 replacement decal, and an issuing fee of \$7 is charged for each snowmobile registration and
184.26 registration transfer issued by:

184.27 (1) a registrar or a deputy registrar and must be deposited in the manner provided in
184.28 section 168.33, subdivision 2; or

184.29 (2) the commissioner and must be deposited in the state treasury and credited to the
184.30 snowmobile trails and enforcement account in the natural resources fund.

185.1 Sec. 11. Minnesota Statutes 2022, section 84.82, is amended by adding a subdivision to
185.2 read:

185.3 Subd. 3b. **Display of registration decal.** (a) A person must not operate or transport a
185.4 snowmobile in the state or allow another to operate the person's snowmobile in the state
185.5 unless the snowmobile has its unexpired registration decal affixed to each side of the
185.6 snowmobile and the decals are legible.

185.7 (b) The registration decal must be affixed:

185.8 (1) for snowmobiles made after June 30, 1972, in the areas provided by the manufacturer
185.9 under section 84.821, subdivision 2; and

185.10 (2) for all other snowmobiles, on each side of the cowling on the upper half of the
185.11 snowmobile.

185.12 (c) When any previously affixed registration decal is destroyed or lost, a duplicate must
185.13 be affixed in the same manner as provided in paragraph (b).

185.14 Sec. 12. Minnesota Statutes 2022, section 84.821, subdivision 2, is amended to read:

185.15 Subd. 2. **Area for registration number.** All snowmobiles made after June 30, 1972,
185.16 and sold in Minnesota, shall be designed and made to provide an area on which to affix the
185.17 registration number decal. ~~This area shall be at a location and of dimensions prescribed by~~
185.18 ~~rule of the commissioner.~~ A clear area must be provided on each side of the cowling with
185.19 a minimum size of 3-1/2 square inches and at least 12 inches from the ground when the
185.20 machine is resting on a hard surface.

185.21 Sec. 13. Minnesota Statutes 2022, section 84.84, is amended to read:

185.22 **84.84 TRANSFER OR TERMINATION OF SNOWMOBILE OWNERSHIP.**

185.23 (a) Within 15 days after the transfer of ownership, or any part thereof, other than a
185.24 security interest, or the destruction or abandonment of any snowmobile, written notice of
185.25 the transfer or destruction or abandonment shall be given to the commissioner in such form
185.26 as the commissioner shall prescribe.

185.27 (b) An application for transfer must be executed by the ~~registered~~ current owner and the
185.28 purchaser using a bill of sale that includes the vehicle serial number.

185.29 (c) The purchaser is subject to the penalties imposed by section 84.88 if the purchaser
185.30 fails to apply for transfer of ownership as provided under this subdivision. Every owner or

186.1 part owner of a snowmobile shall, upon failure to give notice of destruction or abandonment,
186.2 be subject to the penalties imposed by section 84.88.

186.3 Sec. 14. Minnesota Statutes 2022, section 84.86, subdivision 1, is amended to read:

186.4 Subdivision 1. **Required rules, fees, and reports.** (a) With a view of achieving maximum
186.5 use of snowmobiles consistent with protection of the environment the commissioner of
186.6 natural resources shall adopt rules in the manner provided by chapter 14, for the following
186.7 purposes:

186.8 (1) registration of snowmobiles ~~and display of registration numbers;~~

186.9 (2) use of snowmobiles insofar as game and fish resources are affected;

186.10 (3) use of snowmobiles on public lands and waters, or on grant-in-aid trails;

186.11 (4) uniform signs to be used by the state, counties, and cities, which are necessary or
186.12 desirable to control, direct, or regulate the operation and use of snowmobiles;

186.13 (5) specifications relating to snowmobile mufflers; and

186.14 (6) a comprehensive snowmobile information and safety education and training program;
186.15 ~~including that includes~~ but is not limited to the preparation and dissemination of preparing
186.16 and disseminating snowmobile information and safety advice to the public, ~~the training of~~
186.17 snowmobile operators, and ~~the issuance of~~ issuing snowmobile safety certificates to
186.18 snowmobile operators who successfully complete the snowmobile safety education and
186.19 training course.

186.20 (b) For the purpose of administering ~~such~~ the program under paragraph (a), clause (6),
186.21 and to defray expenses of training and certifying snowmobile operators, the commissioner
186.22 shall collect a fee from each person who receives the youth or adult training. The
186.23 commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing
186.24 a duplicate snowmobile safety certificate. The commissioner shall establish both fees in a
186.25 manner that neither significantly overrecovers nor underrecovers costs, including overhead
186.26 costs, involved in providing the services. The fees are not subject to the rulemaking provisions
186.27 of chapter 14, and section 14.386 does not apply. The fees may be established by the
186.28 commissioner notwithstanding section 16A.1283. The fees, except for the issuing fee for
186.29 licensing agents under this subdivision, shall be deposited in the snowmobile trails and
186.30 enforcement account in the natural resources fund and the amount thereof, except for the
186.31 electronic licensing system commission established by the commissioner under section
186.32 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated
186.33 annually to the Enforcement Division of the Department of Natural Resources for ~~the~~

187.1 ~~administration of such~~ administering the programs. In addition to the fee established by the
187.2 commissioner, instructors may charge each person any fee paid by the instructor for the
187.3 person's online training course and up to the established fee amount for class materials and
187.4 expenses. The commissioner shall cooperate with private organizations and associations,
187.5 private and public corporations, and local governmental units in furtherance of the program
187.6 established under ~~this~~ paragraph (a), clause (6). School districts may cooperate with the
187.7 commissioner and volunteer instructors to provide space for the classroom portion of the
187.8 training. The commissioner shall consult with the commissioner of public safety in regard
187.9 to training program subject matter and performance testing that leads to the certification of
187.10 snowmobile operators.

187.11 ~~(7)~~ (c) The operator of any snowmobile involved in an accident resulting in injury
187.12 requiring medical attention or hospitalization to or death of any person or total damage to
187.13 an extent of \$500 or more, shall forward a written report of the accident to the commissioner
187.14 on ~~such~~ a form as prescribed by the commissioner ~~shall prescribe~~. If the operator is killed
187.15 or is unable to file a report due to incapacitation, any peace officer investigating the accident
187.16 shall file the accident report within ten business days.

187.17 Sec. 15. Minnesota Statutes 2022, section 84.87, subdivision 1, is amended to read:

187.18 Subdivision 1. **Operation on streets and highways.** (a) No person shall operate a
187.19 snowmobile upon the roadway, shoulder, or inside bank or slope of any trunk, county
187.20 state-aid, or county highway in this state and, in the case of a divided trunk or county
187.21 highway, on the right-of-way between the opposing lanes of traffic, except as provided in
187.22 sections 84.81 to 84.90. No person shall operate a snowmobile within the right-of-way of
187.23 any trunk, county state-aid, or county highway between the hours of one-half hour after
187.24 sunset to one-half hour before sunrise, except on the right-hand side of such right-of-way
187.25 and in the same direction as the highway traffic on the nearest lane of the roadway adjacent
187.26 thereto. No snowmobile shall be operated at any time within the right-of-way of any interstate
187.27 highway or freeway within this state.

187.28 (b) Notwithstanding any provision of paragraph (a) to the contrary:

187.29 (1) under conditions prescribed by the commissioner of transportation, the commissioner
187.30 of transportation may allow two-way operation of snowmobiles on either side of the trunk
187.31 highway right-of-way where the commissioner of transportation determines that two-way
187.32 operation will not endanger users of the trunk highway or riders of the snowmobiles using
187.33 the trail;

188.1 (2) under conditions prescribed by a local road authority as defined in section 160.02,
188.2 subdivision 25, the road authority may allow two-way operation of snowmobiles on either
188.3 side of the right-of-way of a street or highway under the road authority's jurisdiction, where
188.4 the road authority determines that two-way operation will not endanger users of the street
188.5 or highway or riders of the snowmobiles using the trail;

188.6 (3) the commissioner of transportation under clause (1) and the local road authority
188.7 under clause (2) shall notify the commissioner of natural resources and the local law
188.8 enforcement agencies responsible for the streets or highways of the locations of two-way
188.9 snowmobile trails authorized under this paragraph; and

188.10 (4) two-way snowmobile trails authorized under this paragraph shall be posted for
188.11 two-way operation at the authorized locations.

188.12 (c) A snowmobile may make a direct crossing of a street or highway at any hour of the
188.13 day provided:

188.14 (1) the crossing is made at an angle of approximately 90 degrees to the direction of the
188.15 highway and at a place where no obstruction prevents a quick and safe crossing;

188.16 (2) the snowmobile is brought to a complete stop before crossing the shoulder or main
188.17 traveled way of the highway;

188.18 (3) the driver yields the right-of-way to all oncoming traffic which constitutes an
188.19 immediate hazard;

188.20 (4) in crossing a divided highway, the crossing is made only at an intersection of such
188.21 highway with another public street or highway or at a safe location approved by the road
188.22 authority;

188.23 (5) if the crossing is made between the hours of one-half hour after sunset to one-half
188.24 hour before sunrise or in conditions of reduced visibility, only if both front and rear lights
188.25 are on; and

188.26 (6) a snowmobile may be operated upon a bridge, other than a bridge that is part of the
188.27 main traveled lanes of an interstate highway, when required for the purpose of avoiding
188.28 obstructions to travel when no other method of avoidance is possible; provided the
188.29 snowmobile is operated in the extreme right-hand lane, the entrance to the roadway is made
188.30 within 100 feet of the bridge and the crossing is made without undue delay.

188.31 (d) No snowmobile shall be operated upon a public street or highway unless it is equipped
188.32 with at least one headlamp, one tail lamp, each of minimum candlepower as prescribed by
188.33 rules of the commissioner, reflector material of a minimum area of 16 square inches mounted

189.1 on each side forward of the handle bars, and with brakes each of which shall conform to
189.2 standards prescribed by rule of the commissioner pursuant to the authority vested in the
189.3 commissioner by section 84.86, and each of which shall be subject to approval of the
189.4 commissioner of public safety.

189.5 (e) A snowmobile may be operated upon a public street or highway other than as provided
189.6 by paragraph (c) in an emergency during the period of time when and at locations where
189.7 snow upon the roadway renders travel by automobile impractical.

189.8 (f) All provisions of chapters 169 and 169A shall apply to the operation of snowmobiles
189.9 upon streets and highways, except for those relating to required equipment, and except those
189.10 which by their nature have no application. Section 169.09 applies to the operation of
189.11 snowmobiles anywhere in the state or on the ice of any boundary water of the state.

189.12 (g) Any sled, trailer, or other device being towed by a snowmobile must be equipped
189.13 with reflective materials as required by rule of the commissioner.

189.14 Sec. 16. Minnesota Statutes 2022, section 84.90, subdivision 7, is amended to read:

189.15 Subd. 7. **Penalty.** (a) A person violating the provisions of this section is guilty of a
189.16 misdemeanor.

189.17 (b) Notwithstanding section 609.101, subdivision 4, clause (2), the minimum fine for a
189.18 person who operates an off-highway motorcycle, off-road vehicle, all-terrain vehicle, or
189.19 snowmobile in violation of this section must not be less than the amount set forth in section
189.20 84.775.

189.21 Sec. 17. **[84.9735] INSECTICIDES ON STATE LANDS.**

189.22 A person may not use a pesticide containing an insecticide in a wildlife management
189.23 area, state park, state forest, aquatic management area, or scientific and natural area if the
189.24 insecticide is from the neonicotinoid class of insecticides or contains chlorpyrifos.

189.25 Sec. 18. Minnesota Statutes 2022, section 84.992, subdivision 2, is amended to read:

189.26 Subd. 2. **Program.** The commissioner of natural resources shall develop and implement
189.27 a program for the Minnesota Naturalist Corps that supports state parks and trails in providing
189.28 interpretation of the natural and cultural features of state parks and trails in order to enhance
189.29 visitors' awareness, understanding, and appreciation of those features and encourages the
189.30 wise and sustainable use of the environment.

190.1 Sec. 19. Minnesota Statutes 2022, section 84.992, subdivision 5, is amended to read:

190.2 Subd. 5. **Eligibility.** A person is eligible to enroll in the Minnesota Naturalist Corps if
190.3 the person:

190.4 ~~(1) is a permanent resident of the state;~~

190.5 ~~(2) is a participant in an approved college internship program in a field related to natural~~
190.6 ~~resources, cultural history, interpretation, or conservation; and~~

190.7 ~~(3) has completed at least one year of postsecondary education.~~

190.8 Sec. 20. Minnesota Statutes 2022, section 84D.02, subdivision 3, is amended to read:

190.9 Subd. 3. **Management plan.** By December 31, 2023, and every five years thereafter,
190.10 the commissioner shall prepare ~~and maintain~~ a long-term plan, which may include specific
190.11 plans for individual species and actions, for the statewide management of invasive species
190.12 of aquatic plants and wild animals. The plan must address:

190.13 (1) coordinated detection and prevention of accidental introductions;

190.14 (2) coordinated dissemination of information about invasive species of aquatic plants
190.15 and wild animals among resource management agencies and organizations;

190.16 (3) a coordinated public education and awareness campaign;

190.17 (4) coordinated control of selected invasive species of aquatic plants and wild animals
190.18 on lands and public waters;

190.19 (5) participation by lake associations, local citizen groups, and local units of government
190.20 in the development and implementation of local management efforts;

190.21 (6) a reasonable and workable inspection requirement for watercraft and equipment
190.22 including those participating in organized events on the waters of the state;

190.23 (7) the closing of points of access to infested waters, if the commissioner determines it
190.24 is necessary, for a total of not more than seven days during the open water season for control
190.25 or eradication purposes;

190.26 (8) maintaining public accesses on infested waters to be reasonably free of aquatic
190.27 macrophytes; ~~and~~

190.28 (9) notice to travelers of the penalties for violation of laws relating to invasive species
190.29 of aquatic plants and wild animals; and

190.30 (10) the impacts of climate change on invasive species management.

191.1 Sec. 21. Minnesota Statutes 2022, section 84D.10, subdivision 3, is amended to read:

191.2 Subd. 3. **Removal and confinement.** (a) A conservation officer or other licensed peace
191.3 officer may order:

191.4 (1) the removal of aquatic macrophytes or prohibited invasive species from water-related
191.5 equipment, including decontamination using hot water or high pressure equipment ~~when~~
191.6 ~~available on site~~, before the water-related equipment is transported or before it is placed
191.7 into waters of the state;

191.8 (2) confinement of the water-related equipment at a mooring, dock, or other location
191.9 until the water-related equipment is removed from the water;

191.10 (3) removal of water-related equipment from waters of the state to remove prohibited
191.11 invasive species if the water has not been listed by the commissioner as being infested with
191.12 that species;

191.13 (4) a prohibition on placing water-related equipment into waters of the state when the
191.14 water-related equipment has aquatic macrophytes or prohibited invasive species attached
191.15 in violation of subdivision 1 or when water has not been drained or the drain plug has not
191.16 been removed in violation of subdivision 4; and

191.17 (5) decontamination of water-related equipment ~~when available on site~~.

191.18 (b) An order for removal of prohibited invasive species under paragraph (a), clause (1),
191.19 or decontamination of water-related equipment under paragraph (a), clause (5), may include
191.20 tagging the water-related equipment and issuing a notice that specifies a time frame for
191.21 completing the removal or decontamination and reinspection of the water-related equipment.

191.22 (c) An inspector who is not a licensed peace officer may issue orders under paragraph
191.23 (a), clauses (1), (3), (4), and (5).

191.24 Sec. 22. Minnesota Statutes 2022, section 84D.15, subdivision 2, is amended to read:

191.25 Subd. 2. **Receipts.** Money received from surcharges on watercraft licenses under section
191.26 86B.415, subdivision 7, civil penalties under section 84D.13, and service provider permits
191.27 under section 84D.108, must be deposited in the invasive species account. Each year, the
191.28 commissioner of management and budget must transfer from the game and fish fund to the
191.29 invasive species account, the annual surcharge collected on nonresident fishing licenses
191.30 under section 97A.475, subdivision 7, paragraph (b). ~~Each fiscal year, the commissioner of~~
191.31 ~~management and budget shall transfer \$375,000 from the water recreation account under~~
191.32 ~~section 86B.706 to the invasive species account.~~

192.1 Sec. 23. Minnesota Statutes 2022, section 85.015, subdivision 10, is amended to read:

192.2 Subd. 10. **Luce Line Trail, Hennepin, McLeod, and Meeker Counties.** (a) The trail
192.3 shall originate at Gleason Lake in Plymouth Village, Hennepin County, ~~and shall follow~~
192.4 the route of the Chicago Northwestern Railroad, and include a connection to Greenleaf Lake
192.5 State Recreation Area.

192.6 (b) The trail shall be developed for multiuse wherever feasible. The department shall
192.7 cooperate in maintaining its integrity for modes of use consistent with local ordinances.

192.8 (c) In establishing, developing, maintaining, and operating the trail, the commissioner
192.9 shall cooperate with local units of government and private individuals and groups. Before
192.10 acquiring any parcel of land for the trail, the commissioner of natural resources shall develop
192.11 a management program for the parcel and conduct a public hearing on the proposed
192.12 management program in the vicinity of the parcel to be acquired. The management program
192.13 of the commissioner shall include but not be limited to the following:

192.14 (1) fencing of portions of the trail where necessary to protect adjoining landowners; and

192.15 (2) ~~the maintenance of~~ maintaining the trail in a ~~litter free~~ litter-free condition to the
192.16 extent practicable.

192.17 (d) The commissioner shall not acquire any of the right-of-way of the Chicago
192.18 Northwestern Railway Company until the abandonment of the line described in this
192.19 subdivision has been approved by the Surface Transportation Board or the former Interstate
192.20 Commerce Commission. Compensation, in addition to the value of the land, shall include
192.21 improvements made by the railroad, including but not limited to, bridges, trestles, public
192.22 road crossings, or any portion thereof, it being the desire of the railroad that such
192.23 improvements be included in the conveyance. The fair market value of the land and
192.24 improvements shall be recommended by two independent appraisers mutually agreed upon
192.25 by the parties. The fair market value thus recommended shall be reviewed by a review
192.26 appraiser agreed to by the parties, and the fair market value thus determined, and supported
192.27 by appraisals, may be the purchase price. The commissioner may exchange lands with
192.28 landowners abutting the right-of-way described in this section to eliminate diagonally shaped
192.29 separate fields.

192.30 Sec. 24. Minnesota Statutes 2022, section 85.052, subdivision 6, is amended to read:

192.31 Subd. 6. **State park reservation system.** (a) The commissioner may, by written order,
192.32 develop reasonable reservation policies for ~~campsites and other~~ using camping, lodging,
192.33 and day-use facilities and for tours, educational programs, seminars, events, and rentals.

193.1 The policies are exempt from the rulemaking provisions under chapter 14, and section
193.2 14.386 does not apply.

193.3 (b) The revenue collected from the state park reservation fee established under subdivision
193.4 5, including interest earned, ~~shall~~ must be deposited in the state park account in the natural
193.5 resources fund and is annually appropriated to the commissioner for the cost of operating
193.6 the state park reservation and point-of-sale system.

193.7 Sec. 25. Minnesota Statutes 2022, section 85.055, subdivision 1, is amended to read:

193.8 Subdivision 1. **Fees.** (a) The fee for state park permits for:

193.9 (1) an annual use of state parks is ~~\$35~~ \$45;

193.10 (2) a second or subsequent vehicle state park permit is ~~\$26~~ \$35;

193.11 (3) a state park permit valid for one day is ~~\$7~~ \$10;

193.12 (4) a daily vehicle state park permit for groups is ~~\$5~~ \$8;

193.13 (5) an annual permit for motorcycles is ~~\$30~~ \$40;

193.14 (6) an employee's state park permit is without charge; and

193.15 (7) a state park permit for persons with disabilities under section 85.053, subdivision 7,
193.16 paragraph (a), clauses (1) to (3), is ~~\$12~~ \$20.

193.17 (b) The fees specified in this subdivision include any sales tax required by state law.

193.18 Sec. 26. Minnesota Statutes 2022, section 85.536, subdivision 2, is amended to read:

193.19 Subd. 2. **Commission.** The commission shall include 13 members appointed by the
193.20 governor with two members from each of the regional parks and trails districts determined
193.21 under subdivision 5 and one member at large. Membership terms, compensation, and removal
193.22 of members and filling of vacancies are as provided in section 15.0575, except that a
193.23 commission member may be compensated at the rate of up to \$125 a day.

193.24 Sec. 27. Minnesota Statutes 2022, section 86B.005, is amended by adding a subdivision
193.25 to read:

193.26 Subd. 11a. **Other commercial operation.** "Other commercial operation" means use of
193.27 a watercraft for work, rather than recreation, to transport equipment, goods, and materials
193.28 on public waters.

194.1 Sec. 28. **[86B.30] DEFINITIONS.**

194.2 Subdivision 1. **Applicability.** The definitions in this section apply to sections 86B.30
194.3 to 86B.341.

194.4 Subd. 2. **Accompanying operator.** "Accompanying operator" means a person 21 years
194.5 of age or older who:

194.6 (1) is in a personal watercraft or other type of motorboat;

194.7 (2) is within immediate reach of the controls of the motor; and

194.8 (3) possesses a valid operator's permit or is an exempt operator.

194.9 Subd. 3. **Adult operator.** "Adult operator" means a motorboat operator, including a
194.10 personal watercraft operator, who is 12 years of age or older and who was:

194.11 (1) effective July 1, 2025, born on or after July 1, 2004;

194.12 (2) effective July 1, 2026, born on or after July 1, 2000;

194.13 (3) effective July 1, 2027, born on or after July 1, 1996; and

194.14 (4) effective July 1, 2028, born on or after July 1, 1987.

194.15 Subd. 4. **Exempt operator.** "Exempt operator" means a motorboat operator, including
194.16 a personal watercraft operator, who is 12 years of age or older and who:

194.17 (1) possesses a valid license to operate a motorboat issued for maritime personnel by
194.18 the United State Coast Guard under Code of Federal Regulations, title 46, part 10, or a
194.19 marine certificate issued by the Canadian government;

194.20 (2) is not a resident of the state, is temporarily using the waters of the state for a period
194.21 not to exceed 60 days, and:

194.22 (i) meets any applicable requirements of the state or country of residency; or

194.23 (ii) possesses a Canadian pleasure craft operator's card;

194.24 (3) is operating a motorboat under a dealer's license according to section 86B.405; or

194.25 (4) is operating a motorboat during an emergency.

194.26 Subd. 5. **Motorboat rental business.** "Motorboat rental business" means a person
194.27 engaged in the business of renting or leasing motorboats, including personal watercraft, for
194.28 a period not exceeding 30 days. Motorboat rental business includes a person's agents and
194.29 employees but does not include a resort business.

195.1 Subd. 6. **Resort business.** "Resort business" means a person engaged in the business of
195.2 providing lodging and recreational services to transient guests and classified as a resort
195.3 under section 273.13, subdivision 22 or 25. A resort business includes a person's agents and
195.4 employees.

195.5 Subd. 7. **Young operator.** "Young operator" means a motorboat operator, including a
195.6 personal watercraft operator, younger than 12 years of age.

195.7 **EFFECTIVE DATE.** This section is effective July 1, 2025.

195.8 Sec. 29. **[86B.302] WATERCRAFT OPERATOR'S PERMIT.**

195.9 Subdivision 1. **Generally.** The commissioner must issue a watercraft operator's permit
195.10 to a person 12 years of age or older who successfully completes a water safety course and
195.11 written test according to section 86B.304, paragraph (a), or who provides proof of completing
195.12 a program subject to a reciprocity agreement or certified by the commissioner as substantially
195.13 similar.

195.14 Subd. 2. **Issuing permit to certain young operators.** The commissioner may issue a
195.15 permit under this section to a person who is at least 11 years of age, but the permit is not
195.16 valid until the person becomes an adult operator.

195.17 Subd. 3. **Personal possession required.** (a) A person who is required to have a watercraft
195.18 operator's permit must have in personal possession:

195.19 (1) a valid watercraft operator's permit;

195.20 (2) a driver's license that has a valid watercraft operator's permit indicator issued under
195.21 section 171.07, subdivision 20; or

195.22 (3) an identification card that has a valid watercraft operator's permit indicator issued
195.23 under section 171.07, subdivision 20.

195.24 (b) A person who is required to have a watercraft operator's permit must display one of
195.25 the documents described in paragraph (a) to a conservation officer or peace officer upon
195.26 request.

195.27 Subd. 4. **Using electronic device to display proof of permit.** If a person uses an
195.28 electronic device to display a document described in subdivision 3 to a conservation officer
195.29 or peace officer:

195.30 (1) the officer is immune from liability for any damage to the device, unless the officer
195.31 does not exercise due care in handling the device; and

196.1 (2) this does not constitute consent for the officer to access other contents on the device.

196.2 **EFFECTIVE DATE.** This section is effective July 1, 2025.

196.3 Sec. 30. **[86B.303] OPERATING PERSONAL WATERCRAFT AND OTHER**
196.4 **MOTORBOATS.**

196.5 Subdivision 1. **Adult operators.** An adult operator may not operate a motorboat,
196.6 including a personal watercraft, unless:

196.7 (1) the adult operator possesses a valid watercraft operator's permit;

196.8 (2) the adult operator is an exempt operator; or

196.9 (3) an accompanying operator is in the motorboat.

196.10 Subd. 2. **Young operators.** A young operator may not operate a motorboat, including
196.11 a personal watercraft, unless there is an accompanying operator in the boat or in case of an
196.12 emergency.

196.13 Subd. 3. **Accompanying operators.** For purposes of this section and section 169A.20,
196.14 an accompanying operator, as well as the actual operator, is operating and is in physical
196.15 control of a motorboat.

196.16 Subd. 4. **Owners may not allow unlawful use.** An owner or other person in lawful
196.17 control of a motorboat may not allow the motorboat to be operated contrary to this section.

196.18 **EFFECTIVE DATE.** This section is effective July 1, 2025.

196.19 Sec. 31. **[86B.304] WATERCRAFT SAFETY PROGRAM.**

196.20 (a) The commissioner must establish a water safety course and testing program for
196.21 personal watercraft and watercraft operators and must prescribe a written test as part of the
196.22 course. The course must be approved by the National Association of State Boating Law
196.23 Administrators and must be available online. The commissioner may allow designated water
196.24 safety courses administered by third parties to meet the requirements of this paragraph and
196.25 may enter into reciprocity agreements or otherwise certify boat safety education programs
196.26 from other states that are substantially similar to in-state programs. The commissioner must
196.27 establish a working group of interested parties to develop course content and implementation.
196.28 The course must include content on best management practices for mitigating aquatic
196.29 invasive species, reducing conflicts among user groups, and limiting the ecological impacts
196.30 of watercraft.

197.1 (b) The commissioner must create or designate a short boater safety examination to be
197.2 administered by motorboat rental businesses, as required by section 86B.306, subdivision
197.3 3. The examination developed under this paragraph must be one that can be administered
197.4 electronically or on paper, at the option of the motorboat rental business administering the
197.5 examination.

197.6 **EFFECTIVE DATE.** This section is effective July 1, 2025.

197.7 **Sec. 32. [86B.306] MOTORBOAT RENTAL BUSINESSES.**

197.8 Subdivision 1. **Requirements.** A motorboat rental business must not rent or lease a
197.9 motorboat, including a personal watercraft, to any person for operation on waters of this
197.10 state unless the renter or lessee:

197.11 (1) has a valid watercraft operator's permit or is an exempt operator; and

197.12 (2) is 18 years of age or older.

197.13 Subd. 2. **Authorized operators.** A motorboat rental business must list on each motorboat
197.14 rental or lease agreement the name and age of each operator who is authorized to operate
197.15 the motorboat or personal watercraft. The renter or lessee of the motorboat must ensure that
197.16 only listed authorized operators operate the motorboat or personal watercraft.

197.17 Subd. 3. **Summary of boating regulations; examination.** (a) A motorboat rental
197.18 business must provide each authorized operator a summary of the statutes and rules governing
197.19 operation of motorboats and personal watercraft in the state and instructions for safe
197.20 operation.

197.21 (b) Each authorized operator must review the summary provided under this subdivision
197.22 and must take a short boater safety examination in a form approved by the commissioner
197.23 before the motorboat or personal watercraft leaves the motorboat rental business premises,
197.24 unless the authorized operator has taken the examination during the previous 60 days.

197.25 Subd. 4. **Safety equipment for personal watercraft.** A motorboat rental business must
197.26 provide to all persons who rent a personal watercraft, at no additional cost, a United States
197.27 Coast Guard (USCG) approved wearable personal flotation device with a USCG label
197.28 indicating it either is approved for or does not prohibit use with personal watercraft or
197.29 water-skiing and any other required safety equipment.

197.30 **EFFECTIVE DATE.** This section is effective July 1, 2025.

198.1 Sec. 33. Minnesota Statutes 2022, section 86B.313, subdivision 4, is amended to read:

198.2 Subd. 4. **Dealers and rental operations.** (a) A dealer of personal watercraft shall
198.3 distribute a summary of the laws and rules governing the operation of personal watercraft
198.4 and, upon request, shall provide instruction to a purchaser regarding:

198.5 (1) the laws and rules governing personal watercraft; and

198.6 (2) the safe operation of personal watercraft.

198.7 (b) ~~A person who offers personal watercraft for rent:~~

198.8 ~~(1) shall provide a summary of the laws and rules governing the operation of personal~~
198.9 ~~watercraft and provide instruction regarding the laws and rules and the safe operation of~~
198.10 ~~personal watercraft to each person renting a personal watercraft;~~

198.11 ~~(2) shall provide a United States Coast Guard (USCG) approved wearable personal~~
198.12 ~~flotation device with a USCG label indicating it either is approved for or does not prohibit~~
198.13 ~~use with personal watercraft or water-skiing and any other required safety equipment to all~~
198.14 ~~persons who rent a personal watercraft at no additional cost; and~~

198.15 ~~(3) shall require that a watercraft operator's permit from this state or from the operator's~~
198.16 ~~state of residence be shown each time a personal watercraft is rented to any person younger~~
198.17 ~~than age 18 and shall record the permit on the form provided by the commissioner.~~

198.18 ~~(e) Each dealer of personal watercraft or person offering personal watercraft for rent~~
198.19 ~~shall have the person who purchases or rents a personal watercraft sign a form provided by~~
198.20 ~~the commissioner acknowledging that the purchaser or renter has been provided a copy of~~
198.21 ~~the laws and rules regarding personal watercraft operation and has read them. The form~~
198.22 ~~must be retained by the dealer or person offering personal watercraft for rent for a period~~
198.23 ~~of six months following the date of signature and must be made available for inspection by~~
198.24 ~~sheriff's deputies or conservation officers during normal business hours.~~

198.25 **EFFECTIVE DATE.** This section is effective July 1, 2025.

198.26 Sec. 34. Minnesota Statutes 2022, section 86B.415, subdivision 1, is amended to read:

198.27 Subdivision 1. **Watercraft 19 feet or less.** (a) Except as provided in paragraph (b) and
198.28 subdivision 1a, the fee for a watercraft license for watercraft 19 feet or less in length is ~~\$27~~
198.29 \$59.

198.30 (b) The watercraft license fee is:

199.1 (1) for watercraft, other than personal watercraft, 19 feet in length or less that is offered
199.2 for rent or lease, ~~the fee is \$9~~ \$14;

199.3 (2) for a sailboat, 19 feet in length or less, ~~the fee is \$10.50~~ \$23;

199.4 (3) for a watercraft 19 feet in length or less used by a nonprofit corporation for teaching
199.5 boat and water safety, ~~the fee is~~ as provided in subdivision 4;

199.6 (4) for a watercraft owned by a dealer under a dealer's license, ~~the fee is~~ as provided in
199.7 subdivision 5;

199.8 (5) for a personal watercraft, ~~the fee is \$37.50~~ including one offered for rent or lease,
199.9 \$85; and

199.10 (6) for a watercraft less than 17 feet in length, other than a watercraft listed in clauses
199.11 (1) to (5), ~~the fee is \$18~~ \$36.

199.12 Sec. 35. Minnesota Statutes 2022, section 86B.415, subdivision 1a, is amended to read:

199.13 Subd. 1a. **Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing**
199.14 **shells.** The fee for a watercraft license for a canoe, kayak, sailboard, paddleboard, paddleboat,
199.15 or rowing shell over ten feet in length is ~~\$10.50~~ \$23.

199.16 Sec. 36. Minnesota Statutes 2022, section 86B.415, subdivision 2, is amended to read:

199.17 Subd. 2. **Watercraft over 19 feet.** Except as provided in subdivisions 1a, 3, 4, and 5,
199.18 the watercraft license fee:

199.19 (1) for a watercraft more than 19 feet but less than 26 feet in length is ~~\$45~~ \$113;

199.20 (2) for a watercraft 26 feet but less than 40 feet in length is ~~\$67.50~~ \$164; and

199.21 (3) for a watercraft 40 feet in length or longer is ~~\$90~~ \$209.

199.22 Sec. 37. Minnesota Statutes 2022, section 86B.415, subdivision 3, is amended to read:

199.23 Subd. 3. **Watercraft over 19 feet for hire commercial use.** The license fee for a
199.24 watercraft ~~more than 19 feet in length for hire with an operator~~ used primarily for charter
199.25 fishing, commercial fishing, commercial passenger carrying, or other commercial operation
199.26 is ~~\$75~~ \$164 each.

200.1 Sec. 38. Minnesota Statutes 2022, section 86B.415, subdivision 4, is amended to read:

200.2 Subd. 4. **Watercraft used by nonprofit corporation for teaching.** The watercraft
200.3 license fee for a watercraft used by a nonprofit organization for teaching boat and water
200.4 safety is ~~\$4.50~~ \$8 each.

200.5 Sec. 39. Minnesota Statutes 2022, section 86B.415, subdivision 5, is amended to read:

200.6 Subd. 5. **Dealer's license.** There is no separate fee for watercraft owned by a dealer
200.7 under a dealer's license. The fee for a dealer's license is ~~\$67.50~~ \$142.

200.8 Sec. 40. Minnesota Statutes 2022, section 86B.415, subdivision 7, is amended to read:

200.9 Subd. 7. **Watercraft surcharge.** A ~~\$10.60~~ \$20 surcharge is placed on each watercraft
200.10 licensed under subdivisions 1 to 5 for control, public awareness, law enforcement, monitoring,
200.11 and research of aquatic invasive species such as zebra mussel, purple loosestrife, and Eurasian
200.12 watermilfoil in public waters and public wetlands.

200.13 Sec. 41. **[88.83] EMERALD ASH BORER RESPONSE.**

200.14 Subdivision 1. **Purpose.** The legislature finds that an epidemic of an invasive plant pest,
200.15 the emerald ash borer, is occurring in Minnesota, threatening the natural environment, and
200.16 generating large volumes of wood waste from ash trees. Immediate action is therefore
200.17 necessary to provide funding to assist local units of government with treating, removing,
200.18 and replacing ash trees in response to emerald ash borer infections and managing the resulting
200.19 wood waste, and to preserve existing biomass energy infrastructure that is critical to support
200.20 local and regional emerald ash borer response programs.

200.21 Subd. 2. **Establishment.** The commissioner must establish a program to:

200.22 (1) provide state matching grants to assist communities with treating, removing, and
200.23 replacing ash trees in response to the emerald ash borer epidemic and managing wood waste,
200.24 including the remains of ash trees removed in response to the epidemic; and

200.25 (2) identify and designate existing biomass energy facilities that are critical infrastructure
200.26 for local and regional emerald ash borer response programs.

200.27 Subd. 3. **Eligible applicants.** The commissioner may award grants under this section
200.28 to:

200.29 (1) local units of government, including cities, counties, regional authorities, joint powers
200.30 boards, towns, and parks and recreation boards in cities of the first class that are responding
200.31 or actively preparing to respond to an emerald ash borer infestation; and

201.1 (2) a Minnesota nonprofit corporation that owns a cogeneration facility that serves a St.
201.2 Paul district heating and cooling system.

201.3 Subd. 4. **Eligible expenditures.** Local units of government are eligible for matching
201.4 grants of up to 50 percent of costs incurred to properly manage, transport, process, and
201.5 dispose of wood waste containing ash tree material, including reuse and higher-value
201.6 applications, wood waste storage yards, and costs associated with processing wood waste
201.7 into usable biomass fuel and transporting it to designated biomass energy facilities. A
201.8 Minnesota nonprofit corporation that owns a biomass-fueled combined heat and power plant
201.9 servicing a district heating system is eligible for grants of \$20 per ton of processed biomass
201.10 fuel containing wood waste from ash trees processed in response to the emerald ash borer
201.11 epidemic. The commissioner may require the nonprofit corporation to charge a fee per ton
201.12 of ash tree wood waste delivered to the facility.

201.13 Subd. 5. **Reporting** A nonprofit corporation receiving a grant under this section must
201.14 compile a quarterly report on the volume of wood waste utilized as fuel at the facility using
201.15 the same method used to compile the annual utilization of wood fuel for the Pollution Control
201.16 Agency's annual emission inventory report required under Minnesota Rules, part 7019.3000,
201.17 and submit the information to the commissioner every three months beginning 120 days
201.18 after the nonprofit corporation is eligible to receive grants.

201.19 Sec. 42. **[88.85] LOWLAND CONIFER CARBON RESERVE.**

201.20 Subdivision 1. **Definition.** For the purposes of this section, "lowland conifer stands"
201.21 means treed wetlands that occur on mucky mineral or wet organic soils. Lowland conifer
201.22 stands include black spruce, tamarack, and white cedar cover types, including stagnant
201.23 stands. These cover types include three wetland forest systems:

201.24 (1) wet forest system;

201.25 (2) rich forested peatland system; and

201.26 (3) acid peatland system.

201.27 Subd. 2. **Establishment.** (a) The Lowland Conifer Carbon Reserve is established to
201.28 mitigate climate change and protect ecologically unique areas. It includes all stands in the
201.29 state forest system identified as lowland conifer stands under this section and includes the
201.30 distribution of underlying peatlands associated with or adjoining each stand.

201.31 (b) By January 1, 2024, the commissioner must designate and list the areas included in
201.32 the Lowland Conifer Carbon Reserve and submit a report with the designated list to the

202.1 chairs and ranking minority members of the legislative committees and divisions with
202.2 jurisdiction over environment and natural resources.

202.3 (c) By July 1, 2024, the commissioner must prepare maps locating the areas identified
202.4 under paragraph (b); provide, to the extent possible, legal descriptions of each area; and
202.5 submit the maps and legal descriptions to the chairs and ranking minority members of the
202.6 legislative committees and divisions with jurisdiction over environment and natural resources.

202.7 Subd. 3. **Carbon sequestration; reports.** (a) By January 1, 2025, the commissioner
202.8 must prepare and submit a report to the chairs and ranking minority members of the
202.9 legislative committees and divisions with jurisdiction over environment and natural resources
202.10 with a list of all stands in the Lowland Conifer Carbon Reserve that are 90 years of age or
202.11 older and an estimate of the tons of carbon sequestered in the boles of the trees in these
202.12 stands. The commissioner must update and submit the report to the chairs and ranking
202.13 minority members every five years thereafter.

202.14 (b) By January 1, 2025, the commissioner must prepare and submit a report to the chairs
202.15 and ranking minority members of the legislative committees and divisions with jurisdiction
202.16 over environment and natural resources identifying any bogs and peatlands in the Lowland
202.17 Conifer Carbon Reserve and an estimate of the tons of carbon sequestered in the peat.

202.18 Subd. 4. **Productive stands; report.** By January 1, 2025, the commissioner must prepare
202.19 and submit a report to the chairs and ranking minority members of the legislative committees
202.20 and divisions with jurisdiction over environment and natural resources with a list and map
202.21 showing all productive stands in the Lowland Conifer Carbon Reserve and identify which
202.22 stands were harvested within the five years preceding establishment of the Lowland Conifer
202.23 Carbon Reserve. By January 15 each year thereafter, the commissioner must update the list
202.24 showing the most recent harvest year and species harvested and submit the list in a report
202.25 to the chairs and ranking minority members of the legislative committees and divisions with
202.26 jurisdiction over environment and natural resources finance and policy.

202.27 Subd. 5. **Timber harvesting restrictions.** (a) The commissioner may issue a timber
202.28 permit to harvest a stand in the Lowland Conifer Carbon Reserve only if:

202.29 (1) the stand is less than 90 years of age; and

202.30 (2) the stand is accessible to heavy logging equipment as determined by the commissioner.

202.31 (b) For stands accessible for only part of the year, trees may be harvested only during
202.32 the times the stand is accessible as determined by the commissioner.

203.1 Subd. 6. **Peat harvesting restrictions.** (a) A person may not harvest peat in the Lowland
203.2 Conifer Carbon Reserve.

203.3 (b) This subdivision does not apply to peat harvested under a permit issued before the
203.4 peat was included in the Lowland Conifer Carbon Reserve.

203.5 Subd. 7. **Management.** To the extent possible, the commissioner must passively manage
203.6 stands in the Lowland Conifer Carbon Reserve. Regeneration of harvested stands in the
203.7 Lowland Conifer Carbon Reserve must be done naturally.

203.8 Subd. 8. **Drained lands.** The commissioner must identify lands in the Lowland Conifer
203.9 Carbon Reserve that were drained for agricultural purposes but forfeited to the state for
203.10 nonpayment of taxes. The commissioner must make reasonable efforts to restore the lands
203.11 to their original hydrological condition, such as blocking or filling active drain pipes, tiles,
203.12 or ditches on the lands.

203.13 Subd. 9. **School trust lands.** The commissioner must compensate the permanent school
203.14 fund for school trust lands in the Lowland Conifer Carbon Reserve. To the extent funding
203.15 is available under section 16A.152, subdivision 2, and other sources, the commissioner must
203.16 extinguish the school trust interest of lands as provided under section 92.83. Payments for
203.17 school trust lands without commercial value must be compensated at an amount equal to
203.18 \$500 per acre. Payments for school trust lands with commercial value must be compensated
203.19 at a rate agreed to by the commissioner and the school trust lands director for each parcel,
203.20 with a parcel comprising a single stand or multiple adjoining stands.

203.21 Subd. 10. **Existing contracts and legislation.** Obligations, including permits, leases,
203.22 and legislative directives, that are in effect before designation of the Lowland Conifer Carbon
203.23 Reserve are not impacted by this section and continue until they expire or are removed.

203.24 Subd. 11. **Sunset.** This section expires December 31, 2099.

203.25 Sec. 43. Minnesota Statutes 2022, section 89A.03, subdivision 5, is amended to read:

203.26 Subd. 5. **Membership regulation.** Terms, compensation, nomination, appointment, and
203.27 removal of council members are governed by section 15.059, except that a council member
203.28 may be compensated at the rate of up to \$125 a day.

203.29 Sec. 44. Minnesota Statutes 2022, section 90.181, subdivision 2, is amended to read:

203.30 Subd. 2. **Deferred payments.** (a) If the amount of the statement is not paid or the payment
203.31 is not postmarked within 30 days of the statement date ~~thereof~~, it shall bear, the amount
203.32 bears interest at the rate determined pursuant to section 16A.124, except that the purchaser

204.1 ~~shall not be~~ is not required to pay interest that totals \$1 or less. If the amount is not paid
 204.2 within 60 days, the commissioner shall place the account in the hands of the commissioner
 204.3 of revenue according to chapter 16D, who shall proceed to collect the ~~same~~ amount due.
 204.4 When deemed in the best interests of the state, the commissioner shall take possession of
 204.5 the timber for which an amount is due wherever it may be found and sell the ~~same~~ timber
 204.6 informally or at public auction after giving reasonable notice.

204.7 (b) The proceeds of the sale ~~shall~~ must be applied, first, to the payment of the expenses
 204.8 of seizure and sale; and, second, to the payment of the amount due for the timber, with
 204.9 interest; ~~and~~. The surplus, if any, ~~shall belong~~ belongs to the state; ~~and~~. In case a sufficient
 204.10 amount is not realized to pay these amounts in full, the balance ~~shall~~ must be collected by
 204.11 the attorney general. ~~Neither~~ Payment of the amount, ~~nor the~~ recovery of judgment ~~therefor~~
 204.12 for the amount, ~~nor~~ satisfaction of the judgment, ~~nor the~~ or seizure and sale of timber, ~~shall~~
 204.13 does not:

204.14 (1) release the sureties on any security deposit given pursuant to this chapter; ~~or~~;

204.15 (2) preclude the state from afterwards claiming that the timber was cut or removed
 204.16 contrary to law and recovering damages for the trespass thereby committed; or

204.17 (3) preclude the state from prosecuting the offender criminally.

204.18 Sec. 45. Minnesota Statutes 2022, section 97A.015, is amended by adding a subdivision
 204.19 to read:

204.20 Subd. 32b. **Native swan.** "Native swan" means a trumpeter swan or a tundra swan but
 204.21 does not include a mute swan.

204.22 Sec. 46. Minnesota Statutes 2022, section 97A.031, is amended to read:

204.23 **97A.031 WANTON WASTE.**

204.24 (a) Unless expressly allowed, a person may not wantonly waste or destroy a usable part
 204.25 of a protected wild animal.

204.26 (b) This section does not apply to common carp.

204.27 Sec. 47. **[97A.096] DESIGNATED SWAN PROTECTION AREAS.**

204.28 Subdivision 1. **Swan protection areas.** The commissioner of natural resources may
 204.29 designate waters within the seven-county metropolitan area that provide critical habitat for
 204.30 swan nesting, migration, and foraging as swan protection areas.

205.1 Subd. 2. **Public notice and meeting.** (a) Before the commissioner designates or removes
205.2 a designation of a swan protection area, the commissioner must receive public comment
205.3 and hold a public meeting in the county where the largest portion of the affected water is
205.4 located.

205.5 (b) At least 90 days before the public meeting, the commissioner must post notice of
205.6 the proposed designation or removal of a designation at publicly maintained access points
205.7 on the affected water.

205.8 (c) Before the public meeting, the commissioner must publish notice of the meeting in
205.9 a news release issued by the commissioner and in a newspaper of general circulation in the
205.10 area where the proposed swan protection area is located. The notice must be published at
205.11 least once 30 to 60 days before the meeting and at least once seven to 30 days before the
205.12 meeting.

205.13 (d) The notices required in this subdivision must summarize the proposed action, invite
205.14 public comment, and specify a deadline for receiving public comments. The commissioner
205.15 must send each required notice to persons who have registered their names with the
205.16 commissioner for this purpose. The commissioner must consider any public comments
205.17 received in making a final decision.

205.18 (e) Designating swan protection areas or removing designations according to this
205.19 subdivision is not subject to the rulemaking requirements of chapter 14, and section 14.386
205.20 does not apply.

205.21 Subd. 3. **Using lead sinkers.** A person may not use lead sinkers on a water designated
205.22 by the commissioner as a swan protection area under subdivision 1. The commissioner must
205.23 maintain a list of swan protection areas and information on the lead sinker restrictions on
205.24 the department's website and in any summary of fishing regulations required under section
205.25 97A.051.

205.26 Subd. 4. **Report.** By January 15, 2026, the commissioner of natural resources must
205.27 submit a report to the chairs and ranking minority members of the legislative committees
205.28 and divisions with jurisdiction over the environment and natural resources on the
205.29 implementation of this section and any recommendations.

205.30 Subd. 5. **Sunset.** This section expires January 1, 2027.

206.1 Sec. 48. Minnesota Statutes 2022, section 97A.126, is amended to read:

206.2 **97A.126 WALK-IN ACCESS PROGRAM.**

206.3 Subdivision 1. **Establishment.** A walk-in access program is established to provide public
206.4 access to wildlife habitat on private land for hunting, bird-watching, nature photography,
206.5 and similar compatible uses, excluding trapping, as provided under this section. The
206.6 commissioner may enter into agreements with other units of government and landowners
206.7 to provide private land hunting access.

206.8 Subd. 2. **Use of enrolled lands.** (a) From September 1 to May 31, a person must have
206.9 a walk-in access ~~hunter~~ validation in possession to hunt, photograph, and watch wildlife on
206.10 private lands, including agricultural lands, that are posted as being enrolled in the walk-in
206.11 access program.

206.12 (b) Hunting, bird-watching, nature photography, and similar compatible uses on private
206.13 lands that are posted as enrolled in the walk-in access program is allowed from one-half
206.14 hour before sunrise to one-half hour after sunset.

206.15 (c) ~~Hunter~~ Access on private lands that are posted as enrolled in the walk-in access
206.16 program is restricted to nonmotorized use, except by ~~hunters~~ persons with disabilities
206.17 operating motor vehicles on established trails or field roads who possess a valid permit to
206.18 shoot from a stationary vehicle under section 97B.055, subdivision 3.

206.19 (d) The general provisions for use of wildlife management areas adopted under sections
206.20 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,
206.21 firearms and target shooting, hunting stands, abandonment of trash and property, destruction
206.22 or removal of property, introduction of plants or animals, and animal trespass, apply to
206.23 ~~hunters on~~ use of lands enrolled in the walk-in access program.

206.24 (e) Any use of enrolled lands other than ~~hunting according to~~ use authorized under this
206.25 section is prohibited, including:

206.26 (1) harvesting bait, including minnows, leeches, and other live bait;

206.27 (2) training dogs or using dogs for activities other than hunting; and

206.28 (3) constructing or maintaining any building, dock, fence, billboard, sign, hunting blind,
206.29 or other structure, unless constructed or maintained by the landowner.

206.30 Subd. 3. **Walk-in-access ~~hunter~~ validation; fee.** The fee for a walk-in-access ~~hunter~~
206.31 validation is \$3.

207.1 Sec. 49. Minnesota Statutes 2022, section 97A.137, subdivision 3, is amended to read:

207.2 Subd. 3. **Use of motorized vehicles by ~~disabled hunters~~ people with disabilities.** The
207.3 commissioner may ~~issue~~ provide an accommodation by issuing a special permit, without a
207.4 fee, authorizing a ~~hunter~~ person with a ~~permanent physical~~ disability to use a ~~snowmobile,~~
207.5 ~~highway-licensed vehicle, all-terrain vehicle,~~ an other power-driven mobility device, as
207.6 defined under Code of Federal Regulations, title 28, section 35.104, or a motor boat in
207.7 wildlife management areas. To qualify for a permit under this subdivision, the ~~disabled~~
207.8 person must ~~possess:~~ provide credible assurance to the commissioner that the device or
207.9 motor boat is used because of a disability.

207.10 ~~(1) the required hunting licenses; and~~

207.11 ~~(2) a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3.~~

207.12 Sec. 50. Minnesota Statutes 2022, section 97A.315, subdivision 1, is amended to read:

207.13 Subdivision 1. **Criminal penalties.** (a) Except as provided in paragraph (b), a person
207.14 that violates a provision of section 97B.001, relating to trespass is guilty of a misdemeanor
207.15 ~~except as provided in paragraph (b).~~

207.16 (b) A person is guilty of a gross misdemeanor if the person:

207.17 (1) knowingly disregards signs prohibiting trespass;

207.18 (2) trespasses after personally being notified by the landowner or lessee not to trespass;

207.19 or

207.20 (3) is convicted of violating this section more than once in a three-year period.

207.21 (c) Notwithstanding section 609.101, subdivision 4, clause (2), for a misdemeanor
207.22 violation, the minimum fine for a person who operates an off-highway motorcycle, off-road
207.23 vehicle, all-terrain vehicle, or snowmobile in violation of this section must not be less than
207.24 the amount set forth in section 84.775.

207.25 Sec. 51. Minnesota Statutes 2022, section 97A.401, subdivision 1, is amended to read:

207.26 Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits
207.27 for the activities in this section. A special permit may be issued in the form of a general
207.28 permit to a governmental subdivision or to the general public to conduct one or more
207.29 activities under subdivisions 2 to ~~8~~ 9.

208.1 Sec. 52. Minnesota Statutes 2022, section 97A.401, is amended by adding a subdivision
208.2 to read:

208.3 Subd. 9. **Taking wild animals with federal incidental take permit.** The commissioner
208.4 must prescribe conditions for and may issue a permit to a person for taking wild animals
208.5 during activities covered under a federal incidental take permit issued under section
208.6 10(a)(1)(B) of the federal Endangered Species Act, including to a landowner for taking wild
208.7 animals during activities covered by a certificate of inclusion issued by the commissioner
208.8 under Code of Federal Regulations, title 50, section 13.25(e).

208.9 Sec. 53. Minnesota Statutes 2022, section 97A.405, subdivision 5, is amended to read:

208.10 Subd. 5. **Resident licenses.** (a) To obtain a resident license, ~~a resident~~ an individual 21
208.11 years of age or older must be a resident and:

208.12 (1) possess a current Minnesota driver's license or a valid application receipt for a driver's
208.13 license that is at least 60 days past the issuance date;

208.14 (2) possess a current identification card issued by the commissioner of public safety or
208.15 a valid application receipt for an identification card that is at least 60 days past the issuance
208.16 date; or

208.17 (3) present evidence showing proof of residency in cases when clause (1) or (2) would
208.18 violate the Religious Freedom Restoration Act of 1993, Public Law 103-141; or

208.19 (4) possess a Tribal identification card as provided in paragraph (b).

208.20 (b) For purposes of this subdivision, "Tribal identification card" means an unexpired
208.21 identification card as provided under section 171.072, paragraphs (b) and (c). The Tribal
208.22 identification card:

208.23 (1) must contain the enrolled Tribal member's Minnesota residence address; and

208.24 (2) may be used to obtain a resident license under paragraph (a) only if the Tribal member
208.25 does not have a current driver's license or state identification card in any state.

208.26 (c) A person must not have applied for, purchased, or accepted a resident hunting, fishing,
208.27 or trapping license issued by another state or foreign country within 60 days before applying
208.28 for a resident license under this section.

208.29 Sec. 54. Minnesota Statutes 2022, section 97A.421, subdivision 3, is amended to read:

208.30 Subd. 3. **Issuance after conviction; big game.** (a) A person may not use a big-game
208.31 license purchased before conviction, obtain any a big-game license, or take big game under

209.1 a lifetime license, issued under section 97A.473, for three years after the person is convicted
209.2 of:

209.3 (1) a gross misdemeanor violation under the game and fish laws relating to big game;

209.4 (2) doing an act without a required big-game license; or

209.5 (3) the second violation within three years under the game and fish laws relating to big
209.6 game.

209.7 (b) A person may not obtain any deer license or take deer under a lifetime license issued
209.8 under section 97A.473 for one year after the person is convicted of hunting deer with the
209.9 aid or use of bait under section 97B.328.

209.10 (c) The revocation period under paragraphs (a) and (b) doubles if the conviction is for
209.11 a deer that is a trophy deer scoring higher than 170 using the scoring method established
209.12 for wildlife restitution values adopted under section 97A.345.

209.13 Sec. 55. Minnesota Statutes 2022, section 97A.473, subdivision 2, is amended to read:

209.14 Subd. 2. **Lifetime angling license; fee.** (a) A resident lifetime angling license authorizes
209.15 a person to take fish by angling in the state. The license authorizes those activities authorized
209.16 by the annual resident angling license. The license does not include a trout-and-salmon
209.17 stamp validation, a walleye stamp validation, or other stamps required by law.

209.18 (b) The fees for a resident lifetime angling license are:

209.19 (1) age 3 and under, ~~\$344~~ \$413;

209.20 (2) age 4 to age 15, ~~\$469~~ \$563;

209.21 (3) age 16 to age 50, ~~\$574~~ \$689; and

209.22 (4) age 51 and over, ~~\$379~~ \$455.

209.23 Sec. 56. Minnesota Statutes 2022, section 97A.473, subdivision 2a, is amended to read:

209.24 Subd. 2a. **Lifetime spearing license; fee.** (a) A resident lifetime spearing license
209.25 authorizes a person to take fish by spearing in the state. The license authorizes those activities
209.26 authorized by the annual resident spearing license.

209.27 (b) The fees for a resident lifetime spearing license are:

209.28 (1) age 3 and under, ~~\$90~~ \$108;

209.29 (2) age 4 to age 15, ~~\$124~~ \$149;

210.1 (3) age 16 to age 50, ~~\$117~~ \$141; and

210.2 (4) age 51 and over, ~~\$61~~ \$74.

210.3 Sec. 57. Minnesota Statutes 2022, section 97A.473, subdivision 2b, is amended to read:

210.4 Subd. 2b. **Lifetime angling and spearing license; fee.** (a) A resident lifetime angling
210.5 and spearing license authorizes a person to take fish by angling or spearing in the state. The
210.6 license authorizes those activities authorized by the annual resident angling and spearing
210.7 licenses.

210.8 (b) The fees for a resident lifetime angling and spearing license are:

210.9 (1) age 3 and under, ~~\$432~~ \$519;

210.10 (2) age 4 to age 15, ~~\$579~~ \$695;

210.11 (3) age 16 to age 50, ~~\$678~~ \$814; and

210.12 (4) age 51 and over, ~~\$439~~ \$527.

210.13 Sec. 58. Minnesota Statutes 2022, section 97A.473, subdivision 5, is amended to read:

210.14 Subd. 5. **Lifetime sporting license; fee.** (a) A resident lifetime sporting license authorizes
210.15 a person to take fish by angling and hunt and trap small game, other than wolves, in the
210.16 state. The license authorizes those activities authorized by the annual resident angling and
210.17 resident small-game-hunting licenses and the resident trapping license for fur-bearing
210.18 animals other than wolves. The license does not include a trout-and-salmon stamp validation,
210.19 a turkey stamp validation, a walleye stamp validation, or any other hunting stamps required
210.20 by law.

210.21 (b) The fees for a resident lifetime sporting license are:

210.22 (1) age 3 and under, ~~\$522~~ \$573;

210.23 (2) age 4 to age 15, ~~\$710~~ \$779;

210.24 (3) age 16 to age 50, ~~\$927~~ \$1,017; and

210.25 (4) age 51 and over, ~~\$603~~ \$662.

210.26 Sec. 59. Minnesota Statutes 2022, section 97A.473, subdivision 5a, is amended to read:

210.27 Subd. 5a. **Lifetime sporting with spearing option license; fee.** (a) A resident lifetime
210.28 sporting with spearing option license authorizes a person to take fish by angling or spearing
210.29 and hunt and trap small game, other than wolves, in the state. The license authorizes those

211.1 activities authorized by the annual resident angling, spearing, and resident
211.2 small-game-hunting licenses and the resident trapping license for fur-bearing animals other
211.3 than wolves. The license does not include a trout-and-salmon stamp validation, a turkey
211.4 stamp validation, a walleye stamp validation, or any other hunting stamps required by law.

211.5 (b) The fees for a resident lifetime sporting with spearing option license are:

211.6 (1) age 3 and under, ~~\$612~~ \$676;

211.7 (2) age 4 to age 15, ~~\$833~~ \$921;

211.8 (3) age 16 to age 50, ~~\$1,046~~ \$1,153; and

211.9 (4) age 51 and over, ~~\$666~~ \$733.

211.10 Sec. 60. Minnesota Statutes 2022, section 97A.474, subdivision 2, is amended to read:

211.11 Subd. 2. **Nonresident lifetime angling license; fee.** (a) A nonresident lifetime angling
211.12 license authorizes a person to take fish by angling in the state. The license authorizes those
211.13 activities authorized by the annual nonresident angling license. The license does not include
211.14 a trout-and-salmon stamp validation, a walleye stamp validation, or other stamps required
211.15 by law.

211.16 (b) The fees for a nonresident lifetime angling license are:

211.17 (1) age 3 and under, ~~\$821~~ \$1,068;

211.18 (2) age 4 to age 15, ~~\$1,046~~ \$1,360;

211.19 (3) age 16 to age 50, ~~\$1,191~~ \$1,549; and

211.20 (4) age 51 and over, ~~\$794~~ \$1,033.

211.21 Sec. 61. Minnesota Statutes 2022, section 97A.475, subdivision 6, is amended to read:

211.22 Subd. 6. **Resident fishing.** Fees for the following licenses, to be issued to residents only,
211.23 are:

211.24 (1) for persons age 18 or over to take fish by angling, ~~\$25~~ \$30;

211.25 (2) for persons age 18 or over to take fish by angling, for a combined license for a married
211.26 couple, ~~\$40~~ \$48;

211.27 (3) for persons age 18 or over to take fish by spearing from a dark house, ~~\$6~~ \$8, and the
211.28 person must possess an angling license;

212.1 (4) for persons age 18 or over to take fish by angling for a 24-hour period selected by
212.2 the licensee, ~~\$12~~ \$15;

212.3 (5) for persons age 18 or over to take fish by angling for a consecutive 72-hour period
212.4 selected by the licensee, ~~\$14~~ \$17;

212.5 (6) for persons age 18 or over to take fish by angling for three consecutive years, ~~\$71~~
212.6 \$86; and

212.7 (7) for persons age 16 or over and under age 18 to take fish by angling, ~~\$5~~ \$6.

212.8 Sec. 62. Minnesota Statutes 2022, section 97A.475, subdivision 7, is amended to read:

212.9 Subd. 7. **Nonresident fishing.** (a) Fees for the following licenses, to be issued to
212.10 nonresidents, are:

212.11 (1) for persons age 18 or over to take fish by angling, ~~\$46~~ \$62;

212.12 (2) for persons age 18 or over to take fish by angling limited to seven consecutive days
212.13 selected by the licensee, ~~\$38~~ \$51;

212.14 (3) for persons age 18 or over to take fish by angling for a consecutive 72-hour period
212.15 selected by the licensee, ~~\$31~~ \$42;

212.16 (4) for persons age 18 or over to take fish by angling for a combined license for a family
212.17 for one or both parents and dependent children under the age of 16, ~~\$63~~ \$84;

212.18 (5) for persons age 18 or over to take fish by angling for a 24-hour period selected by
212.19 the licensee, ~~\$14~~ \$19;

212.20 (6) to take fish by angling for a combined license for a married couple, limited to 14
212.21 consecutive days selected by one of the licensees, ~~\$49~~ \$66;

212.22 (7) for persons age 18 or over to take fish by spearing from a dark house, ~~\$12~~ \$18, and
212.23 the person must possess an angling license; and

212.24 (8) for persons age 16 or over and under age 18 to take fish by angling, ~~\$5~~ \$6.

212.25 (b) A \$5 surcharge shall be added to all nonresident fishing licenses, except licenses
212.26 issued under paragraph (a), clauses (5) and (8). An additional commission may not be
212.27 assessed on this surcharge.

213.1 Sec. 63. Minnesota Statutes 2022, section 97A.475, subdivision 8, is amended to read:

213.2 Subd. 8. **Minnesota sporting; supersports.** (a) The commissioner shall issue Minnesota
213.3 sporting licenses to residents only. The licensee may take fish by angling and small game.

213.4 The fee for the license is:

213.5 (1) for an individual, ~~\$34.50~~ \$40.50; and

213.6 (2) for a combined license for a married couple to take fish and for one spouse to take
213.7 small game, ~~\$50.50~~ \$61.50.

213.8 (b) The commissioner shall issue Minnesota supersports licenses to residents only. The
213.9 licensee may take fish by angling, including trout; small game, including pheasant and
213.10 waterfowl; and deer by firearms or muzzleloader or by archery. The fee for the supersports
213.11 license, including all required stamp validations is:

213.12 (1) for an individual age 18 or over, ~~\$93.50~~ \$102.50; and

213.13 (2) for a combined license for a married couple to take fish, including the
213.14 trout-and-salmon stamp validation, and for one spouse to take small game, including pheasant
213.15 and waterfowl, and deer, ~~\$119.50~~ \$137.50.

213.16 (c) Revenue for the stamp endorsements under paragraph (b) shall be deposited according
213.17 to section 97A.075, subdivisions 2, 3, and 4.

213.18 (d) Revenue for the deer license endorsement under paragraph (b) shall be deposited
213.19 according to section 97A.075, subdivision 1.

213.20 Sec. 64. Minnesota Statutes 2022, section 97A.475, subdivision 10, is amended to read:

213.21 Subd. 10. **Trout-and-salmon stamp validation.** The fee for a trout-and-salmon stamp
213.22 validation is ~~\$10~~ \$12.

213.23 Sec. 65. Minnesota Statutes 2022, section 97A.475, subdivision 10a, is amended to read:

213.24 Subd. 10a. **Walleye stamp validation.** A person may agree to purchase a walleye stamp
213.25 validation for ~~\$5~~ \$6.

213.26 Sec. 66. Minnesota Statutes 2022, section 97A.475, subdivision 11, is amended to read:

213.27 Subd. 11. **Fish houses, dark houses, and shelters; residents.** Fees for the following
213.28 licenses are:

213.29 (1) annual for a fish house, dark house, or shelter that is not rented, ~~\$15~~ \$18;

214.1 (2) annual for a fish house, dark house, or shelter that is rented, ~~\$30~~ \$36;

214.2 (3) three-year for a fish house, dark house, or shelter that is not rented, ~~\$42~~ \$51; and

214.3 (4) three-year for a fish house, dark house, or shelter that is rented, ~~\$87~~ \$105.

214.4 Sec. 67. Minnesota Statutes 2022, section 97A.475, subdivision 12, is amended to read:

214.5 Subd. 12. **Fish houses, dark houses, and shelters; nonresident.** Fees for fish house,
214.6 dark house, and shelter licenses for a nonresident are:

214.7 (1) annual, ~~\$37~~ \$49;

214.8 (2) seven consecutive days selected by the licensee, ~~\$21~~ \$28; and

214.9 (3) three-year, ~~\$111~~ \$145.

214.10 Sec. 68. Minnesota Statutes 2022, section 97A.475, subdivision 13, is amended to read:

214.11 Subd. 13. **Netting whitefish and ciscoes for personal consumption.** The fee for a
214.12 license to net whitefish and ciscoes in inland lakes and international waters for personal
214.13 consumption is, for each net, ~~\$10~~ \$12.

214.14 Sec. 69. Minnesota Statutes 2022, section 97A.475, subdivision 41, is amended to read:

214.15 Subd. 41. **Turtle licenses license.** ~~(a) The fee for a turtle seller's license to sell turtles~~
214.16 ~~and to take, transport, buy, and possess turtles for sale is \$250.~~

214.17 ~~(b)~~ The fee for a recreational turtle license to take, transport, and possess turtles for
214.18 personal use is \$25.

214.19 ~~(c) The fee for a turtle seller's apprentice license is \$100.~~

214.20 **EFFECTIVE DATE.** This section is effective January 1, 2024.

214.21 Sec. 70. Minnesota Statutes 2022, section 97B.071, is amended to read:

214.22 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**
214.23 **ORANGE OR BLAZE PINK.**

214.24 (a) Except as provided in rules adopted under paragraph ~~(e)~~ (d), a person may not hunt
214.25 or trap during the open season where deer may be taken by firearms under applicable laws
214.26 and ordinances, unless the visible portion of the person's cap and outer clothing above the
214.27 waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze
214.28 pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within

215.1 each foot square. This section does not apply to migratory-waterfowl hunters on waters of
215.2 this state or in a stationary shooting location or to trappers on waters of this state.

215.3 (b) Except as provided in rules adopted under paragraph ~~(e)~~ (d), and in addition to the
215.4 requirement in paragraph (a), a person may not take small game other than turkey, migratory
215.5 birds, raccoons, and predators, except while trapping, unless a visible portion of at least one
215.6 article of the person's clothing above the waist is blaze orange or blaze pink. This paragraph
215.7 does not apply to a person when in a stationary location while hunting deer by archery or
215.8 when hunting small game by falconry.

215.9 (c) A person in a fabric or synthetic ground blind on public land must have:

215.10 (1) a blaze orange safety covering on the top of the blind that is visible for 360 degrees
215.11 around the blind; or

215.12 (2) at least 144 square inches of blaze orange material on each side of the blind.

215.13 ~~(e)~~ (d) The commissioner may, by rule, prescribe an alternative color in cases where
215.14 paragraph (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public
215.15 Law 103-141.

215.16 ~~(d)~~ (e) A violation of paragraph (b) ~~shall~~ does not result in a penalty, but is punishable
215.17 only by a safety warning.

215.18 Sec. 71. Minnesota Statutes 2022, section 97B.301, subdivision 6, is amended to read:

215.19 Subd. 6. **Residents or nonresidents under age 18; taking either-sex deer.** A resident
215.20 or nonresident under the age of 18 may take a deer of either sex except in those antlerless
215.21 permit areas and seasons where no antlerless permits are offered. In antlerless permit areas
215.22 where no antlerless permits are offered, the commissioner may provide a limited number
215.23 of youth either sex permits to residents or nonresidents under age 18, under the procedures
215.24 provided in section 97B.305, and may give preference to residents or nonresidents under
215.25 the age of 18 that have not previously been selected. This subdivision does not authorize
215.26 the taking of ~~an antlerless~~ a deer by another member of a party under subdivision 3.

215.27 Sec. 72. Minnesota Statutes 2022, section 97B.516, is amended to read:

215.28 **97B.516 PLAN FOR ELK MANAGEMENT.**

215.29 ~~(a)~~ The commissioner of natural resources must adopt an elk management plan that:

215.30 (1) recognizes the value and uniqueness of elk;

216.1 (2) provides for integrated management of an elk population in harmony with the
216.2 environment; and

216.3 (3) affords optimum recreational opportunities.

216.4 ~~(b) Notwithstanding paragraph (a), the commissioner must not manage an elk herd in~~
216.5 ~~Kittson, Roseau, Marshall, or Beltrami Counties in a manner that would increase the size~~
216.6 ~~of the herd, including adoption or implementation of an elk management plan designed to~~
216.7 ~~increase an elk herd, unless the commissioner of agriculture verifies that crop and fence~~
216.8 ~~damages paid under section 3.7371 and attributed to the herd have not increased for at least~~
216.9 ~~two years.~~

216.10 ~~(c) At least 60 days prior to implementing a plan to increase an elk herd, the~~
216.11 ~~commissioners of natural resources and agriculture must hold a joint public meeting in the~~
216.12 ~~county where the elk herd to be increased is located. At the meeting, the commissioners~~
216.13 ~~must present evidence that crop and fence damages have not increased in the prior two years~~
216.14 ~~and must detail the practices that will be used to reduce elk conflicts with area landowners.~~

216.15 Sec. 73. Minnesota Statutes 2022, section 97B.668, is amended to read:

216.16 **97B.668 GAME BIRDS ANIMALS CAUSING DAMAGE.**

216.17 Subdivision 1. Game birds causing damage. Notwithstanding sections 97B.091 and
216.18 97B.805, subdivisions 1 and 2, a person or agent of that person on lands and nonpublic
216.19 waters owned or operated by the person may nonlethally scare, haze, chase, or harass game
216.20 birds that are causing property damage or to protect a disease risk at any time or place that
216.21 a hunting season for the game birds is not open. This section does not apply to public waters
216.22 as defined under section 103G.005, subdivision 15. This section does not apply to migratory
216.23 waterfowl on nests and other federally protected game birds on nests, except ducks and
216.24 geese on nests when a permit is obtained under section 97A.401.

216.25 Subd. 2. Deer and elk causing damage. (a) Notwithstanding section 97B.091, a property
216.26 owner, the property owner's immediate family member, or an agent of the property owner
216.27 may nonlethally scare, haze, chase, or harass deer or elk that are causing damage to
216.28 agricultural crops that are propagated under generally accepted agricultural practices.

216.29 (b) Paragraph (a) applies only:

216.30 (1) in the immediate area of the crop damage; and

216.31 (2) during the closed season for taking deer or elk.

216.32 (c) Paragraph (a) does not allow:

- 217.1 (1) using poisons;
- 217.2 (2) using dogs;
- 217.3 (3) conduct that drives a deer or elk to the point of exhaustion;
- 217.4 (4) activities that require a permit under section 97A.401; or
- 217.5 (5) conduct that causes the death of or that is likely to cause the death of a deer or elk.
- 217.6 (d) A property owner or the owner's agent must report the death of a deer or elk to staff
- 217.7 in the Division of Fish and Wildlife within 24 hours of the death if the death resulted from
- 217.8 actions taken under paragraph (a).

217.9 Sec. 74. [97B.735] SWANS.

217.10 A person who takes, harasses, destroys, buys, sells, possesses, transports, or ships a

217.11 native swan in violation of the game and fish laws is guilty of a gross misdemeanor.

217.12 Sec. 75. Minnesota Statutes 2022, section 97C.087, subdivision 2, is amended to read:

217.13 Subd. 2. **Application for tag.** Application for special fish management tags must be

217.14 accompanied by a ~~\$5~~ \$6, nonrefundable application fee for each tag. A person may not

217.15 make more than one tag application each calendar year. If a person makes more than one

217.16 application, the person is ineligible for a special fish management tag for that calendar year

217.17 after determination by the commissioner, without a hearing.

217.18 Sec. 76. Minnesota Statutes 2022, section 97C.315, subdivision 1, is amended to read:

217.19 Subdivision 1. **Lines.** An angler may not use more than one line, except that:

217.20 (1) two lines may be used to take fish through the ice; ~~and~~

217.21 (2) the commissioner may, by rule, authorize the use of two lines in areas designated by

217.22 the commissioner in Lake Superior; and

217.23 (3) two lines may be used in the Minnesota River downstream of the Granite Falls Dam

217.24 and in the Mississippi River downstream of St. Anthony Falls.

217.25 Sec. 77. Minnesota Statutes 2022, section 97C.345, subdivision 1, is amended to read:

217.26 Subdivision 1. **When use prohibited.** Except as specifically authorized, a person may

217.27 not take fish with a spear from the third Monday in February to the Friday before the last

217.28 Saturday in April and may not take fish with a fish trap, net, dip net, seine, or other device

217.29 capable of taking fish from the third Monday in February ~~to~~ through April 30.

218.1 Sec. 78. **[97C.348] FELT-SOLED WADERS.**

218.2 A person may not use felt-soled waders in waters of the state. For purposes of this section
218.3 "felt-soled waders" means boots or shoes that have water-absorbing material affixed to the
218.4 soles or bottoms.

218.5 **EFFECTIVE DATE.** This section is effective January 1, 2024.

218.6 Sec. 79. Minnesota Statutes 2022, section 97C.355, is amended by adding a subdivision
218.7 to read:

218.8 **Subd. 9. Placing waste on ice prohibited.** A person using a fish house, dark house, or
218.9 other shelter on the ice of state waters is subject to section 97C.363.

218.10 Sec. 80. **[97C.363] STORING GARBAGE AND OTHER WASTE ON ICE.**

218.11 **Subdivision 1. Prohibition.** A person using a shelter, a motor vehicle, or any other
218.12 conveyance on the ice of state waters may not deposit garbage, rubbish, cigarette filters,
218.13 debris from fireworks, offal, the body of a dead animal, litter, sewage, or any other waste
218.14 outside the shelter, motor vehicle, or conveyance unless the material is:

218.15 (1) placed in a container that is secured to the shelter, motor vehicle, or conveyance;
218.16 and

218.17 (2) not placed directly on the ice or in state waters.

218.18 **Subd. 2. Definition.** For purposes of this section, "sewage" means excrementitious or
218.19 other discharge from the bodies of human beings or animals, together with such other water
218.20 as may be present.

218.21 **Subd. 3. Penalty.** A violation of this section is a petty misdemeanor, and a person who
218.22 violates this section is subject to a civil penalty of \$100 for each violation.

218.23 Sec. 81. Minnesota Statutes 2022, section 97C.371, subdivision 1, is amended to read:

218.24 **Subdivision 1. Species allowed.** Only rough fish, catfish, lake whitefish, cisco (tulibee),
218.25 and northern pike may be taken by spearing.

218.26 Sec. 82. Minnesota Statutes 2022, section 97C.371, subdivision 2, is amended to read:

218.27 **Subd. 2. Dark houses required for certain species.** Catfish, lake whitefish, cisco
218.28 (tulibee), and northern pike may be speared only from dark houses.

219.1 Sec. 83. Minnesota Statutes 2022, section 97C.371, subdivision 4, is amended to read:

219.2 Subd. 4. **Open season.** The open season for spearing through the ice is November 15
219.3 ~~to~~ through the last Sunday in February.

219.4 Sec. 84. Minnesota Statutes 2022, section 97C.395, subdivision 1, is amended to read:

219.5 Subdivision 1. **Dates for certain species.** (a) The open seasons to take fish by angling
219.6 are as follows:

219.7 (1) for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth
219.8 bass, the Saturday two weeks prior to the Saturday of Memorial Day weekend ~~to~~ through
219.9 the last Sunday in February;

219.10 (2) for lake trout, from January 1 ~~to~~ through October 31;

219.11 (3) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and
219.12 splake on all lakes located outside or partially within the Boundary Waters Canoe Area,
219.13 from January 15 ~~to~~ through March 31;

219.14 (4) for the winter season for lake trout, brown trout, brook trout, rainbow trout, and
219.15 splake on all lakes located entirely within the Boundary Waters Canoe Area, from January
219.16 1 ~~to~~ through March 31;

219.17 (5) for brown trout, brook trout, rainbow trout, and splake, between January 1 ~~to~~ through
219.18 October 31 as prescribed by the commissioner by rule except as provided in section 97C.415,
219.19 subdivision 2; and

219.20 (6) for salmon, as prescribed by the commissioner by rule.

219.21 (b) The commissioner shall close the season in areas of the state where fish are spawning
219.22 and closing the season will protect the resource.

219.23 Sec. 85. Minnesota Statutes 2022, section 97C.601, subdivision 1, is amended to read:

219.24 Subdivision 1. **Season.** The open season for frogs is May 16 ~~to~~ through March 31. The
219.25 commissioner may, by rule, establish closed seasons in specified areas.

219.26 Sec. 86. Minnesota Statutes 2022, section 97C.605, subdivision 1, is amended to read:

219.27 Subdivision 1. ~~Resident angling license required~~ **Taking turtles; requirements.** ~~In~~
219.28 ~~addition to any other license required in this section,~~ (a) A person may not take, possess,
219.29 or transport turtles without a resident angling license, ~~except as provided in subdivision 2e~~
219.30 and a recreational turtle license.

220.1 (b) Turtles taken from the wild are for personal use only and may not be resold.

220.2 **EFFECTIVE DATE.** This section is effective January 1, 2024.

220.3 Sec. 87. Minnesota Statutes 2022, section 97C.605, subdivision 2c, is amended to read:

220.4 Subd. 2c. **License exemptions.** (a) A person does not need a turtle seller's license or an
220.5 angling license the licenses specified under subdivision 1:

220.6 (1) when buying turtles for resale at a retail outlet;

220.7 (1) when buying turtles from a licensed aquatic farm or licensed private fish hatchery
220.8 for resale at a retail outlet or restaurant;

220.9 (2) when buying a turtle at a retail outlet;

220.10 (3) if the person is a nonresident buying a turtle from a licensed turtle seller for export
220.11 out of state. Shipping documents provided by the turtle seller must accompany each shipment
220.12 exported out of state by a nonresident. Shipping documents must include: name, address,
220.13 city, state, and zip code of the buyer; number of each species of turtle; and name and license
220.14 number of the turtle seller; or

220.15 (4) (3) to take, possess, and rent or sell up to 25 turtles greater than four inches in length
220.16 for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person
220.17 is a resident under age 18. The person is responsible for the well-being of the turtles; or

220.18 (4) if under 16 years of age when possessing turtles. Notwithstanding any other law to
220.19 the contrary, a person under the age of 16 may possess, without a license, up to three snapping
220.20 or western painted turtles, provided the turtles are possessed for personal use and are within
220.21 the applicable length and width requirements.

220.22 (b) A person with an aquatic farm license with a turtle endorsement or a private fish
220.23 hatchery license with a turtle endorsement may sell, obtain, possess, transport, and propagate
220.24 turtles and turtle eggs without the licenses specified under subdivision 1.

220.25 (c) Turtles possessed under this subdivision may not be released back into the wild.

220.26 **EFFECTIVE DATE.** This section is effective January 1, 2024.

220.27 Sec. 88. Minnesota Statutes 2022, section 97C.605, subdivision 3, is amended to read:

220.28 Subd. 3. **Taking; methods prohibited.** (a) A person may not take turtles by using:

220.29 (1) explosives, drugs, poisons, lime, and other harmful substances;

220.30 (2) traps, except as provided in paragraph (b) and rules adopted under this section;

- 221.1 (3) nets other than anglers' fish landing nets;
- 221.2 (4) commercial equipment, ~~except as provided in rules adopted under this section;~~
- 221.3 (5) firearms and ammunition;
- 221.4 (6) bow and arrow or crossbow; or
- 221.5 (7) spears, harpoons, or any other implements that impale turtles.
- 221.6 ~~(b) Until new rules are adopted under this section, a person with a turtle seller's license~~
- 221.7 ~~may take turtles with a floating turtle trap that:~~
- 221.8 ~~(1) has one or more openings above the water surface that measure at least ten inches~~
- 221.9 ~~by four inches; and~~
- 221.10 ~~(2) has a mesh size of not less than one half inch, bar measure.~~

221.11 **EFFECTIVE DATE.** This section is effective January 1, 2024.

221.12 Sec. 89. Minnesota Statutes 2022, section 97C.611, is amended to read:

221.13 **97C.611 TURTLE SPECIES; LIMITS.**

221.14 Subdivision 1. **Snapping turtles.** A person may not possess more than three snapping

221.15 turtles of the species *Chelydra serpentina* ~~without a turtle seller's license~~. Until new rules

221.16 are adopted under section 97C.605, a person may not take snapping turtles of a size less

221.17 than ten inches wide including curvature, measured from side to side across the shell at

221.18 midpoint. After new rules are adopted under section 97C.605, a person may only take

221.19 snapping turtles of a size specified in the adopted rules.

221.20 Subd. 2. **Western painted turtles.** (a) A person may not possess more than three Western

221.21 painted turtles of the species *Chrysemys picta* ~~without a turtle seller's license~~. Western

221.22 painted turtles must be between 4 and 5-1/2 inches in shell length.

221.23 (b) This subdivision does not apply to persons acting under section 97C.605, subdivision

221.24 2c, ~~clause (4)~~ paragraph (a).

221.25 Subd. 3. **Spiny softshell.** A person may not possess spiny softshell turtles of the species

221.26 *Apalone spinifera* after December 1, 2021, ~~without an aquatic farm or private fish hatchery~~

221.27 ~~license with a turtle endorsement.~~

221.28 Subd. 4. **Other species.** A person may not possess any other species of turtle ~~without~~

221.29 except with an aquatic farm or private fish hatchery license with a turtle endorsement or as

221.30 specified under section 97C.605, subdivision 2c.

222.1 **EFFECTIVE DATE.** This section is effective January 1, 2024.

222.2 Sec. 90. Minnesota Statutes 2022, section 97C.836, is amended to read:

222.3 **97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT**
222.4 **HARVEST.**

222.5 The commissioner shall provide for taking of lake trout by licensed commercial operators
222.6 in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale.
222.7 The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake
222.8 Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning
222.9 annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone
222.10 MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect
222.11 the lake trout population or to manage the effects of invasive species or fish disease. Taking
222.12 lake trout for expanded assessment and sale shall be allowed from June 1 ~~to~~ through
222.13 September 30, but may end earlier in the respective zones if the quotas are reached. The
222.14 quotas must be reassessed at the expiration of the current ten-year Fisheries Management
222.15 Plan for the Minnesota Waters of Lake Superior.

222.16 Sec. 91. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision
222.17 to read:

222.18 **Subd. 9c. Ecosystem harm.** "Ecosystem harm" means to change the biological
222.19 community and ecology in a manner that results in loss of ecological structure or function.

222.20 Sec. 92. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision
222.21 to read:

222.22 **Subd. 13b. Negative impact to surface waters.** "Negative impact to surface waters"
222.23 means a change in hydrology sufficient to cause aquatic ecosystem harm or alter riparian
222.24 uses long term.

222.25 Sec. 93. Minnesota Statutes 2022, section 103G.005, is amended by adding a subdivision
222.26 to read:

222.27 **Subd. 15i. Sustainable diversion limit.** "Sustainable diversion limit" means a maximum
222.28 amount of water that can be removed directly or indirectly from a surface water body in a
222.29 defined geographic area on a monthly or annual basis without causing a negative impact to
222.30 the surface water body.

223.1 Sec. 94. [103G.134] ORDERS AND INVESTIGATIONS.

223.2 (a) The commissioner has the following powers and duties when acting pursuant to the
223.3 enforcement provisions of this chapter:

223.4 (1) to adopt, issue, reissue, modify, deny, revoke, enter into, or enforce reasonable orders,
223.5 schedules of compliance, and stipulation agreements;

223.6 (2) to issue notices of violation;

223.7 (3) to require a person holding a permit issued under this chapter or otherwise impacting
223.8 the public waters of the state without a permit issued under this chapter to:

223.9 (i) make reports;

223.10 (ii) install, use, and maintain monitoring equipment or methods;

223.11 (iii) perform tests according to methods, at locations, at intervals, and in a manner as
223.12 the commissioner prescribes; and

223.13 (iv) provide other information as the commissioner may reasonably require; and

223.14 (4) to conduct investigations; issue notices, public and otherwise; and order hearings as
223.15 the commissioner deems necessary or advisable to discharge duties under this chapter,
223.16 including but not limited to issuing permits and authorizing an employee or agent appointed
223.17 by the commissioner to conduct the investigations and other authorities cited in this section.

223.18 Sec. 95. [103G.146] DUTY OF CANDOR.

223.19 (a) A person must not knowingly:

223.20 (1) make a false statement of fact or fail to correct a false statement of material fact
223.21 regarding any matter pertaining to this chapter;

223.22 (2) fail to disclose information that the person knows is necessary for the commissioner
223.23 to make an informed decision under this chapter; or

223.24 (3) offer information that the person knows to be false.

223.25 (b) If a person has offered material information to the commissioner and the person
223.26 comes to know the information is false, the person must take reasonable remedial measures
223.27 to provide the accurate information.

224.1 **Sec. 96. [103G.216] REPORTING FISH KILLS IN PUBLIC WATERS.**

224.2 **Subdivision 1. Definition.** For the purposes of this section and section 103G.2165, "fish
224.3 kill" means an incident resulting in the death of 25 or more fish within one linear mile of a
224.4 flowing water or 25 or more fish within a square mile of a nonflowing water, excluding fish
224.5 lawfully taken under the game and fish laws.

224.6 **Subd. 2. Reporting requirement.** A state or county staff person or official who works
224.7 with natural resources or agriculture and who learns of a fish kill in public waters must
224.8 report the location of the fish kill to the Minnesota state duty officer within one hour of
224.9 being notified of a fish kill or within four hours of first observing the fish kill. The Minnesota
224.10 state duty officer must alert the Departments of Natural Resources and Health and the
224.11 Pollution Control Agency of the location of the fish kill within one hour of being notified
224.12 of the fish kill.

224.13 **Sec. 97. [103G.2165] DEVELOPMENT OF FISH KILL RESPONSE PROTOCOL.**

224.14 **Subdivision 1. Development of protocol.** By October 1, 2024, the commissioner of the
224.15 Pollution Control Agency, in consultation with the commissioners of health, natural resources,
224.16 and agriculture, must update the fish kills response guidance by developing a protocol. The
224.17 protocol must consist of steps that state agencies responding to a report of a fish kill under
224.18 section 103G.216 must take to ascertain on the basis of sound scientific evidence the factors
224.19 contributing to the fish kill, as well as a plan to notify the public of potential hazards. The
224.20 protocol must address:

224.21 (1) the number and species of fish and other aquatic creatures to be sampled from the
224.22 body of water in which the fish kill occurred;

224.23 (2) the locations from which samples described in clause (1) should be taken;

224.24 (3) the number and location of water samples to be taken from the body of water in
224.25 which the fish kill occurred as well as tributary streams and private wells with landowner
224.26 consent within a one-half mile radius;

224.27 (4) the number and location of soil and groundwater samples to be taken to ascertain
224.28 whether contaminants traveled overland or underground to reach the body of water in which
224.29 the fish kill occurred;

224.30 (5) sampling other materials located near the area of the fish kill that should be done,
224.31 including but not limited to vegetation and manure, that may indicate the presence of
224.32 contaminants that may have contributed to the fish kill;

225.1 (6) developing a comprehensive list of contaminants, including degradation products,
225.2 for which the materials sampled in clauses (3) to (5) should be tested;

225.3 (7) the appropriate concentration limits to be used in testing samples for the presence
225.4 of contaminants, allowing for the possibility that the fish kill may have resulted from the
225.5 interaction of two or more contaminants present at concentrations below the level associated
225.6 with toxic effects resulting from exposure to each individual chemical;

225.7 (8) proper handling, storage, and treatment necessary to preserve the integrity of the
225.8 samples described in this subdivision to maximize the information the samples can yield
225.9 regarding the cause of the fish kill;

225.10 (9) the organs and other parts of the fish and other aquatic creatures that should be
225.11 analyzed to maximize the information the samples can yield regarding the cause of the fish
225.12 kill;

225.13 (10) identifying a rapid response team of interagency staff or an independent contractor
225.14 with the necessary data collection equipment that can travel to the site of the fish kill to
225.15 collect samples within 24 to 48 hours of the incident;

225.16 (11) a communications plan with a health-risk assessment to notify potentially impacted
225.17 downstream users of the surface water of the potential hazards and those in the vicinity
225.18 whose public or private water supply from surface water or groundwater may be impacted;
225.19 and

225.20 (12) a process to identify existing rules or regulatory processes that should be reviewed
225.21 and potentially revised in the fish kill investigation and report. Investigation reports for fish
225.22 kills deemed unnatural must identify the probable causes and include state agency
225.23 recommendations for preventing similar incidents in the future.

225.24 Subd. 2. **Implementation.** The commissioner of the Pollution Control Agency must
225.25 submit the protocol to the chairs and ranking minority members of the legislative committees
225.26 and divisions with jurisdiction over the environment and natural resources. Once the protocol
225.27 has been submitted, the state agencies must follow the protocol when responding to a fish
225.28 kill.

225.29 Subd. 3. **Updating protocol.** The parties named in subdivision 1 must review and update
225.30 the protocol every five years.

226.1 Sec. 98. Minnesota Statutes 2022, section 103G.271, subdivision 6, is amended to read:

226.2 Subd. 6. **Water-use permit; processing fee.** (a) Except as described in paragraphs (b)
226.3 to (g), a water-use permit processing fee must be prescribed by the commissioner in
226.4 accordance with the schedule of fees in this subdivision for each water-use permit in force
226.5 at any time during the year. Fees collected under this paragraph are credited to the water
226.6 management account in the natural resources fund. The schedule is as follows, with the
226.7 stated fee in each clause applied to the total amount appropriated:

226.8 (1) \$140 for amounts not exceeding 50,000,000 gallons per year;

226.9 (2) \$3.50 per 1,000,000 gallons for amounts greater than 50,000,000 gallons but less
226.10 than 100,000,000 gallons per year;

226.11 (3) \$4 per 1,000,000 gallons for amounts greater than 100,000,000 gallons but less than
226.12 150,000,000 gallons per year;

226.13 (4) \$4.50 per 1,000,000 gallons for amounts greater than 150,000,000 gallons but less
226.14 than 200,000,000 gallons per year;

226.15 (5) \$5 per 1,000,000 gallons for amounts greater than 200,000,000 gallons but less than
226.16 250,000,000 gallons per year;

226.17 (6) \$5.50 per 1,000,000 gallons for amounts greater than 250,000,000 gallons but less
226.18 than 300,000,000 gallons per year;

226.19 (7) \$6 per 1,000,000 gallons for amounts greater than 300,000,000 gallons but less than
226.20 350,000,000 gallons per year;

226.21 (8) \$6.50 per 1,000,000 gallons for amounts greater than 350,000,000 gallons but less
226.22 than 400,000,000 gallons per year;

226.23 (9) \$7 per 1,000,000 gallons for amounts greater than 400,000,000 gallons but less than
226.24 450,000,000 gallons per year;

226.25 (10) \$7.50 per 1,000,000 gallons for amounts greater than 450,000,000 gallons but less
226.26 than 500,000,000 gallons per year; and

226.27 (11) \$8 per 1,000,000 gallons for amounts greater than 500,000,000 gallons per year.

226.28 (b) For once-through cooling systems, a water-use processing fee must be prescribed
226.29 by the commissioner in accordance with the following schedule of fees for each water-use
226.30 permit in force at any time during the year:

226.31 (1) for nonprofit corporations and school districts, \$200 per 1,000,000 gallons; and

- 227.1 (2) for all other users, \$420 per 1,000,000 gallons.
- 227.2 (c) The fee is payable based on the amount of water appropriated during the year and,
227.3 except as provided in paragraph (f), the minimum fee is \$100.
- 227.4 (d) For water-use processing fees other than once-through cooling systems:
- 227.5 (1) the fee for a city of the first class may not exceed \$250,000 per year;
- 227.6 (2) the fee for other entities for any permitted use may not exceed:
- 227.7 (i) \$60,000 per year for an entity holding three or fewer permits;
- 227.8 (ii) \$90,000 per year for an entity holding four or five permits; or
- 227.9 (iii) \$300,000 per year for an entity holding more than five permits;
- 227.10 (3) the fee for agricultural irrigation may not exceed \$750 per year;
- 227.11 (4) the fee for a municipality that furnishes electric service and cogenerates steam for
227.12 home heating may not exceed \$10,000 for its permit for water use related to the cogeneration
227.13 of electricity and steam;
- 227.14 (5) the fee for a facility that temporarily diverts a water of the state from its natural
227.15 channel to produce hydroelectric or hydromechanical power may not exceed \$5,000 per
227.16 year. A permit for such a facility does not count toward the number of permits held by an
227.17 entity as described in this paragraph; and
- 227.18 (6) no fee is required for a project involving the appropriation of surface water to prevent
227.19 flood damage or to remove flood waters during a period of flooding, as determined by the
227.20 commissioner.
- 227.21 (e) Failure to pay the fee is sufficient cause for revoking a permit. A penalty of ten
227.22 percent per month calculated from the original due date must be imposed on the unpaid
227.23 balance of fees remaining 30 days after the sending of a second notice of fees due. A fee
227.24 may not be imposed on an agency, as defined in section 16B.01, subdivision 2, or federal
227.25 governmental agency holding a water appropriation permit.
- 227.26 (f) The minimum water-use processing fee for a permit issued for irrigation of agricultural
227.27 land is \$20 for years in which:
- 227.28 (1) there is no appropriation of water under the permit; or
- 227.29 (2) the permit is suspended for more than seven consecutive days between May 1 and
227.30 October 1.

228.1 (g) The commissioner shall waive the water-use permit fee for installations and projects
228.2 that use stormwater runoff or where public entities are diverting water to treat a water quality
228.3 issue and returning the water to its source without using the water for any other purpose,
228.4 unless the commissioner determines that the proposed use adversely affects surface water
228.5 or groundwater.

228.6 (h) A surcharge of ~~\$30~~ \$50 per million gallons in addition to the fee prescribed in
228.7 paragraph (a) shall be applied to the volume of water used in each of the months of May,
228.8 June, July, and August, and September that exceeds the volume of water used in January
228.9 for municipal water use, irrigation of golf courses, and landscape irrigation. The surcharge
228.10 for municipalities with more than one permit shall be determined based on the total
228.11 appropriations from all permits that supply a common distribution system.

228.12 Sec. 99. Minnesota Statutes 2022, section 103G.287, subdivision 2, is amended to read:

228.13 Subd. 2. **Relationship to surface water resources.** Groundwater appropriations ~~that~~
228.14 ~~will have negative impacts to surface waters are subject to applicable provisions in section~~
228.15 ~~103G.285~~ may be authorized only if they avoid known negative impacts to surface waters.
228.16 If the commissioner determines that groundwater appropriations are having a negative
228.17 impact to surface waters, the commissioner may use a sustainable diversion limit or other
228.18 relevant method, tools, or information to implement measures so that groundwater
228.19 appropriations do not negatively impact the surface waters.

228.20 Sec. 100. Minnesota Statutes 2022, section 103G.287, subdivision 3, is amended to read:

228.21 Subd. 3. **Protecting groundwater supplies.** The commissioner may establish water
228.22 appropriation limits to protect groundwater resources. When establishing water appropriation
228.23 limits to protect groundwater resources, the commissioner must consider the sustainability
228.24 of the groundwater resource, including the current and projected water levels, cumulative
228.25 withdrawal rates from the resource on a monthly or annual basis, water quality, whether
228.26 the use protects ecosystems, and the ability of future generations to meet their own needs.
228.27 The commissioner may consult with the commissioners of health, agriculture, and the
228.28 Pollution Control Agency, and other state entities when determining the impacts on water
228.29 quality and quantity.

228.30 Sec. 101. Minnesota Statutes 2022, section 103G.299, subdivision 1, is amended to read:

228.31 Subdivision 1. **Authority to issue administrative penalty orders.** (a) As provided in
228.32 paragraph (b), the commissioner may issue an order requiring violations to be corrected

229.1 and administratively assessing monetary penalties for violations of sections 103G.271 and
229.2 103G.275, and any rules adopted under those sections.

229.3 (b) An order under this section may be issued to a person for water appropriation activities
229.4 without a required permit or for violating the terms of a required permit.

229.5 (c) The order must be issued as provided in this section and in accordance with the plan
229.6 prepared under subdivision 12.

229.7 Sec. 102. Minnesota Statutes 2022, section 103G.299, subdivision 2, is amended to read:

229.8 Subd. 2. **Amount of penalty; considerations.** (a) The commissioner may issue orders
229.9 assessing administrative penalties ~~based on potential for harm and deviation from compliance.~~
229.10 ~~For a violation that presents:~~ up to \$40,000.

229.11 ~~(1) a minor potential for harm and deviation from compliance, the penalty will be no~~
229.12 ~~more than \$1,000;~~

229.13 ~~(2) a moderate potential for harm and deviation from compliance, the penalty will be~~
229.14 ~~no more than \$10,000; and~~

229.15 ~~(3) a severe potential for harm and deviation from compliance, the penalty will be no~~
229.16 ~~more than \$20,000.~~

229.17 (b) In determining the amount of a penalty the commissioner may consider:

229.18 (1) the gravity of the violation, including potential for, or real, damage to the public
229.19 interest or natural resources of the state;

229.20 (2) the history of past violations;

229.21 (3) the number of violations;

229.22 (4) the economic benefit gained by the person by allowing or committing the violation
229.23 based on data from local or state bureaus or educational institutions; and

229.24 (5) other factors as justice may require, if the commissioner specifically identifies the
229.25 additional factors in the commissioner's order.

229.26 (c) For a violation after an initial violation, including a continuation of the initial violation,
229.27 the commissioner must, in determining the amount of a penalty, consider the factors in
229.28 paragraph (b) and the:

229.29 (1) similarity of the most recent previous violation and the violation to be penalized;

229.30 (2) time elapsed since the last violation;

230.1 (3) number of previous violations; and

230.2 (4) response of the person to the most recent previous violation identified.

230.3 Sec. 103. Minnesota Statutes 2022, section 103G.299, subdivision 5, is amended to read:

230.4 Subd. 5. **Penalty.** (a) Except as provided in paragraph (b), if the commissioner determines
230.5 that the violation has been corrected or appropriate steps have been taken to correct the
230.6 action, the penalty must be forgiven. Unless the person requests review of the order under
230.7 subdivision 6 or 7 before the penalty is due, the penalty in the order is due and payable:

230.8 (1) on the 31st day after the order was received, if the person subject to the order fails
230.9 to provide information to the commissioner showing that the violation has been corrected
230.10 or that appropriate steps have been taken toward correcting the violation; or

230.11 (2) on the 20th day after the person receives the commissioner's determination under
230.12 subdivision 4, paragraph (c), if the person subject to the order has provided information to
230.13 the commissioner that the commissioner determines is not sufficient to show that the violation
230.14 has been corrected or that appropriate steps have been taken toward correcting the violation.

230.15 (b) For repeated or serious violations, the commissioner may issue an order with a penalty
230.16 that is not forgiven after the corrective action is taken. The penalty is due ~~by~~ 31 days after
230.17 the order ~~was~~ is received, unless review of the order under subdivision 6 or 7 ~~has been~~ is
230.18 sought.

230.19 (c) Interest at the rate established in section 549.09 begins to accrue on penalties under
230.20 this subdivision on the 31st day after the order with the penalty ~~was~~ is received.

230.21 Sec. 104. Minnesota Statutes 2022, section 103G.299, subdivision 10, is amended to read:

230.22 Subd. 10. **Cumulative remedy.** The authority of the commissioner to issue a corrective
230.23 order assessing penalties is in addition to other remedies available under statutory or common
230.24 law, ~~except that the state may not seek civil penalties under any other provision of law for~~
230.25 ~~the violations covered by the administrative penalty order.~~ The payment of a penalty does
230.26 not preclude the use of other enforcement provisions, ~~under which penalties are not assessed,~~
230.27 in connection with the violation for which the penalty was assessed.

230.28 Sec. 105. [103G.2991] PENALTIES; ENFORCEMENT.

230.29 Subdivision 1. Civil penalties. (a) The commissioner, according to section 103G.134,
230.30 may issue a notice to a person who violates:

230.31 (1) this chapter;

- 231.1 (2) a permit issued under this chapter or a term or condition of a permit issued under
231.2 this chapter;
- 231.3 (3) a duty under this chapter to permit an inspection, entry, or monitoring activity or a
231.4 duty under this chapter to carry out an inspection or monitoring activity;
- 231.5 (4) a rule adopted under this chapter;
- 231.6 (5) a stipulation agreement, variance, or schedule of compliance entered into under this
231.7 chapter; or
- 231.8 (6) an order issued by the commissioner under this chapter.
- 231.9 (b) A person issued a notice forfeits and must pay to the state a penalty, in an amount
231.10 to be determined by the district court, of not more than \$10,000 per day of violation.
- 231.11 (c) In the discretion of the district court, a defendant under this section may be required
231.12 to:
- 231.13 (1) forfeit and pay to the state a sum that adequately compensates the state for the
231.14 reasonable value of restoration, monitoring, and other expenses directly resulting from the
231.15 unauthorized use of or damage to natural resources of the state; and
- 231.16 (2) forfeit and pay to the state an additional sum to constitute just compensation for any
231.17 damage, loss, or destruction of the state's natural resources and for other actual damages to
231.18 the state caused by an unauthorized use of natural resources of the state.
- 231.19 (d) As a defense to damages assessed under paragraph (c), a defendant may prove that
231.20 the violation was caused solely by:
- 231.21 (1) an act of God;
- 231.22 (2) an act of war;
- 231.23 (3) negligence on the part of the state;
- 231.24 (4) an act or failure to act that constitutes sabotage or vandalism; or
- 231.25 (5) any combination of clauses (1) to (5).
- 231.26 (e) The civil penalties and damages provided for in this subdivision may be recovered
231.27 by a civil action brought by the attorney general in the name of the state in Ramsey County
231.28 District Court. Civil penalties and damages provided for in this subdivision may be resolved
231.29 by the commissioner through a negotiated stipulation agreement according to the authority
231.30 granted to the commissioner in section 103G.134.

232.1 Subd. 2. **Enforcement.** This chapter and rules, standards, orders, stipulation agreements,
232.2 schedules of compliance, and permits adopted or issued by the commissioner under this
232.3 chapter or any other law for preventing, controlling, or abating damage to natural resources
232.4 may be enforced by one or more of the following:

232.5 (1) criminal prosecution;

232.6 (2) action to recover civil penalties;

232.7 (3) injunction;

232.8 (4) action to compel performance; or

232.9 (5) other appropriate action according to this chapter.

232.10 Subd. 3. **Injunctions.** A violation of this chapter or rules, standards, orders, stipulation
232.11 agreements, variances, schedules of compliance, and permits adopted or issued under this
232.12 chapter constitutes a public nuisance and may be enjoined as provided by law in an action,
232.13 in the name of the state, brought by the attorney general.

232.14 Subd. 4. **Actions to compel performance.** (a) In an action to compel performance of
232.15 an order issued by the commissioner for any purpose related to preventing, controlling, or
232.16 abating damage to natural resources under this chapter, the court may require a defendant
232.17 adjudged responsible to do and perform any and all acts set forth in the commissioner's
232.18 order and all things within the defendant's power that are reasonably necessary to accomplish
232.19 the purposes of the order.

232.20 (b) If a municipality or its governing or managing body or any of its officers is a
232.21 defendant, the court may require the municipality to exercise its powers, without regard to
232.22 any limitation of a requirement for an election or referendum imposed thereon by law and
232.23 without restricting the powers of the commissioner, to do any or all of the following, without
232.24 limiting the generality hereof:

232.25 (1) levy taxes or special assessments;

232.26 (2) prescribe service or use charges;

232.27 (3) borrow money;

232.28 (4) issue bonds;

232.29 (5) employ assistance;

232.30 (6) acquire real or personal property;

232.31 (7) let contracts;

233.1 (8) otherwise provide for doing work or constructing, installing, maintaining, or operating
 233.2 facilities; and

233.3 (9) do all acts and things reasonably necessary to accomplish the purposes of the
 233.4 commissioner's order.

233.5 (c) The court must grant a municipality under paragraph (b) the opportunity to determine
 233.6 the appropriate financial alternatives to be used to comply with the court-imposed
 233.7 requirements.

233.8 (d) An action brought under this subdivision must be venued in Ramsey County District
 233.9 Court.

233.10 Sec. 106. Minnesota Statutes 2022, section 103G.301, subdivision 2, is amended to read:

233.11 **Subd. 2. Permit application and notification fees.** (a) A fee to defray the costs of
 233.12 receiving, recording, and processing must be paid for a permit application authorized under
 233.13 this chapter, except for a general permit application, for each request to amend or transfer
 233.14 an existing permit, and for a notification to request authorization to conduct a project under
 233.15 a general permit. Fees established under this subdivision, unless specified in paragraph (c),
 233.16 must comply with section 16A.1285.

233.17 (b) Proposed projects that require water in excess of 100 million gallons per year must
 233.18 be assessed fees to recover the costs incurred to evaluate the project and the costs incurred
 233.19 for environmental review. Fees collected under this paragraph must be credited to an account
 233.20 in the natural resources fund and are appropriated to the commissioner.

233.21 (c) The fee to apply for a permit to appropriate water, in addition to any fee under
 233.22 paragraph (b), is \$150. The application fee for a permit to construct or repair a dam that is
 233.23 subject to a dam safety inspection, to work in public waters, or to divert waters for mining
 233.24 must be at least ~~\$300~~ \$1,200, but not more than ~~\$3,000~~ \$12,000. The fee for a notification
 233.25 to request authorization to conduct a project under a general permit is ~~\$100~~ \$400.

233.26 Sec. 107. Minnesota Statutes 2022, section 103G.301, subdivision 6, is amended to read:

233.27 **Subd. 6. Filing application.** An application for a permit must be filed with the
 233.28 commissioner ~~and~~. If the proposed activity for which the permit is requested is within a
 233.29 municipality, ~~or~~ is within or affects a watershed district or a soil and water conservation
 233.30 district, or is within the boundaries of a reservation or Tribal community of a federally
 233.31 recognized Indian Tribe in Minnesota, a copy of the application with maps, plans, and
 233.32 specifications must be served on the mayor of the municipality, the secretary of the board

234.1 of managers of the watershed district, ~~and~~ the secretary of the board of supervisors of the
234.2 soil and water conservation district, or the Tribal chair of the federally recognized Indian
234.3 Tribe, as applicable. For purposes of this section, "federally recognized Indian Tribe" means
234.4 the Minnesota Tribal governments listed in section 10.65, subdivision 2.

234.5 Sec. 108. Minnesota Statutes 2022, section 103G.301, subdivision 7, is amended to read:

234.6 Subd. 7. **Recommendation of local units of government and federally recognized**

234.7 **Indian Tribes.** (a) If the proposed activity for which the permit is requested is within a

234.8 municipality, or is within or affects a watershed district or a soil and water conservation

234.9 district, the commissioner may obtain a written recommendation of the managers of the

234.10 district and the board of supervisors of the soil and water conservation district or the mayor

234.11 of the municipality before issuing or denying the permit.

234.12 (b) The managers, supervisors, or mayor must file a recommendation within 30 days

234.13 after receiving of a copy of the application for permit.

234.14 (c) If the proposed activity for which the permit is requested is within the boundaries of

234.15 a reservation or Tribal community of a federally recognized Indian Tribe in Minnesota, the

234.16 federally recognized Indian Tribe may:

234.17 (1) submit recommendations to the commissioner within 30 days of receiving the

234.18 application; or

234.19 (2) request Tribal consultation according to section 10.65 within 30 days of receiving

234.20 the application.

234.21 (d) If Tribal consultation is requested under paragraph (c), clause (2), a permit application

234.22 is not complete until after the consultation occurs or 90 days after the request for consultation

234.23 is made, whichever is sooner.

234.24 Sec. 109. Minnesota Statutes 2022, section 168.1295, subdivision 1, is amended to read:

234.25 Subdivision 1. **General requirements and procedures.** (a) The commissioner shall

234.26 issue state parks and trails plates to an applicant who:

234.27 (1) is a registered owner of a passenger automobile, recreational vehicle, one-ton pickup

234.28 truck, or motorcycle;

234.29 (2) pays a fee in the amount specified for special plates under section 168.12, subdivision

234.30 5;

234.31 (3) pays the registration tax required under section 168.013;

235.1 (4) pays the fees required under this chapter;

235.2 (5) contributes a minimum of ~~\$60~~ \$70 annually to the state parks and trails donation
235.3 account established in section 85.056; and

235.4 (6) complies with this chapter and rules governing registration of motor vehicles and
235.5 licensing of drivers.

235.6 (b) The state parks and trails plate application must indicate that the contribution specified
235.7 under paragraph (a), clause (5), is a minimum contribution to receive the plate and that the
235.8 applicant may make an additional contribution to the account.

235.9 (c) State parks and trails plates may be personalized according to section 168.12,
235.10 subdivision 2a.

235.11 Sec. 110. Minnesota Statutes 2022, section 171.07, is amended by adding a subdivision
235.12 to read:

235.13 Subd. 20. Watercraft operator's permit. (a) The department must maintain in its
235.14 records information transmitted electronically from the commissioner of natural resources
235.15 identifying each person to whom the commissioner has issued a watercraft operator's permit.
235.16 The records transmitted from the Department of Natural Resources must contain the full
235.17 name and date of birth as required for the driver's license or identification card. Records
235.18 that are not matched to a driver's license or identification card record may be deleted after
235.19 seven years.

235.20 (b) After receiving information under paragraph (a) that a person has received a watercraft
235.21 operator's permit, the department must include on all drivers' licenses or Minnesota
235.22 identification cards subsequently issued to the person a graphic or written indication that
235.23 the person has received the permit.

235.24 (c) If a person who has received a watercraft operator's permit applies for a driver's
235.25 license or Minnesota identification card before that information has been transmitted to the
235.26 department, the department may accept a copy of the certificate as proof of its issuance and
235.27 must then follow the procedures in paragraph (b).

235.28 **EFFECTIVE DATE.** This section is effective July 1, 2025.

236.1 Sec. 111. Minnesota Statutes 2022, section 297A.94, is amended to read:

236.2 **297A.94 DEPOSIT OF REVENUES.**

236.3 (a) Except as provided in this section, the commissioner shall deposit the revenues,
236.4 including interest and penalties, derived from the taxes imposed by this chapter in the state
236.5 treasury and credit them to the general fund.

236.6 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic
236.7 account in the special revenue fund if:

236.8 (1) the taxes are derived from sales and use of property and services purchased for the
236.9 construction and operation of an agricultural resource project; and

236.10 (2) the purchase was made on or after the date on which a conditional commitment was
236.11 made for a loan guaranty for the project under section 41A.04, subdivision 3.

236.12 The commissioner of management and budget shall certify to the commissioner the date on
236.13 which the project received the conditional commitment. The amount deposited in the loan
236.14 guaranty account must be reduced by any refunds and by the costs incurred by the Department
236.15 of Revenue to administer and enforce the assessment and collection of the taxes.

236.16 (c) The commissioner shall deposit the revenues, including interest and penalties, derived
236.17 from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3,
236.18 paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

236.19 (1) first to the general obligation special tax bond debt service account in each fiscal
236.20 year the amount required by section 16A.661, subdivision 3, paragraph (b); and

236.21 (2) after the requirements of clause (1) have been met, the balance to the general fund.

236.22 (d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit
236.23 in the state treasury the revenues collected under section 297A.64, subdivision 1, including
236.24 interest and penalties and minus refunds, and credit them to the highway user tax distribution
236.25 fund.

236.26 (e) The commissioner shall deposit the revenues, including interest and penalties,
236.27 collected under section 297A.64, subdivision 5, in the state treasury and credit them to the
236.28 general fund. By July 15 of each year the commissioner shall transfer to the highway user
236.29 tax distribution fund an amount equal to the excess fees collected under section 297A.64,
236.30 subdivision 5, for the previous calendar year.

236.31 (f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit
236.32 of revenues under paragraph (d), the commissioner shall deposit into the state treasury and

237.1 credit to the highway user tax distribution fund an amount equal to the estimated revenues
237.2 derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or
237.3 rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The
237.4 commissioner shall estimate the amount of sales tax revenue deposited under this paragraph
237.5 based on the amount of revenue deposited under paragraph (d).

237.6 (g) The commissioner shall deposit an amount of the remittances monthly into the state
237.7 treasury and credit them to the highway user tax distribution fund as a portion of the estimated
237.8 amount of taxes collected from the sale and purchase of motor vehicle repair and replacement
237.9 parts in that month. The monthly deposit amount is \$12,137,000. For purposes of this
237.10 paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11, and
237.11 "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories, and
237.12 equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle
237.13 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor
237.14 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,
237.15 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of
237.16 rubber and if marked according to federal regulations for highway use.

237.17 (h) ~~72.43~~ 78.06 percent of the revenues, including interest and penalties, transmitted to
237.18 the commissioner under section 297A.65, must be deposited by the commissioner in the
237.19 state treasury as follows:

237.20 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in
237.21 the game and fish fund, and may be spent only on activities that improve, enhance, or protect
237.22 fish and wildlife resources, including conservation, restoration, and enhancement of land,
237.23 water, and other natural resources of the state;

237.24 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
237.25 be spent only for state parks and trails;

237.26 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
237.27 be spent only on metropolitan park and trail grants;

237.28 (4) three percent of the receipts must be deposited in the natural resources fund, and
237.29 may be spent only on local trail grants; and

237.30 (5) two percent of the receipts must be deposited in the natural resources fund, and may
237.31 be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory,
237.32 and the Duluth Zoo.

238.1 (i) The revenue dedicated under paragraph (h) may not be used as a substitute for
238.2 traditional sources of funding for the purposes specified, but the dedicated revenue shall
238.3 supplement traditional sources of funding for those purposes. Land acquired with money
238.4 deposited in the game and fish fund under paragraph (h) must be open to public hunting
238.5 and fishing during the open season, except that in aquatic management areas or on lands
238.6 where angling easements have been acquired, fishing may be prohibited during certain times
238.7 of the year and hunting may be prohibited. At least 87 percent of the money deposited in
238.8 the game and fish fund for improvement, enhancement, or protection of fish and wildlife
238.9 resources under paragraph (h) must be allocated for field operations.

238.10 (j) The commissioner must deposit the revenues, including interest and penalties minus
238.11 any refunds, derived from the sale of items regulated under section 624.20, subdivision 1,
238.12 that may be sold to persons 18 years old or older and that are not prohibited from use by
238.13 the general public under section 624.21, in the state treasury and credit:

238.14 (1) 25 percent to the volunteer fire assistance grant account established under section
238.15 88.068;

238.16 (2) 25 percent to the fire safety account established under section 297I.06, subdivision
238.17 3; and

238.18 (3) the remainder to the general fund.

238.19 For purposes of this paragraph, the percentage of total sales and use tax revenue derived
238.20 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be
238.21 sold to persons 18 years old or older and are not prohibited from use by the general public
238.22 under section 624.21, is a set percentage of the total sales and use tax revenues collected in
238.23 the state, with the percentage determined under Laws 2017, First Special Session chapter
238.24 1, article 3, section 39.

238.25 (k) The revenues deposited under paragraphs (a) to (j) do not include the revenues,
238.26 including interest and penalties, generated by the sales tax imposed under section 297A.62,
238.27 subdivision 1a, which must be deposited as provided under the Minnesota Constitution,
238.28 article XI, section 15.

238.29 Sec. 112. **HOUSTON OHV TRAIL; REPORT.**

238.30 By January 15, 2024, the commissioner of natural resources must submit a report to the
238.31 chairs and ranking minority members of the legislative committees and divisions with
238.32 jurisdiction over the environment and natural resources providing a brief history of the

239.1 efforts to establish an off-highway vehicle trail in Houston County, the current status, and
239.2 next steps.

239.3 Sec. 113. **STATE PARK LICENSE PLATE DESIGN CONTEST.**

239.4 The commissioner of natural resources must hold a license plate design contest to design
239.5 a new state park license plate available under Minnesota Statutes, section 168.1295,
239.6 subdivision 1.

239.7 Sec. 114. **UPPER SIOUX AGENCY STATE PARK; LAND TRANSFER.**

239.8 (a) The commissioner of natural resources must convey for no consideration all
239.9 state-owned land within the boundaries of Upper Sioux Agency State Park to the Upper
239.10 Sioux Community.

239.11 (b) Upon approval by the Minnesota Historical Society's Executive Council, the
239.12 Minnesota Historical Society may convey for no consideration state-owned land and real
239.13 property in the Upper Sioux Agency Historic Site, as defined in Minnesota Statutes, Section
239.14 138.662, subdivision 3, to the Upper Sioux Community. In cooperation with the
239.15 commissioner of natural resources, the Minnesota Historical Society must identify any
239.16 funding restrictions or other legal barriers to conveying the land.

239.17 (c) By January 15, 2024, the commissioner, in cooperation with the Minnesota Historical
239.18 Society, must submit a report to the chairs and ranking minority members of the legislative
239.19 committees with jurisdiction over environment and natural resources that identifies all
239.20 barriers to conveying land within Upper Sioux Agency State Park and recommendations
239.21 for addressing those barriers, including any legislation needed to eliminate those barriers.

239.22 **EFFECTIVE DATE.** This section is effective the day following final enactment.

239.23 Sec. 115. **REQUIRED RULEMAKING.**

239.24 Subdivision 1. **Snowmobile registration.** (a) The commissioner of natural resources
239.25 must amend Minnesota Rules as follows:

239.26 (1) part 6100.5000, subpart 1, by striking the last sentence and inserting "The registration
239.27 number remains the same if renewed by July 1 following the expiration date."; and

239.28 (2) part 6100.5700, subpart 1, item C, by striking the reference to registration numbers.

239.29 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
239.30 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota

240.1 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
240.2 14.388.

240.3 Subd. 2. **Walk-in access program.** The commissioner of natural resources must amend
240.4 Minnesota Rules, part 6230.0250, subpart 10, item A, subitem (2), to replace the word
240.5 "hunter" with "person." The commissioner may use the good cause exempt rulemaking
240.6 procedure under Minnesota Statutes, section 14.388, subdivision 1, clause (3), and Minnesota
240.7 Statutes, section 14.386, does not apply.

240.8 Sec. 116. **REGISTRATION DECAL FORMAT TRANSITION.**

240.9 Separately displaying registration numbers is not required when a larger-format
240.10 registration decal as provided under section 2 is displayed according to section 3.
240.11 Snowmobiles displaying valid but older, smaller-format registration decals must display
240.12 the separate registration numbers. Persons may obtain duplicate registration decals in the
240.13 new, larger format, when available, without being required to display the separate registration
240.14 numbers.

240.15 Sec. 117. **REPORT ON OPTIONS FOR FUNDING ADDITIONAL LAW**
240.16 **ENFORCEMENT ON ICE OF STATE WATERS.**

240.17 By January 1, 2024, the commissioner of natural resources must report to the chairs and
240.18 ranking minority members of the legislative committees and divisions with jurisdiction over
240.19 environment and natural resources on options for funding additional enforcement of state
240.20 laws on the ice of state waters. The commissioner must work with the Minnesota Sheriffs'
240.21 Association and other stakeholders in generating the report, which must include options
240.22 and recommendations related to potential funding sources, funding levels, and allocation
240.23 of funding between the various enforcement agencies.

240.24 Sec. 118. **ENFORCEMENT OFFICER BARGAINING UNITS; REPORT.**

240.25 By September 1, 2023, the commissioner of natural resources must submit a report to
240.26 the chairs and ranking minority members of the legislative committees and divisions with
240.27 jurisdiction over the environment and natural resources that provides a status update on the
240.28 collective bargaining agreement for law enforcement supervisors in response to Laws 2022,
240.29 chapter 80, section 3.

241.1 **Sec. 119. REPORT ON FERAL PIGS AND MINK.**

241.2 By February 15, 2024, the commissioner of natural resources, in cooperation with the
241.3 Board of Animal Health and the commissioners of agriculture and health, must submit a
241.4 report to the chairs and ranking minority members of the legislative committees with
241.5 jurisdiction over agriculture and environment and natural resources that:

241.6 (1) identifies the responsibilities of the Board of Animal Health and the commissioners
241.7 of natural resources, health, and agriculture for managing feral pigs and mink;

241.8 (2) identifies any needs to clarify or modify responsibilities for feral pig and mink
241.9 management; and

241.10 (3) includes policy recommendations for managing feral pigs and mink to further prevent
241.11 negative impacts on the environment and human health.

241.12 **Sec. 120. TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

241.13 The commissioner of natural resources must not renew or transfer a turtle seller's license
241.14 after the effective date of this section.

241.15 **EFFECTIVE DATE.** This section is effective January 1, 2024.

241.16 **Sec. 121. SWAN RESTITUTION VALUES; RULE AMENDMENTS.**

241.17 (a) The commissioner of natural resources must amend Minnesota Rules, part 6133.0030,
241.18 to increase the restitution value of a tundra swan from \$200 to \$1,000 and the restitution
241.19 value of a trumpeter swan from \$1,000 to \$2,500.

241.20 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
241.21 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
241.22 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
241.23 14.388.

241.24 **Sec. 122. NATIVE FISH CONSERVATION; REPORTS.**

241.25 (a) By August 1, 2023, the commissioner of natural resources must submit a written
241.26 update on the progress of identifying necessary protection and conservation measures for
241.27 native fish currently defined as rough fish under Minnesota Statutes, section 97A.015,
241.28 subdivision 43, including buffalo, sucker, sheepshead, bowfin, gar, goldeye, and bullhead
241.29 to the chairs and ranking minority members of the house of representatives and senate
241.30 committees and divisions with jurisdiction over the environment and natural resources.

242.1 (b) By December 15, 2023, the commissioner of natural resources must submit a written
 242.2 report with recommendations for statutory and rule changes to provide necessary protection
 242.3 and conservation measures and research needs for native fish currently designated as rough
 242.4 fish to the chairs and ranking minority members of the house of representatives and senate
 242.5 committees and divisions with jurisdiction over the environment and natural resources. The
 242.6 report must include recommendations for amending Minnesota Statutes to classify fish that
 242.7 are native to Minnesota that are currently designated as rough fish and invasive fish currently
 242.8 designated as rough fish separately. For the purposes of this paragraph, native fish include
 242.9 but are not limited to bowfin (*Amia calva*), bigmouth buffalo (*Ictiobus cyprinellus*),
 242.10 smallmouth buffalo (*Ictiobus bubalus*), burbot (*Lota lota*), longnose gar (*Lepisosteus osseus*),
 242.11 shortnose gar (*Lepisosteus platostomus*), goldeye (*Hiodon alosoides*), mooneye (*Hiodon*
 242.12 *tergisus*), and white sucker (*Catostomus commersonii*), and invasive fish include but are
 242.13 not limited to bighead carp (*Hypophthalmichthys nobilis*), grass carp (*Ctenopharyngodon*
 242.14 *idella*), and silver carp (*Hypophthalmichthys molitrix*).

242.15 **Sec. 123. STATE TRAILS; REPORT.**

242.16 By January 15, 2024, the commissioner of natural resources must submit a report the
 242.17 chairs and ranking minority members of the house of representatives and senate committees
 242.18 and divisions with jurisdiction over the environment and natural resources on state authorized
 242.19 trails that:

- 242.20 (1) identifies state trails authorized under Minnesota Statutes;
 242.21 (2) identifies state trails that have been built and what is left to build;
 242.22 (3) recommendations for removing any authorized trails that cannot be built; and
 242.23 (4) estimated miles left to complete the authorized trail system.

242.24 **Sec. 124. REVISOR INSTRUCTION.**

242.25 The revisor of statutes must renumber the subdivisions of Minnesota Statutes, section
 242.26 103G.005, listed in column A to the references listed in column B. The revisor must make
 242.27 necessary cross-reference changes in Minnesota Statutes and Minnesota Rules consistent
 242.28 with the renumbering:

242.29	<u>Column A</u>	<u>Column B</u>
242.30	<u>subdivision 9b</u>	<u>subdivision 9d</u>
242.31	<u>subdivision 13a</u>	<u>subdivision 13c</u>
242.32	<u>subdivision 15h</u>	<u>subdivision 15j</u>

243.1 Sec. 125. **REPEALER.**

243.2 (a) Minnesota Statutes 2022, sections 84.033, subdivision 3; 84.944, subdivision 3; and
243.3 97A.145, subdivision 2, are repealed.

243.4 (b) Minnesota Rules, parts 6100.5000, subparts 3, 4, and 5; 6100.5700, subpart 4; and
243.5 6115.1220, subpart 8, are repealed.

243.6 (c) Minnesota Statutes 2022, sections 86B.101; 86B.305; and 86B.313, subdivisions 2
243.7 and 3, are repealed.

243.8 (d) Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.

243.9 (e) Minnesota Statutes 2022, section 97C.605, subdivisions 2, 2a, 2b, and 5, are repealed.

243.10 **EFFECTIVE DATE.** Paragraph (c) is effective July 1, 2025 and paragraphs (d) and
243.11 (e) are effective January 1, 2024.

243.12

ARTICLE 5

243.13

WATER AND SOIL RESOURCES

243.14 Section 1. Minnesota Statutes 2022, section 103B.101, subdivision 2, is amended to read:

243.15 Subd. 2. **Voting members.** (a) The members are:

243.16 (1) three county commissioners;

243.17 (2) three soil and water conservation district supervisors;

243.18 (3) three watershed district or watershed management organization representatives;

243.19 (4) three citizens who are not employed by, or the appointed or elected officials of, a
243.20 state governmental office, board, or agency;

243.21 (5) one township officer;

243.22 (6) two elected city officials, one of whom must be from a city located in the metropolitan
243.23 area, as defined under section 473.121, subdivision 2;

243.24 (7) the commissioner of agriculture;

243.25 (8) the commissioner of health;

243.26 (9) the commissioner of natural resources;

243.27 (10) the commissioner of the Pollution Control Agency; and

243.28 (11) the director of the University of Minnesota Extension Service.

244.1 (b) Members in paragraph (a), clauses (1) to (6), must be distributed across the state
244.2 with at least four members but not more than six members from the metropolitan area, as
244.3 defined by section 473.121, subdivision 2.

244.4 (c) Members in paragraph (a), clauses (1) to (6), are appointed by the governor. In making
244.5 the appointments, the governor may consider persons recommended by the Association of
244.6 Minnesota Counties, the Minnesota Association of Townships, the League of Minnesota
244.7 Cities, the Minnesota Association of Soil and Water Conservation Districts, and the
244.8 Minnesota Association of Watershed Districts. The list submitted by an association must
244.9 contain at least three nominees for each position to be filled.

244.10 (d) The membership terms, compensation, removal of members and filling of vacancies
244.11 on the board for members in paragraph (a), clauses (1) to (6), are as provided in section
244.12 15.0575, except that a member may be compensated at the rate of up to \$125 a day.

244.13 Sec. 2. Minnesota Statutes 2022, section 103B.101, subdivision 9, is amended to read:

244.14 Subd. 9. **Powers and duties.** (a) In addition to the powers and duties prescribed
244.15 elsewhere, the board shall:

244.16 (1) coordinate the water and soil resources planning and implementation activities of
244.17 counties, soil and water conservation districts, watershed districts, watershed management
244.18 organizations, and any other local units of government through its various authorities for
244.19 approval of local plans, administration of state grants, contracts and easements, and by other
244.20 means as may be appropriate;

244.21 (2) facilitate communication and coordination among state agencies in cooperation with
244.22 the Environmental Quality Board, and between state and local units of government, in order
244.23 to make the expertise and resources of state agencies involved in water and soil resources
244.24 management available to the local units of government to the greatest extent possible;

244.25 (3) coordinate state and local interests with respect to the study in southwestern Minnesota
244.26 under United States Code, title 16, section 1009;

244.27 (4) develop information and education programs designed to increase awareness of local
244.28 water and soil resources problems and awareness of opportunities for local government
244.29 involvement in preventing or solving them;

244.30 (5) provide a forum for the discussion of local issues and opportunities relating to water
244.31 and soil resources management;

245.1 (6) adopt an annual budget and work program that integrate the various functions and
245.2 responsibilities assigned to it by law; and

245.3 (7) report to the governor and the legislature by October 15 of each even-numbered year
245.4 with an assessment of board programs and recommendations for any program changes and
245.5 board membership changes necessary to improve state and local efforts in water and soil
245.6 resources management.

245.7 (b) The board may accept grants, gifts, donations, or contributions in money, services,
245.8 materials, or otherwise from the United States, a state agency, or other source to achieve
245.9 an authorized or delegated purpose. The board may enter into a contract or agreement
245.10 necessary or appropriate to accomplish the transfer. The board may conduct or participate
245.11 in local, state, or federal programs or projects that have as one purpose or effect the
245.12 preservation or enhancement of water and soil resources and may enter into and administer
245.13 agreements with local governments or landowners or their designated agents as part of those
245.14 programs or projects. The board may receive and expend money to acquire conservation
245.15 easements, as defined in chapter 84C, on behalf of the state and federal government consistent
245.16 with ~~the~~ Camp Ripley's Army Compatible Use Buffer Project, Sentinel Landscape program,
245.17 or related conservation programs. The board may enter into agreements, including grant
245.18 agreements, with Tribal nations, federal agencies, higher education institutions, local
245.19 governments, and private sector organizations to carry out programs and other responsibilities
245.20 prescribed or allowed by statute.

245.21 (c) Any money received is hereby deposited in an account in a fund other than the general
245.22 fund and appropriated and dedicated for the purpose for which it is granted.

245.23 Sec. 3. Minnesota Statutes 2022, section 103B.101, subdivision 16, is amended to read:

245.24 Subd. 16. ~~Water quality Conservation practices; standardized specifications.~~ (a)
245.25 The board of Water and Soil Resources shall must work with state and federal agencies,
245.26 Tribal nations, academic institutions, local governments, practitioners, and stakeholders to
245.27 foster mutual understanding and provide recommendations for standardized specifications
245.28 for ~~water quality and soil conservation protection and improvement practices and~~ projects,
245.29 and systems for:

245.30 (1) erosion or sedimentation control;

245.31 (2) improvements to water quality or water quantity;

245.32 (3) habitat restoration and enhancement;

245.33 (4) energy conservation; and

246.1 (5) climate adaptation, resiliency, or mitigation.

246.2 (b) The board may convene working groups or work teams to develop information,
246.3 education, and recommendations.

246.4 Sec. 4. Minnesota Statutes 2022, section 103B.101, is amended by adding a subdivision
246.5 to read:

246.6 Subd. 18. **Guidelines for establishing and enhancing native vegetation.** (a) The board
246.7 must work with state and federal agencies, Tribal nations, academic institutions, local
246.8 governments, practitioners, and stakeholders to foster mutual understanding and to provide
246.9 recommendations for standardized specifications to establish and enhance native vegetation
246.10 to provide benefits for:

246.11 (1) water quality;

246.12 (2) soil conservation;

246.13 (3) habitat enhancement;

246.14 (4) energy conservation; and

246.15 (5) climate adaptation, resiliency, or mitigation.

246.16 (b) The board may convene working groups or work teams to develop information,
246.17 education, and recommendations.

246.18 Sec. 5. Minnesota Statutes 2022, section 103B.103, is amended to read:

246.19 **103B.103 EASEMENT STEWARDSHIP ACCOUNTS.**

246.20 Subdivision 1. **Accounts established; sources.** (a) The water and soil conservation
246.21 easement stewardship account and the mitigation easement stewardship account are created
246.22 in the special revenue fund. The accounts consist of money credited to the accounts and
246.23 interest and other earnings on money in the accounts. The State Board of Investment must
246.24 manage the accounts to maximize long-term gain.

246.25 (b) Revenue from contributions and money appropriated for any purposes of the account
246.26 as described in subdivision 2 must be deposited in the water and soil conservation easement
246.27 stewardship account. Revenue from contributions, ~~wetland banking~~ mitigation fees designated
246.28 for stewardship purposes by the board, easement stewardship payments authorized under
246.29 subdivision 3, and money appropriated for any purposes of the account as described in
246.30 subdivision 2 must be deposited in the mitigation easement stewardship account.

247.1 Subd. 2. **Appropriation; purposes of accounts.** Five percent of the balance on July 1
247.2 each year in the water and soil conservation easement stewardship account and five percent
247.3 of the balance on July 1 each year in the mitigation easement stewardship account are
247.4 annually appropriated to the board and may be spent ~~only~~ to cover the costs of managing
247.5 easements held by the board, including costs associated with:

247.6 (1) repairing or replacing structures;

247.7 (2) monitoring;

247.8 (3) landowner contacts;

247.9 (4) records storage and management;

247.10 (5) processing landowner notices;

247.11 (6) requests for approval or amendments;

247.12 (7) enforcement; and

247.13 (8) legal services associated with easement management activities.

247.14 Subd. 3. **Financial contributions.** The board shall seek a financial contribution to the
247.15 water and soil conservation easement stewardship account for each conservation easement
247.16 acquired by the board. The board shall seek a financial contribution or assess an easement
247.17 stewardship payment to the mitigation easement stewardship account for each wetland
247.18 ~~banking~~ mitigation easement acquired by the board. Unless otherwise provided by law, the
247.19 board shall determine the amount of the contribution or payment, which must be an amount
247.20 calculated to earn sufficient money to meet the costs of managing the easement at a level
247.21 that neither significantly overrecovers nor underrecovers the costs. In determining the
247.22 amount of the financial contribution, the board shall consider:

247.23 (1) the estimated annual staff hours needed to manage the conservation easement, taking
247.24 into consideration factors such as easement type, size, location, and complexity;

247.25 (2) the average hourly wages for the class or classes of state and local employees expected
247.26 to manage the easement;

247.27 (3) the estimated annual travel expenses to manage the easement;

247.28 (4) the estimated annual miscellaneous costs to manage the easement, including supplies
247.29 and equipment, information technology support, and aerial flyovers;

247.30 (5) the estimated annualized costs of legal services, including the cost to enforce the
247.31 easement in the event of a violation;

248.1 (6) the estimated annualized costs for repairing or replacing water control structures;
248.2 and

248.3 (6) (7) the expected rate of return on investments in the account.

248.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.

248.5 **Sec. 6. [103B.104] LAWNS TO LEGUMES PROGRAM.**

248.6 The Board of Water and Soil Resources may provide financial and technical assistance
248.7 to plant residential landscapes and community spaces with native vegetation and
248.8 pollinator-friendly forbs and legumes to protect a diversity of pollinators with declining
248.9 populations, providing additional benefits for water management, carbon sequestration, and
248.10 landscape resiliency. The board must establish criteria for grants or payments awarded under
248.11 this section. Grants or payments awarded under this section may give priority consideration
248.12 for proposals in areas identified by the United States Fish and Wildlife Service as areas
248.13 where there is a high potential for rusty patched bumble bees and other priority species to
248.14 be present. The board may collaborate with and enter into agreements with federal, state,
248.15 and local agencies; Tribal Nations; and other nonprofit organizations and contractors to
248.16 implement and promote the program.

248.17 **Sec. 7. [103B.105] HABITAT-FRIENDLY UTILITIES PROGRAM.**

248.18 (a) The Board of Water and Soil Resources may provide financial and technical assistance
248.19 to promote the successful establishment of native vegetation as part of utility projects,
248.20 including solar and wind projects, pipelines, and electrical transmission corridors, to:

248.21 (1) ensure the integrity and resiliency of Minnesota landscapes; and

248.22 (2) protect habitat and water resources.

248.23 (b) The board must establish criteria for grants or payments awarded under this section.
248.24 Grants or payments awarded under this section may prioritize proposals in areas identified
248.25 by state and federal agencies and conservation partners for protecting high-priority natural
248.26 resources and wildlife species.

248.27 (c) The board may collaborate with and enter into agreements with federal, state, and
248.28 local agencies; Tribal nations; utility companies; nonprofit organizations; and contractors
248.29 to implement and promote the program.

249.1 **Sec. 8. [103B.106] HABITAT ENHANCEMENT LANDSCAPE PROGRAM.**

249.2 (a) The Board of Water and Soil Resources may provide financial and technical assistance
 249.3 to establish or enhance areas of diverse native vegetation to:

249.4 (1) support declining populations of bees, butterflies, dragonflies, birds, and other wildlife
 249.5 species that are essential for ecosystems and food production across conservation lands,
 249.6 open spaces, and natural areas; and

249.7 (2) provide additional benefits for water management, carbon sequestration, and landscape
 249.8 and climate resiliency.

249.9 (b) The board must establish criteria for grants or payments awarded under this section.
 249.10 Grants or payments awarded under this section may prioritize proposals in areas identified
 249.11 by state and federal agencies and conservation partners as high priority for protecting
 249.12 endangered or threatened pollinator and other species.

249.13 (c) The board may collaborate with and enter into agreements with federal, state, and
 249.14 local agencies; Tribal nation; nonprofit organizations; and contractors to implement and
 249.15 promote the program.

249.16 Sec. 9. Minnesota Statutes 2022, section 103C.501, subdivision 1, is amended to read:

249.17 Subdivision 1. **Cost-share Program authorization.** The state board may allocate
 249.18 available funds to districts ~~to share the cost of systems or~~ for practices, projects, and systems
 249.19 for:

249.20 (1) erosion or sedimentation control ~~or~~;

249.21 (2) improvements to water quality ~~improvement that are designed to protect and improve~~
 249.22 ~~soil and water resources.~~ or water quantity;

249.23 (3) habitat enhancement;

249.24 (4) plant biodiversity;

249.25 (5) energy conservation; or

249.26 (6) climate adaptation, resiliency, or mitigation.

249.27 Sec. 10. Minnesota Statutes 2022, section 103C.501, subdivision 4, is amended to read:

249.28 Subd. 4. **Cost-sharing Use of funds.** ~~(a) The state board shall allocate cost-sharing funds~~
 249.29 ~~to areas with high-priority erosion, sedimentation, or water quality problems or water quantity~~

250.1 ~~problems due to altered hydrology. The areas must be selected based on priorities established~~
 250.2 ~~by the state board.~~

250.3 ~~(b) The allocated funds must be used for:~~

250.4 ~~(1) for conservation practices for high-priority problems~~ activities, including technical
 250.5 and financial assistance, identified in the comprehensive and annual work plans of the
 250.6 districts, for the technical assistance portion of the grant funds state-approved plans that are
 250.7 related to water and natural resources and established under chapters 103B, 103C, 103D,
 250.8 103F, 103G, and 114D;

250.9 ~~(2) to leverage federal or other nonstate funds;~~ or

250.10 ~~(3) to address high-priority needs identified in local water management plans or~~
 250.11 ~~comprehensive watershed management plans~~ by the district based on public input.

250.12 Sec. 11. Minnesota Statutes 2022, section 103C.501, subdivision 5, is amended to read:

250.13 Subd. 5. **Contracts by districts.** (a) A district board may ~~contract on a cost-share basis~~
 250.14 ~~to furnish financial aid to~~ provide technical and financial assistance to a land occupier or
 250.15 to a state or federal agency for ~~permanent systems~~ practices and projects for:

250.16 ~~(1) erosion or sedimentation control or;~~

250.17 ~~(2) improvements to water quality or water quantity~~ improvements that are consistent
 250.18 ~~with the district's comprehensive and annual work plans;~~

250.19 ~~(3) habitat enhancement;~~

250.20 ~~(4) plant biodiversity;~~

250.21 ~~(5) energy conservation; or~~

250.22 ~~(6) climate adaptation, resiliency, or mitigation.~~

250.23 ~~(b) A district board, with approval from the state board and,~~ consistent with state board
 250.24 rules and policies, may contract ~~on a cost-share basis to furnish financial aid to a land~~
 250.25 ~~occupier for~~ to provide technical and financial assistance for structural and nonstructural
 250.26 land management practices that are part of a planned erosion control or water quality
 250.27 improvement plan and projects.

250.28 ~~(c) The duration of the contract must, at a minimum, be the time required to complete~~
 250.29 ~~the planned systems. A contract must specify that the land occupier is liable for monetary~~
 250.30 ~~damages and penalties in an amount up to 150 percent of the financial assistance received~~

251.1 ~~from the district, for failure to complete the systems or practices in a timely manner or~~
 251.2 ~~maintain the systems or practices as specified in the contract.~~

251.3 ~~(d) A contract may provide for cooperation or funding with federal agencies. A land~~
 251.4 ~~occupier or state agency may provide the cost-sharing portion of the contract through services~~
 251.5 ~~in kind.~~

251.6 ~~(e) (c)~~ The state board or the district ~~board~~ may not furnish any financial aid assistance
 251.7 for practices designed only to increase land productivity.

251.8 ~~(f) (d)~~ When a district ~~board~~ determines that long-term maintenance of a system or
 251.9 practice is desirable, the district or the state board may require that maintenance be made
 251.10 a covenant upon the land for the effective life of the practice. A covenant under this
 251.11 subdivision shall be construed in the same manner as a conservation restriction under section
 251.12 84.65.

251.13 Sec. 12. Minnesota Statutes 2022, section 103C.501, subdivision 6, is amended to read:

251.14 Subd. 6. **Policies and rules.** ~~(a)~~ The state board may adopt rules and shall adopt policies
 251.15 prescribing:

251.16 (1) procedures and criteria for allocating funds ~~for cost-sharing contracts;~~ and

251.17 (2) standards and guidelines for ~~cost-sharing~~ implementing the conservation contracts;
 251.18 program.

251.19 ~~(3) the scope and content of district comprehensive plans, plan amendments, and annual~~
 251.20 ~~work plans;~~

251.21 ~~(4) standards and methods necessary to plan and implement a priority cost-sharing~~
 251.22 ~~program, including guidelines to identify high priority erosion, sedimentation, and water~~
 251.23 ~~quality problems and water quantity problems due to altered hydrology;~~

251.24 ~~(5) the share of the cost of conservation practices to be paid from cost-sharing funds;~~
 251.25 ~~and~~

251.26 ~~(6) requirements for districts to document their efforts to identify and contact land~~
 251.27 ~~occupiers with high priority problems.~~

251.28 ~~(b) The rules may provide that cost sharing may be used for windbreaks and shelterbelts~~
 251.29 ~~for the purposes of energy conservation and snow protection.~~

252.1 Sec. 13. Minnesota Statutes 2022, section 103C.501, is amended by adding a subdivision
252.2 to read:

252.3 Subd. 7. **Inspections.** The district or the district's delegate must conduct site inspections
252.4 of conservation practices installed to determine if the land occupier is in compliance with
252.5 design, operation, and maintenance specifications.

252.6 Sec. 14. Minnesota Statutes 2022, section 103D.605, subdivision 5, is amended to read:

252.7 Subd. 5. **Establishment order.** After the project hearing, if the managers find that the
252.8 project will be conducive to public health, will promote the general welfare, and ~~is in~~
252.9 ~~compliance~~ complies with the watershed management plan and the provisions of this chapter,
252.10 the ~~board~~ managers must, by order, establish the project. The establishment order must
252.11 include the findings of the managers.

252.12 Sec. 15. [103E.122] DRAINAGE REGISTRY INFORMATION PORTAL.

252.13 (a) By December 31, 2023, the executive director of the Board of Water and Soil
252.14 Resources must establish and permanently maintain a drainage registry information portal
252.15 that includes a publicly searchable electronic database. The portal must allow a drainage
252.16 authority to electronically submit information on:

252.17 (1) a petitioned drainage project; and

252.18 (2) a petition or order for reestablishment of records.

252.19 (b) Within ten days of appointing an engineer for a petitioned drainage project or within
252.20 ten days of a finding that a record is incomplete under section 103E.101, subdivision 4a,
252.21 paragraph (a), a drainage authority must file the following information with the Board of
252.22 Water and Soil Resources through the registry information portal established under paragraph
252.23 (a):

252.24 (1) the name of the drainage authority;

252.25 (2) whether the filing results from a petitioned drainage project or a petition or order for
252.26 reestablishment of records;

252.27 (3) the date that the petition or order was filed;

252.28 (4) information for a local contact that can provide additional information; and

252.29 (5) a copy of the filed petition or order.

253.1 (c) A drainage authority may not take further action on a petitioned drainage project or
253.2 a petition or order for reestablishment of records until the information under paragraph (b)
253.3 is available for public viewing on the registry information portal.

253.4 (d) The registry information portal must allow members of the public to electronically
253.5 search for and retrieve information by the data fields specified in paragraph (b), clauses (1)
253.6 to (5).

253.7 **Sec. 16. [103F.06] SOIL HEALTH PRACTICES PROGRAM.**

253.8 Subdivision 1. **Definitions.** (a) In this section, the following terms have the meanings
253.9 given:

253.10 (1) "board" means the Board of Water and Soil Resources;

253.11 (2) "local units of government" has the meaning given under section 103B.305,
253.12 subdivision 5; and

253.13 (3) "soil health" has the meaning given under section 103C.101, subdivision 10a.

253.14 Subd. 2. **Establishment.** (a) The board must administer a financial and technical support
253.15 program to produce soil health practices that achieve water quality, soil productivity, climate
253.16 change resiliency, or carbon sequestration benefits or reduce pesticide and fertilizer use.

253.17 (b) The program must include but is not limited to no till, field borders, prairie strips,
253.18 cover crops, and other practices sanctioned by the board or the United States Department
253.19 of Agriculture's Natural Resources Conservation Service.

253.20 Subd. 3. **Financial and technical assistance.** (a) The board may provide financial and
253.21 technical support to local units of government, private sector organizations, and farmers to
253.22 establish soil health practices and related practices with climate and water-quality benefits.

253.23 (b) The board must establish practices and costs that are eligible for financial and technical
253.24 support under this section.

253.25 Subd. 4. **Program implementation.** (a) The board may employ staff or enter into external
253.26 agreements to implement this section.

253.27 (b) The board must assist local units of government in achieving the objectives of the
253.28 program, including assessing practice standards and program effectiveness.

253.29 Subd. 5. **Federal aid availability.** The board must regularly review and optimize the
253.30 availability of federal funds and programs to supplement or complement state and other
253.31 efforts consistent with the purposes of this section.

254.1 Subd. 6. Soil health practices. The board, in consultation with the commissioner of
254.2 agriculture, may cooperate with the United States Department of Agriculture, other federal
254.3 and state agencies, local governments, and private sector organizations to establish soil
254.4 health goals for the state that will achieve water quality, soil productivity, climate change
254.5 resiliency, and carbon sequestration benefits and reduce pesticide and fertilizer use.

254.6 Sec. 17. Minnesota Statutes 2022, section 103F.505, is amended to read:

254.7 **103F.505 PURPOSE AND POLICY.**

254.8 (a) It is the purpose of sections 103F.505 to 103F.531 to restore certain marginal
254.9 agricultural land and protect environmentally sensitive areas to:

254.10 (1) enhance soil and water quality;

254.11 (2) minimize damage to flood-prone areas;

254.12 (3) sequester carbon, ~~and~~;

254.13 (4) support native plant, fish, and wildlife habitats; and

254.14 (5) establish perennial vegetation.

254.15 (b) It is state policy to encourage ~~the~~:

254.16 (1) restoration of wetlands and riparian lands ~~and promote the retirement~~;

254.17 (2) restoration and protection of marginal, highly erodible land, particularly land adjacent
254.18 to public waters, drainage systems, wetlands, and locally designated priority waters; and

254.19 (3) protection of environmentally sensitive areas, including wellhead protection areas,
254.20 grasslands, peatlands, shorelands, karst geology, and forest lands in priority areas.

254.21 Sec. 18. Minnesota Statutes 2022, section 103F.511, is amended by adding a subdivision
254.22 to read:

254.23 Subd. 5a. Grasslands. "Grasslands" means landscapes that are or were formerly
254.24 dominated by grasses, that have a low percentage of trees and shrubs, and that provide
254.25 economic and ecosystem services such as managed grazing, wildlife habitat, carbon
254.26 sequestration, and water filtration and retention.

255.1 Sec. 19. Minnesota Statutes 2022, section 103F.511, is amended by adding a subdivision
255.2 to read:

255.3 Subd. 8d. **Restored prairie.** "Restored prairie" means a restoration that uses at least 25
255.4 representative and biologically diverse native prairie plant species and that occurs on land
255.5 that was previously cropped or used as pasture.

255.6 Sec. 20. **[103F.519] REINVEST IN MINNESOTA WORKING LANDS PROGRAM.**

255.7 Subdivision 1. **Establishment.** The board may establish and administer a reinvest in
255.8 Minnesota working lands program that is in addition to the program established under
255.9 section 103F.515. Selecting land for the program must be based on the land's potential for:

255.10 (1) protecting or improving water quality;

255.11 (2) reducing erosion;

255.12 (3) improving soil health;

255.13 (4) reducing chemical inputs;

255.14 (5) improving carbon storage; and

255.15 (6) increasing biodiversity and habitat for fish, wildlife, and native plants.

255.16 Subd. 2. **Applicability.** Section 103F.515 applies to this section except as otherwise
255.17 provided in subdivisions 1, 3, and 4.

255.18 Subd. 3. **Nature of property rights acquired.** Notwithstanding section 103F.515,
255.19 subdivision 4, paragraph (a), the board may authorize managed haying and managed livestock
255.20 grazing, perennial or winter annual cover crop production, forest management, or other
255.21 activities that the board determines are consistent with section 103F.505 or appropriation
255.22 conditions or criteria.

255.23 Subd. 4. **Payments for easements.** The board must establish payment rates for acquiring
255.24 easements and for related practices. The board must consider market factors as well as
255.25 easement terms, including length and allowable uses, when establishing rates.

255.26 Sec. 21. Minnesota Statutes 2022, section 103G.2242, subdivision 1, is amended to read:

255.27 Subdivision 1. **Rules.** (a) The board, in consultation with the commissioner, shall adopt
255.28 rules governing the approval of wetland value replacement plans under this section and
255.29 public-waters-work permits affecting public waters wetlands under section 103G.245. These
255.30 rules must address the criteria, procedure, timing, and location of acceptable replacement

256.1 of wetland values and may address the state establishment and administration of a wetland
256.2 banking program for public and private projects, including provisions for an in-lieu fee
256.3 program; mitigating and banking other water and water-related resources; the administrative,
256.4 monitoring, and enforcement procedures to be used; and a procedure for the review and
256.5 appeal of decisions under this section. In the case of peatlands, the replacement plan rules
256.6 must consider the impact on carbon. Any in-lieu fee program established by the board must
256.7 conform with Code of Federal Regulations, title 33, section 332.8, as amended.

256.8 (b) After the adoption of the rules, a replacement plan must be approved by a resolution
256.9 of the governing body of the local government unit, consistent with the provisions of the
256.10 rules or a comprehensive wetland protection and management plan approved under section
256.11 103G.2243.

256.12 (c) If the local government unit fails to apply the rules, or fails to implement a local
256.13 comprehensive wetland protection and management plan established under section
256.14 103G.2243, the government unit is subject to penalty as determined by the board.

256.15 (d) When making a determination under rules adopted pursuant to this subdivision on
256.16 whether a rare natural community will be permanently adversely affected, consideration of
256.17 measures to mitigate any adverse effect on the community must be considered.

256.18 Sec. 22. **REPEALER.**

256.19 (a) Minnesota Statutes 2022, section 103C.501, subdivisions 2 and 3, are repealed.

256.20 (b) Minnesota Rules, parts 8400.0500; 8400.0550; 8400.0600, subparts 4 and 5;
256.21 8400.0900, subparts 1, 2, 4, and 5; 8400.1650; 8400.1700; 8400.1750; 8400.1800; and
256.22 8400.1900, are repealed.

256.23 ARTICLE 6

256.24 FARMED CERVIDAE

256.25 Section 1. Minnesota Statutes 2022, section 13.643, subdivision 6, is amended to read:

256.26 Subd. 6. **Animal premises data.** (a) Except for farmed Cervidae premises location data
256.27 collected and maintained under section 35.155, the following data collected and maintained
256.28 by the Board of Animal Health related to registration and identification of premises and
256.29 animals under chapter 35, are classified as private or nonpublic:

256.30 (1) the names and addresses;

256.31 (2) the location of the premises where animals are kept; and

257.1 (3) the identification number of the premises or the animal.

257.2 (b) Except as provided in section 347.58, subdivision 5, data collected and maintained
257.3 by the Board of Animal Health under sections 347.57 to 347.64 are classified as private or
257.4 nonpublic.

257.5 (c) The Board of Animal Health may disclose data collected under paragraph (a) or (b)
257.6 to any person, agency, or to the public if the board determines that the access will aid in the
257.7 law enforcement process or the protection of public or animal health or safety.

257.8 Sec. 2. Minnesota Statutes 2022, section 35.155, subdivision 1, is amended to read:

257.9 Subdivision 1. **Running at large prohibited.** (a) An owner may not allow farmed
257.10 Cervidae to run at large. The owner must make all reasonable efforts to return escaped
257.11 farmed Cervidae to their enclosures as soon as possible. The owner must immediately notify
257.12 the commissioner of natural resources of the escape of farmed Cervidae if the farmed
257.13 Cervidae are not returned or captured by the owner within 24 hours of their escape.

257.14 (b) An owner is liable for expenses of another person in capturing, caring for, and
257.15 returning farmed Cervidae that have left their enclosures if the person capturing the farmed
257.16 Cervidae contacts the owner as soon as possible.

257.17 (c) If an owner is unwilling or unable to capture escaped farmed Cervidae, the
257.18 commissioner of natural resources may destroy the escaped farmed Cervidae. The
257.19 commissioner of natural resources must allow the owner to attempt to capture the escaped
257.20 farmed Cervidae prior to destroying the farmed Cervidae. Farmed Cervidae that are not
257.21 captured by 24 hours after escape may be destroyed.

257.22 (d) A hunter licensed by the commissioner of natural resources under chapter 97A may
257.23 kill and possess escaped farmed Cervidae in a lawful manner and is not liable to the owner
257.24 for the loss of the animal. A licensed hunter who harvests escaped farmed Cervidae under
257.25 this paragraph must immediately notify the commissioner of natural resources.

257.26 (e) Escaped farmed Cervidae killed by a hunter or destroyed by the commissioner of
257.27 natural resources must be tested for chronic wasting disease.

257.28 (f) The owner is responsible for proper disposal, as determined by the board, of farmed
257.29 Cervidae that are killed or destroyed under this subdivision and test positive for chronic
257.30 wasting disease.

258.1 (g) An owner is liable for any additional costs associated with escaped farmed Cervidae
258.2 that are infected with chronic wasting disease. This paragraph may be enforced by the
258.3 attorney general on behalf of any state agency affected.

258.4 **EFFECTIVE DATE.** This section is effective September 1, 2023.

258.5 Sec. 3. Minnesota Statutes 2022, section 35.155, subdivision 4, is amended to read:

258.6 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent
258.7 escape. Except as provided in subdivision 4a, all perimeter fences for farmed Cervidae must
258.8 be at least 96 inches in height and be constructed and maintained in a way that prevents the
258.9 escape of farmed Cervidae or entry into the premises by free-roaming Cervidae, and physical
258.10 contact between farmed Cervidae and free-roaming Cervidae. After July 1, 2019, All new
258.11 fencing installed and all fencing used to repair deficiencies must be high tensile. By
258.12 December 1, 2019, All entry areas for farmed Cervidae enclosure areas must have two
258.13 redundant gates, which must be maintained to prevent the escape of animals through an
258.14 open gate. If a fence deficiency allows entry or exit by farmed or wild Cervidae, the owner
258.15 must repair the deficiency within a reasonable time, as determined by the Board of Animal
258.16 Health, not to exceed 45 14 days. If a fence deficiency is detected during an inspection, the
258.17 facility must be reinspected at least once in the subsequent three months. The farmed
258.18 Cervidae owner must pay a reinspection fee equal to one-half the applicable annual inspection
258.19 fee under subdivision 7a for each reinspection related to a fence violation. If the facility
258.20 experiences more than one escape incident in any six-month period or fails to correct a
258.21 deficiency found during an inspection, the board may revoke the facility's registration and
258.22 order the owner to remove or destroy the animals as directed by the board. If the board
258.23 revokes a facility's registration, the commissioner of natural resources may seize and destroy
258.24 animals at the facility.

258.25 **EFFECTIVE DATE.** This section is effective September 1, 2024.

258.26 Sec. 4. Minnesota Statutes 2022, section 35.155, is amended by adding a subdivision to
258.27 read:

258.28 Subd. 4a. **Fencing; commercial herds.** In addition to the requirements in subdivision
258.29 4, commercially farmed white-tailed deer must be confined by two or more perimeter fences,
258.30 with each perimeter fence at least 120 inches in height.

258.31 **EFFECTIVE DATE.** This section is effective September 1, 2024.

259.1 Sec. 5. Minnesota Statutes 2022, section 35.155, subdivision 10, is amended to read:

259.2 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in
259.3 Minnesota unless the person is registered with the Board of Animal Health and meets all
259.4 the requirements for farmed Cervidae under this section. Cervidae possessed in violation
259.5 of this subdivision may be seized and destroyed by the commissioner of natural resources.

259.6 (b) A person whose registration is revoked by the board is ineligible for future registration
259.7 under this section unless the board determines that the person has undertaken measures that
259.8 make future escapes extremely unlikely.

259.9 (c) The board must not allow new registrations under this section for possessing
259.10 white-tailed deer. This paragraph does not prohibit a person holding a valid registration
259.11 under this subdivision from selling or transferring the person's registration to a family
259.12 member who resides in this state and is related to the person within the third degree of
259.13 kindred according to the rules of civil law. A valid registration may be sold or transferred
259.14 only once under this paragraph. Before the board approves a sale or transfer under this
259.15 paragraph, the board must verify that the herd is free from chronic wasting disease and the
259.16 person or eligible family member must pay a onetime transfer fee of \$500 to the board.

259.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.

259.18 Sec. 6. Minnesota Statutes 2022, section 35.155, subdivision 11, is amended to read:

259.19 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)
259.20 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
259.21 and filed with the Board of Animal Health every 12 months.

259.22 (b) Movement of farmed Cervidae from any premises to another location must be reported
259.23 to the Board of Animal Health within 14 days of the movement on forms approved by the
259.24 Board of Animal Health. A person must not move farmed white-tailed deer from a herd that
259.25 tests positive for chronic wasting disease from any premises to another location.

259.26 (c) All animals from farmed Cervidae herds that are over ~~12~~ six months of age that die
259.27 or are slaughtered must be tested for chronic wasting disease.

259.28 (d) The owner of a premises where chronic wasting disease is detected must:

259.29 (1) allow and cooperate with inspections of the premises as determined by the Board of
259.30 Animal Health and Department of Natural Resources conservation officers and wildlife
259.31 managers;

260.1 ~~(1)~~ (2) depopulate the premises of Cervidae after the federal indemnification process
260.2 has been completed or, if an indemnification application is not submitted, within a ~~reasonable~~
260.3 ~~time determined by the board in consultation with the commissioner of natural resources~~
260.4 30 days;

260.5 ~~(2)~~ (3) maintain the fencing required under ~~subdivision~~ subdivisions 4 and 4a on the
260.6 premises for ~~five~~ ten years after the date of detection; ~~and~~

260.7 ~~(3)~~ (4) post the fencing on the premises with biohazard signs as directed by the board;

260.8 (5) not raise farmed Cervidae on the premises for at least ten years;

260.9 (6) before signing an agreement to sell or transfer the property, disclose in writing to
260.10 the buyer or transferee the date of depopulation and the requirements incumbent upon the
260.11 premises and the buyer or transferee under this paragraph; and

260.12 (7) record with the county recorder or registrar of titles a notice, in the form required by
260.13 the board, that includes the location and legal description of the premises, the date of
260.14 detection, the date of depopulation, the landowner requirements under this paragraph, and
260.15 any other information required by the board.

260.16 (e) An owner of farmed Cervidae that test positive for chronic wasting disease is
260.17 responsible for proper disposal of the animals, as determined by the board.

260.18 Sec. 7. Minnesota Statutes 2022, section 35.155, is amended by adding a subdivision to
260.19 read:

260.20 Subd. 11a. **Liability.** (a) A herd owner is liable in a civil action to a person injured by
260.21 the owner's sale or unlawful disposal of farmed Cervidae infected with or exposed to chronic
260.22 wasting disease. Action may be brought in a county where the farmed Cervidae are sold,
260.23 delivered, or unlawfully disposed.

260.24 (b) A herd owner is liable to the state for costs associated with the owner's unlawful
260.25 disposal of farmed Cervidae infected with or exposed to chronic wasting disease. This
260.26 paragraph may be enforced by the attorney general on behalf of any state agency affected.

260.27 Sec. 8. Minnesota Statutes 2022, section 35.155, subdivision 12, is amended to read:

260.28 Subd. 12. **Importation.** (a) A person must not import live Cervidae or Cervidae semen
260.29 into the state from a herd that is:

260.30 (1) infected with or has been exposed to chronic wasting disease; or

261.1 (2) from a ~~known~~ state or province where chronic wasting disease endemic area, as
261.2 ~~determined by the board~~ is present in farmed or wild Cervidae populations.

261.3 (b) A person may import live Cervidae or Cervidae semen into the state only from a
261.4 herd that:

261.5 (1) ~~is not in a known~~ located in a state or province where chronic wasting disease endemic
261.6 ~~area, as determined by the board,~~ is present in farmed or wild Cervidae populations; and
261.7 ~~the herd~~

261.8 (2) has been subject to a ~~state or provincial approved~~ state- or provincial-approved
261.9 chronic wasting disease monitoring program for at least three years.

261.10 (c) Cervidae or Cervidae semen imported in violation of this section may be seized and
261.11 destroyed by the commissioner of natural resources.

261.12 Sec. 9. Minnesota Statutes 2022, section 35.156, subdivision 2, is amended to read:

261.13 Subd. 2. **Federal fund account.** (a) Money granted to the state by the federal government
261.14 for purposes of chronic wasting disease must be credited to a separate account in the federal
261.15 fund and, except as provided in paragraph (b), is annually appropriated to the commissioner
261.16 of agriculture for the purposes for which the federal grant was made according to section
261.17 17.03.

261.18 (b) Money granted to the state by the federal government for response to, and remediation
261.19 of, farmed or wild white-tailed deer infected with chronic wasting disease is annually
261.20 appropriated to the commissioner of natural resources according to section 84.085,
261.21 subdivision 1.

261.22 Sec. 10. Minnesota Statutes 2022, section 35.156, is amended by adding a subdivision to
261.23 read:

261.24 Subd. 3. **Consultation required.** The Board of Animal Health and the commissioner
261.25 of natural resources must consult the Minnesota Center for Prion Research and Outreach
261.26 at the University of Minnesota and incorporate peer-reviewed scientific information when
261.27 administering and enforcing section 35.155 and associated rules pertaining to chronic wasting
261.28 disease and farmed Cervidae.

262.1 Sec. 11. Minnesota Statutes 2022, section 35.156, is amended by adding a subdivision to
262.2 read:

262.3 Subd. 4. **Notice required.** The Board of Animal Health must promptly notify affected
262.4 local units of government and Tribal governments when an animal in a farmed Cervidae
262.5 herd tests positive for chronic wasting disease.

262.6 Sec. 12. Minnesota Statutes 2022, section 35.156, is amended by adding a subdivision to
262.7 read:

262.8 Subd. 5. **Annual testing required.** (a) Annually beginning July 1, 2023, the Board of
262.9 Animal Health must have each farmed white-tailed deer possessed by a person registered
262.10 under section 35.155 tested for chronic wasting disease using a real-time quaking-induced
262.11 conversion (RT-QuIC) test offered by a public or private diagnostic laboratory. Live-animal
262.12 testing must consist of an ear biopsy, the collection of which must be managed by the Board
262.13 of Animal Health, with each laboratory reporting RT-QuIC results to both the commissioner
262.14 of natural resources and the Board of Animal Health in the form required by both agencies.
262.15 If a white-tailed deer tests positive, the owner must have the animal tested a second time
262.16 using an RT-QuIC test performed on both a second ear biopsy and a tonsil or rectal biopsy.

262.17 (b) If a farmed white-tailed deer tests positive using an RT-QuIC test performed on both
262.18 a second ear biopsy and a tonsil or rectal biopsy, the owner must have the animal destroyed
262.19 and tested for chronic wasting disease using a postmortem test approved by the Board of
262.20 Animal Health.

262.21 (c) If a farmed white-tailed deer tests positive for chronic wasting disease under paragraph
262.22 (b), the owner must depopulate the premises of farmed Cervidae as required under section
262.23 35.155, subdivision 11.

262.24 Sec. 13. **TRANSFER OF DUTIES; FARMED WHITE-TAILED DEER.**

262.25 (a) Responsibility for administering and enforcing the statutes and rules listed in clauses
262.26 (1) and (2) for farmed white-tailed deer are, except as provided in paragraph (c), transferred
262.27 pursuant to Minnesota Statutes, section 15.039, from the Board of Animal Health to the
262.28 commissioner of natural resources:

262.29 (1) Minnesota Statutes, sections 35.153 to 35.156; and

262.30 (2) Minnesota Rules, parts 1721.0370 to 1721.0420.

262.31 (b) The Board of Animal Health retains responsibility for administering and enforcing
262.32 the statutes and rules listed in paragraph (a), clauses (1) and (2), for all other farmed Cervidae.

263.1 (c) Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, the transfer of
263.2 personnel will not take place.

263.3 **EFFECTIVE DATE.** This section is effective July 1, 2025.

263.4 Sec. 14. **REVISOR INSTRUCTION.**

263.5 The revisor of statutes must recodify the relevant sections in Minnesota Statutes, chapter
263.6 35, and Minnesota Rules, chapter 1721, as necessary to conform with section 13. The revisor
263.7 must also change the responsible agency, remove obsolete language, and make necessary
263.8 cross-reference changes consistent with section 13 and the renumbering.

263.9 **ARTICLE 7**

263.10 **MISCELLANEOUS**

263.11 Section 1. **[3.8865] LEGISLATIVE WATER COMMISSION.**

263.12 Subdivision 1. **Establishment.** The Legislative Water Commission is established.

263.13 Subd. 2. **Membership.** (a) The Legislative Water Commission consists of 12 members
263.14 appointed as follows:

263.15 (1) six members of the senate, including three majority party members appointed by the
263.16 majority leader and three minority party members appointed by the minority leader; and

263.17 (2) six members of the house of representatives, including three majority party members
263.18 appointed by the speaker of the house and three minority party members appointed by the
263.19 minority leader.

263.20 (b) Members serve at the pleasure of the appointing authority and continue to serve until
263.21 their successors are appointed or until a member is no longer a member of the legislative
263.22 body that appointed the member to the commission. Vacancies must be filled in the same
263.23 manner as the original positions. Vacancies occurring on the commission do not affect the
263.24 authority of the remaining members of the Legislative Water Commission to carry out the
263.25 functions of the commission.

263.26 (c) Members must elect a chair, vice-chair, and other officers as determined by the
263.27 commission. The chair may convene meetings as necessary to perform the duties prescribed
263.28 by this section.

263.29 Subd. 3. **Commission staffing.** The Legislative Coordinating Commission must employ
263.30 staff and contract with consultants as necessary to enable the Legislative Water Commission
263.31 to carry out its duties and functions.

264.1 Subd. 4. Powers and duties. (a) The Legislative Water Commission must review water
264.2 policy reports and recommendations of the Environmental Quality Board, the Board of
264.3 Water and Soil Resources, the Pollution Control Agency, the Department of Natural
264.4 Resources, and the Metropolitan Council and other water-related reports as may be required
264.5 by law or the legislature.

264.6 (b) The commission may conduct public hearings and otherwise secure data and
264.7 comments.

264.8 (c) The commission must make recommendations as it deems proper to assist the
264.9 legislature in formulating legislation.

264.10 (d) Data or information compiled by the Legislative Water Commission or its
264.11 subcommittees must be made available to the Legislative-Citizen Commission on Minnesota
264.12 Resources, the Clean Water Council, and standing and interim committees of the legislature
264.13 upon request of the chair of the respective commission, council, or committee.

264.14 (e) The commission must coordinate with the Clean Water Council.

264.15 Subd. 5. Compensation. Members of the commission may receive per diem and expense
264.16 reimbursement incurred doing the work of the commission in the manner and amount
264.17 prescribed for per diem and expense payments by the senate Committee on Rules and
264.18 Administration and the house of representatives Committee on Rules and Legislative
264.19 Administration.

264.20 Subd. 6. Expiration. This section expires July 1, 2028.

264.21 Sec. 2. Minnesota Statutes 2022, section 18B.01, subdivision 31, is amended to read:

264.22 Subd. 31. **Unreasonable adverse effects on the environment.** "Unreasonable adverse
264.23 effects on the environment" means any unreasonable risk to humans or the environment,
264.24 taking into account the economic, social, and environmental costs and benefits of the use
264.25 of any pesticide or seed treated with pesticide.

264.26 Sec. 3. **[18B.075] PESTICIDE-TREATED SEED.**

264.27 A person may not use, store, handle, distribute, or dispose of seed treated with pesticide
264.28 in a manner that:

264.29 (1) endangers humans, food, livestock, fish, or wildlife; or

264.30 (2) will cause unreasonable adverse effects on the environment.

265.1 Sec. 4. Minnesota Statutes 2022, section 18B.09, subdivision 2, is amended to read:

265.2 Subd. 2. **Authority.** (a) Statutory and home rule charter cities may enact an ordinance,
265.3 which may include penalty and enforcement provisions, containing one or both of the
265.4 following:

265.5 (1) the pesticide application warning information contained in subdivision 3, including
265.6 their own licensing, penalty, and enforcement provisions; and

265.7 (2) the pesticide prohibition contained in subdivision 4.

265.8 (b) Statutory and home rule charter cities may not enact an ordinance that contains more
265.9 restrictive pesticide application warning information than is contained in subdivision
265.10 subdivisions 3 and 4.

265.11 Sec. 5. Minnesota Statutes 2022, section 18B.09, is amended by adding a subdivision to
265.12 read:

265.13 Subd. 4. **Application of certain pesticides prohibited.** (a) A person may not apply or
265.14 use a pollinator-lethal pesticide within the geographic boundaries of a city that has enacted
265.15 an ordinance under subdivision 2 prohibiting such use.

265.16 (b) For purposes of this subdivision, "pollinator-lethal pesticide" means a pesticide that
265.17 has a pollinator protection box on the label or labeling or a pollinator, bee, or honey bee
265.18 precautionary statement in the environmental hazards section of the label or labeling.

265.19 (c) This subdivision does not apply to:

265.20 (1) pet care products used to mitigate fleas, mites, ticks, heartworms, or other animals
265.21 that are harmful to the health of a domesticated animal;

265.22 (2) personal care products used to mitigate lice and bedbugs;

265.23 (3) indoor pest control products used to mitigate insects indoors, including ant bait;

265.24 (4) pesticides as used or applied by the Metropolitan Mosquito Control District for public
265.25 health protection if the pesticide includes vector species on the label;

265.26 (5) wood preservative pesticides used either within a sealed steel cylinder or inside an
265.27 enclosed building at a secure facility by trained technicians and pesticide-treated wood
265.28 products;

265.29 (6) pesticides used or applied to control or eradicate a noxious weed designated by the
265.30 commissioner under section 18.79, subdivision 13; and

266.1 (7) pesticides used or applied on land used for agricultural production and located in an
266.2 area zoned for agricultural use.

266.3 (d) The commissioner must maintain a list of pollinator-lethal pesticides on the
266.4 department's website.

266.5 Sec. 6. Minnesota Statutes 2022, section 21.82, subdivision 3, is amended to read:

266.6 Subd. 3. **Treated seed.** For all named agricultural, vegetable, flower, or wildflower
266.7 seeds which are treated, for which a separate label may be used, the label must contain:

266.8 (1) a word or statement to indicate that the seed has been treated;

266.9 (2) the commonly accepted, coined, chemical, or abbreviated generic chemical name of
266.10 the applied substance;

266.11 (3) the caution statement "Do not use for food, feed, or oil purposes" if the substance in
266.12 the amount present with the seed is harmful to human or other vertebrate animals;

266.13 (4) in the case of mercurials or similarly toxic substances, a poison statement and symbol;

266.14 (5) a word or statement describing the process used when the treatment is not of pesticide
266.15 origin; ~~and~~

266.16 (6) the date beyond which the inoculant is considered ineffective if the seed is treated
266.17 with an inoculant. It must be listed on the label as "inoculant: expires (month and year)" or
266.18 wording that conveys the same meaning; and

266.19 (7) the caution statement, framed in a box and including a bee icon developed by the
266.20 commissioner: "Planting seed treated with a neonicotinoid pesticide may negatively impact
266.21 pollinator health. Please use care when handling and planting this seed" for any corn or
266.22 soybean seed treated with a neonicotinoid pesticide.

266.23 Sec. 7. Minnesota Statutes 2022, section 21.86, subdivision 2, is amended to read:

266.24 Subd. 2. **Miscellaneous violations.** No person may:

266.25 (a) detach, alter, deface, or destroy any label required in sections 21.82 and 21.83, alter
266.26 or substitute seed in a manner that may defeat the purposes of sections 21.82 and 21.83, or
266.27 alter or falsify any seed tests, laboratory reports, records, or other documents to create a
266.28 misleading impression as to kind, variety, history, quality, or origin of the seed;

266.29 (b) hinder or obstruct in any way any authorized person in the performance of duties
266.30 under sections 21.80 to 21.92;

267.1 (c) fail to comply with a "stop sale" order or to move or otherwise handle or dispose of
267.2 any lot of seed held under a stop sale order or attached tags, except with express permission
267.3 of the enforcing officer for the purpose specified;

267.4 (d) use the word "type" in any labeling in connection with the name of any agricultural
267.5 seed variety;

267.6 (e) use the word "trace" as a substitute for any statement which is required;

267.7 (f) plant any agricultural seed which the person knows contains weed seeds or noxious
267.8 weed seeds in excess of the limits for that seed; ~~or~~

267.9 (g) advertise or sell seed containing patented, protected, or proprietary varieties used
267.10 without permission of the patent or certificate holder of the intellectual property associated
267.11 with the variety of seed; or

267.12 (h) use or sell as food, feed, oil, or ethanol feedstock any seed treated with neonicotinoid
267.13 pesticide.

267.14 Sec. 8. **[21.915] PESTICIDE-TREATED SEED USE AND DISPOSAL; CONSUMER**
267.15 **GUIDANCE REQUIRED.**

267.16 (a) The commissioner, in consultation with the commissioner of the Pollution Control
267.17 Agency, must develop and maintain consumer guidance regarding the proper use and disposal
267.18 of seed treated with pesticide.

267.19 (b) A person selling seed treated with pesticide at retail must post in a conspicuous
267.20 location the guidance developed by the commissioner under paragraph (a).

267.21 Sec. 9. Minnesota Statutes 2022, section 85A.01, subdivision 1, is amended to read:

267.22 Subdivision 1. **Creation.** (a) The Minnesota Zoological Garden is established under the
267.23 supervision and control of the Minnesota Zoological Board. The board consists of 30 public
267.24 and private sector members having a background or interest in zoological societies or zoo
267.25 management or an ability to generate community interest in the Minnesota Zoological
267.26 Garden. Fifteen members shall be appointed by the board after consideration of a list supplied
267.27 by board members serving on a nominating committee, and 15 members shall be appointed
267.28 by the governor. One member of the board must be a resident of Dakota County and shall
267.29 be appointed by the governor after consideration of the recommendation of the Dakota
267.30 County Board. Board appointees shall not be subject to the advice and consent of the senate.

268.1 (b) To the extent possible, the board and governor shall appoint members who are
268.2 residents of the various geographic regions of the state. Terms, compensation, and removal
268.3 of members are as provided in section 15.0575, except that a member may be compensated
268.4 at the rate of up to \$125 a day. In making appointments, the governor and board shall utilize
268.5 the appointment process as provided under section 15.0597 and consider, among other
268.6 factors, the ability of members to garner support for the Minnesota Zoological Garden.

268.7 (c) A member of the board may not be an employee of or have a direct or immediate
268.8 family financial interest in a business that provides goods or services to the zoo. A member
268.9 of the board may not be an employee of the zoo.

268.10 Sec. 10. **[473.5491] METROPOLITAN CITIES INFLOW AND INFILTRATION**
268.11 **GRANTS.**

268.12 Subdivision 1. Definitions. (a) For the purposes of this section, the following terms have
268.13 the meanings given.

268.14 (b) "Affordability criteria" means an inflow and infiltration project service area that is
268.15 located, in whole or in part, in a census tract where at least three of the following apply as
268.16 determined using the most recently published data from the United States Census Bureau
268.17 or United States Centers for Disease Control and Prevention:

268.18 (1) 20 percent or more of the residents have income below the federal poverty thresholds;

268.19 (2) the tract has a United States Centers for Disease Control and Prevention Social
268.20 Vulnerability Index greater than 0.80;

268.21 (3) the upper limit of the lowest quintile of household income is less than the state upper
268.22 limit of the lowest quintile;

268.23 (4) the housing vacancy rate is greater than the state average; or

268.24 (5) the percent of the population receiving Supplemental Nutrition Assistance Program
268.25 (SNAP) benefits is greater than the state average.

268.26 (c) "City" means a statutory or home rule charter city located within the metropolitan
268.27 area.

268.28 Subd. 2. Grants. (a) The council shall make grants to cities for capital improvements
268.29 in municipal wastewater collection systems to reduce the amount of inflow and infiltration
268.30 to the council's metropolitan sanitary sewer disposal system.

268.31 (b) A grant under this section may be made in an amount up to 50 percent of the cost to
268.32 mitigate inflow and infiltration in the publicly owned municipal wastewater collection

269.1 system. The council may award a grant up to 100 percent of the cost to mitigate inflow and
269.2 infiltration in the publicly owned municipal wastewater collection system if the project
269.3 meets affordability criteria.

269.4 Subd. 3. **Eligibility.** To be eligible for a grant under this section, a city must be identified
269.5 by the council as a contributor of excessive inflow and infiltration in the metropolitan
269.6 disposal system or have a measured flow rate within 20 percent of its allowable
269.7 council-determined inflow and infiltration limits.

269.8 Subd. 4. **Application.** The council must award grants based on applications from cities
269.9 that identify eligible capital costs and include a timeline for inflow and infiltration mitigation
269.10 construction, pursuant to guidelines established by the council. The council must prioritize
269.11 applications that meet affordability criteria.

269.12 Subd. 5. **Cancellation.** If a grant is awarded to a city and funds are not encumbered for
269.13 the grant within four years after the award date, the grant must be canceled.

269.14 Sec. 11. **[473.5492] COMMUNITY WASTEWATER COSTS; ANNUAL REPORT.**

269.15 By February 15 each year, the council must submit a report to the chairs and ranking
269.16 minority members of the legislative committees and divisions with jurisdiction over capital
269.17 investment and environment and natural resources that provides a summary of the average
269.18 monthly wastewater costs for communities in the metropolitan area for the previous calendar
269.19 year.

269.20 Sec. 12. **50-YEAR CLEAN WATER PLAN SCOPE OF WORK.**

269.21 (a) The Board of Regents of the University of Minnesota, through the University of
269.22 Minnesota Water Council, must develop a scope of work, timeline, and budget for a plan
269.23 to promote and protect clean water in Minnesota for the next 50 years. The 50-year clean
269.24 water plan must:

269.25 (1) provide a literature-based assessment of the current status and trends regarding the
269.26 quality and quantity of all Minnesota waters, both surface and subsurface;

269.27 (2) identify gaps in the data or understanding and provide recommended action steps to
269.28 address gaps;

269.29 (3) identify existing and potential future threats to Minnesota's waters; and

270.1 (4) propose a road map of scenarios and policy recommendations to allow the state to
270.2 proactively protect, remediate, and conserve clean water for human use and biodiversity
270.3 for the next 50 years.

270.4 (b) The scope of work must outline the steps and resources necessary to develop the
270.5 plan, including but not limited to:

270.6 (1) the data sets that are required and how the University of Minnesota will obtain access;

270.7 (2) the suite of proposed analysis methods;

270.8 (3) the roles and responsibilities of project leaders, key personnel, and stakeholders;

270.9 (4) the project timeline with milestones; and

270.10 (5) a budget with expected costs for tasks and milestones.

270.11 (c) By December 1, 2023, the Board of Regents of the University of Minnesota must

270.12 submit the scope of work to the chairs and ranking minority members of the house of

270.13 representatives and senate committees and divisions with jurisdiction over environment and

270.14 natural resources."

270.15 Amend the title accordingly