

12.28

ARTICLE 2

12.29

ENVIRONMENT AND NATURAL RESOURCES POLICY

12.30 Section 1. Minnesota Statutes 2020, section 84.027, subdivision 14a, is amended to read:

12.31 Subd. 14a. **Permitting efficiency; public notice.** (a) It is the goal of the state that
12.32 environmental and resource management permits be issued or denied within 90 days for
12.33 tier 1 permits or 150 days for tier 2 permits following submission of a permit application.
13.1 The commissioner of natural resources shall establish management systems designed to
13.2 achieve the goal.

13.3 (b) The commissioner shall prepare an annual permitting efficiency report that includes
13.4 statistics on meeting the goal in paragraph (a) and the criteria for tier 2 by permit categories.
13.5 The report is due ~~August~~ ~~October~~ ~~1~~ each year. For permit applications that have not met
13.6 the goal, the report must state the reasons for not meeting the goal. In stating the reasons
13.7 for not meeting the goal, the commissioner shall separately identify delays caused by the
13.8 responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the
13.9 level of public engagement. The report must specify the number of days from initial
13.10 submission of the application to the day of determination that the application is complete.
13.11 The report must aggregate the data for the year and assess whether program or system
13.12 changes are necessary to achieve the goal. The report must be posted on the department's
13.13 website and submitted to the governor and the chairs and ranking minority members of the
13.14 house of representatives and senate committees having jurisdiction over natural resources
13.15 policy and finance.

13.16 (c) The commissioner shall allow electronic submission of environmental review and
13.17 permit documents to the department.

13.18 (d) Within 30 business days of application for a permit subject to paragraph (a), the
13.19 commissioner of natural resources shall notify the permit applicant, in writing, whether the
13.20 application is complete or incomplete. If the commissioner determines that an application
13.21 is incomplete, the notice to the applicant must enumerate all deficiencies, citing specific
13.22 provisions of the applicable rules and statutes, and advise the applicant on how the
13.23 deficiencies can be remedied. If the commissioner determines that the application is complete,
13.24 the notice must confirm the application's tier 1 or tier 2 permit status. If the commissioner
13.25 believes that a complete application for a tier 2 construction permit cannot be issued within
13.26 the 150-day goal, the commissioner must provide notice to the applicant with the
13.27 commissioner's notice that the application is complete and, upon request of the applicant,
13.28 provide the permit applicant with a schedule estimating when the agency will begin drafting
13.29 the permit and issue the public notice of the draft permit. This paragraph does not apply to
13.30 an application for a permit that is subject to a grant or loan agreement under chapter 446A.

13.31 (e) When public notice of a draft individual tier 2 permit is required, the commissioner
13.32 must provide the applicant a draft permit for review by the applicant within 30 days after
13.33 determining the proposal conforms to all federal and state laws and rules, unless the permit

24.14

ARTICLE 2

24.15

STATUTORY CHANGES

13.34 applicant and the commissioner mutually agree to a different date. The commissioner must
13.35 consider all comments submitted by the applicant before issuing the permit.

14.1 Sec. 2. Minnesota Statutes 2020, section 84.027, is amended by adding a subdivision to
14.2 read:

14.3 Subd. 14c. **Unadopted rules.** The commissioner of natural resources must not enforce
14.4 or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule"
14.5 means a guideline, bulletin, criterion, manual standard, interpretive statement, policy plan,
14.6 or similar pronouncement if the guideline, bulletin, criterion, manual standard, interpretive
14.7 statement, policy plan, or similar pronouncement has not been adopted according to the
14.8 rulemaking process provided under chapter 14. If an unadopted rule is challenged under
14.9 section 14.381, the commissioner must cease enforcement of the unadopted rule and
14.10 overcome a presumption that the unadopted rule must be adopted according to the rulemaking
14.11 process provided under chapter 14.

14.12 Sec. 3. Minnesota Statutes 2020, section 84.788, subdivision 5, is amended to read:

14.13 Subd. 5. **Report of ownership transfers; fee.** (a) Application for transfer of ownership
14.14 of an off-highway motorcycle registered under this section must be made to the commissioner
14.15 within 15 days of the date of transfer.

14.16 (b) An application for transfer must be executed by the ~~registered~~ current owner and the
14.17 purchaser using a bill of sale that includes the vehicle serial number.

14.18 (c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser
14.19 fails to apply for transfer of ownership as provided under this subdivision.

14.20 Sec. 4. Minnesota Statutes 2020, section 84.82, subdivision 2, is amended to read:

14.21 Subd. 2. **Application, issuance, issuing fee.** (a) Application for registration or
14.22 reregistration shall be made to the commissioner or an authorized deputy registrar of motor
14.23 vehicles in a format prescribed by the commissioner and shall state the legal name and
14.24 address of every owner of the snowmobile.

14.25 (b) A person who purchases a snowmobile from a retail dealer shall make application
14.26 for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary
14.27 21-day registration permit to each purchaser who applies to the dealer for registration. The
14.28 temporary permit must contain the dealer's identification number and phone number. Each
14.29 retail dealer shall submit completed registration and fees to the deputy registrar at least once
14.30 a week. No fee may be charged by a dealer to a purchaser for providing the temporary
14.31 permit.

15.1 (c) Upon receipt of the application and the appropriate fee, the commissioner or deputy
15.2 registrar shall issue to the applicant, or provide to the dealer, an assigned registration number
15.3 or a commissioner or deputy registrar temporary 21-day permit. The registration number
15.4 must be printed on a registration decal issued by the commissioner or deputy registrar. Once
15.5 issued, the registration ~~number~~ number decal must be affixed to the snowmobile in a clearly visible

15.6 and permanent manner for enforcement purposes ~~as the commissioner of natural resources~~
15.7 ~~shall prescribe~~ according to subdivision 3b. A dealer subject to paragraph (b) shall provide
15.8 the registration materials or temporary permit to the purchaser within the temporary 21-day
15.9 permit period. The registration is not valid unless signed by at least one owner.

15.10 (d) Each deputy registrar of motor vehicles acting pursuant to section 168.33 shall also
15.11 be a deputy registrar of snowmobiles. The commissioner of natural resources in agreement
15.12 with the commissioner of public safety may prescribe the accounting and procedural
15.13 requirements necessary to ensure efficient handling of registrations and registration fees.
15.14 Deputy registrars shall strictly comply with these accounting and procedural requirements.

15.15 (e) In addition to other fees prescribed by law, an issuing fee of \$4.50 is charged for
15.16 each snowmobile registration renewal, duplicate or replacement registration card, and
15.17 replacement decal, and an issuing fee of \$7 is charged for each snowmobile registration and
15.18 registration transfer issued by:

15.19 (1) a registrar or a deputy registrar and must be deposited in the manner provided in
15.20 section 168.33, subdivision 2; or

15.21 (2) the commissioner and must be deposited in the state treasury and credited to the
15.22 snowmobile trails and enforcement account in the natural resources fund.

15.23 Sec. 5. Minnesota Statutes 2020, section 84.82, is amended by adding a subdivision to
15.24 read:

15.25 Subd. 3b. **Display of registration decal.** (a) A person must not operate a snowmobile
15.26 in the state or allow another to operate the person's snowmobile in the state unless the
15.27 snowmobile has its unexpired registration decal affixed to each side of the snowmobile and
15.28 the decal is legible.

15.29 (b) The registration decal must be affixed:

15.30 (1) for snowmobiles made after June 30, 1972, in the area provided by the manufacturer
15.31 under section 84.821, subdivision 2; and

15.32 (2) for all other snowmobiles, on each side of the cowling on the upper half of the
15.33 snowmobile.

16.1 (c) When any previously affixed registration decal is destroyed or lost, a duplicate must
16.2 be affixed in the same manner as provided in paragraph (b).

16.3 Sec. 6. Minnesota Statutes 2020, section 84.821, subdivision 2, is amended to read:

16.4 Subd. 2. **Area for registration number.** All snowmobiles made after June 30, 1972,
16.5 and sold in Minnesota, shall be designed and made to provide an area on which to affix the
16.6 registration ~~number~~ decal. ~~This area shall be at a location and of dimensions prescribed by~~
16.7 ~~rule of the commissioner.~~ A clear area must be provided on each side of the cowling with

16.8 a minimum size of 3-1/2 square inches and at least 12 inches from the ground when the
16.9 machine is resting on a hard surface.

16.10 Sec. 7. Minnesota Statutes 2020, section 84.84, is amended to read:

16.11 **84.84 TRANSFER OR TERMINATION OF SNOWMOBILE OWNERSHIP.**

16.12 (a) Within 15 days after the transfer of ownership, or any part thereof, other than a
16.13 security interest, or the destruction or abandonment of any snowmobile, written notice of
16.14 the transfer or destruction or abandonment shall be given to the commissioner in such form
16.15 as the commissioner shall prescribe.

16.16 (b) An application for transfer must be executed by the ~~registered~~ current owner and the
16.17 purchaser using a bill of sale that includes the vehicle serial number.

16.18 (c) The purchaser is subject to the penalties imposed by section 84.88 if the purchaser
16.19 fails to apply for transfer of ownership as provided under this subdivision. Every owner or
16.20 part owner of a snowmobile shall, upon failure to give notice of destruction or abandonment,
16.21 be subject to the penalties imposed by section 84.88.

16.22 Sec. 8. Minnesota Statutes 2020, section 84.86, subdivision 1, is amended to read:

16.23 Subdivision 1. **Required rules, fees, and reports.** (a) With a view of achieving maximum
16.24 use of snowmobiles consistent with protection of the environment the commissioner of
16.25 natural resources shall adopt rules in the manner provided by chapter 14, for the following
16.26 purposes:

16.27 (1) registration of snowmobiles ~~and display of registration numbers;~~

16.28 (2) use of snowmobiles insofar as game and fish resources are affected;

16.29 (3) use of snowmobiles on public lands and waters, or on grant-in-aid trails;

17.1 (4) uniform signs to be used by the state, counties, and cities, which are necessary or
17.2 desirable to control, direct, or regulate the operation and use of snowmobiles;

17.3 (5) specifications relating to snowmobile mufflers; and

17.4 (6) a comprehensive snowmobile information and safety education and training program;
17.5 ~~including that includes but is not limited to the preparation and dissemination of preparing~~
17.6 ~~and disseminating snowmobile information and safety advice to the public, the training of~~
17.7 ~~snowmobile operators, and the issuance of issuing snowmobile safety certificates to~~
17.8 snowmobile operators who successfully complete the snowmobile safety education and
17.9 training course.

17.10 (b) For the purpose of administering ~~such the program under paragraph (a), clause (6),~~
17.11 and to defray expenses of training and certifying snowmobile operators, the commissioner
17.12 shall collect a fee from each person who receives the youth or adult training. The
17.13 commissioner shall collect a fee, to include a \$1 issuing fee for licensing agents, for issuing

17.14 a duplicate snowmobile safety certificate. The commissioner shall establish both fees in a
 17.15 manner that neither significantly overrecovers nor underrecovers costs, including overhead
 17.16 costs, involved in providing the services. The fees are not subject to the rulemaking provisions
 17.17 of chapter 14 and section 14.386 does not apply. The fees may be established by the
 17.18 commissioner notwithstanding section 16A.1283. The fees, except for the issuing fee for
 17.19 licensing agents under this subdivision, shall be deposited in the snowmobile trails and
 17.20 enforcement account in the natural resources fund and the amount thereof, except for the
 17.21 electronic licensing system commission established by the commissioner under section
 17.22 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated
 17.23 annually to the Enforcement Division of the Department of Natural Resources for ~~the~~
 17.24 ~~administration of such~~ administering the programs. In addition to the fee established by the
 17.25 commissioner, instructors may charge each person any fee paid by the instructor for the
 17.26 person's online training course and up to the established fee amount for class materials and
 17.27 expenses. The commissioner shall cooperate with private organizations and associations,
 17.28 private and public corporations, and local governmental units in furtherance of the program
 17.29 established under ~~this paragraph (a)~~, clause (6). School districts may cooperate with the
 17.30 commissioner and volunteer instructors to provide space for the classroom portion of the
 17.31 training. The commissioner shall consult with the commissioner of public safety in regard
 17.32 to training program subject matter and performance testing that leads to the certification of
 17.33 snowmobile operators.

17.34 ~~(7)~~(c) The operator of any snowmobile involved in an accident resulting in injury
 17.35 requiring medical attention or hospitalization to or death of any person or total damage to
 18.1 an extent of \$500 or more, shall forward a written report of the accident to the commissioner
 18.2 on ~~such a form as prescribed by the commissioner shall prescribe~~. If the operator is killed
 18.3 or is unable to file a report due to incapacitation, any peace officer investigating the accident
 18.4 shall file the accident report within ten business days.

18.5 Sec. 9. Minnesota Statutes 2020, section 84.87, subdivision 1, is amended to read:

18.6 Subdivision 1. **Operation on streets and highways.** (a) No person shall operate a
 18.7 snowmobile upon the roadway, shoulder, or inside bank or slope of any trunk, county
 18.8 state-aid, or county highway in this state and, in the case of a divided trunk or county
 18.9 highway, on the right-of-way between the opposing lanes of traffic, except as provided in
 18.10 sections 84.81 to 84.90. No person shall operate a snowmobile within the right-of-way of
 18.11 any trunk, county state-aid, or county highway between the hours of one-half hour after
 18.12 sunset to one-half hour before sunrise, except on the right-hand side of such right-of-way
 18.13 and in the same direction as the highway traffic on the nearest lane of the roadway adjacent
 18.14 thereto. No snowmobile shall be operated at any time within the right-of-way of any interstate
 18.15 highway or freeway within this state.

18.16 (b) Notwithstanding any provision of paragraph (a) to the contrary:

18.17 (1) under conditions prescribed by the commissioner of transportation, the commissioner
 18.18 of transportation may allow two-way operation of snowmobiles on either side of the trunk
 18.19 highway right-of-way where the commissioner of transportation determines that two-way

18.20 operation will not endanger users of the trunk highway or riders of the snowmobiles using
18.21 the trail;

18.22 (2) under conditions prescribed by a local road authority as defined in section 160.02,
18.23 subdivision 25, the road authority may allow two-way operation of snowmobiles on either
18.24 side of the right-of-way of a street or highway under the road authority's jurisdiction, where
18.25 the road authority determines that two-way operation will not endanger users of the street
18.26 or highway or riders of the snowmobiles using the trail;

18.27 (3) the commissioner of transportation under clause (1) and the local road authority
18.28 under clause (2) shall notify the commissioner of natural resources and the local law
18.29 enforcement agencies responsible for the streets or highways of the locations of two-way
18.30 snowmobile trails authorized under this paragraph; and

18.31 (4) two-way snowmobile trails authorized under this paragraph shall be posted for
18.32 two-way operation at the authorized locations.

19.1 (c) A snowmobile may make a direct crossing of a street or highway at any hour of the
19.2 day provided:

19.3 (1) the crossing is made at an angle of approximately 90 degrees to the direction of the
19.4 highway and at a place where no obstruction prevents a quick and safe crossing; and

19.5 (2) the snowmobile is brought to a complete stop before crossing the shoulder or main
19.6 traveled way of the highway; and

19.7 (3) the driver yields the right-of-way to all oncoming traffic which constitutes an
19.8 immediate hazard; and

19.9 (4) in crossing a divided highway, the crossing is made only at an intersection of such
19.10 highway with another public street or highway, or at a safe location approved by the road
19.11 authority; and

19.12 (5) if the crossing is made between the hours of one-half hour after sunset to one-half
19.13 hour before sunrise or in conditions of reduced visibility, only if both front and rear lights
19.14 are on; and

19.15 (6) a snowmobile may be operated upon a bridge, other than a bridge that is part of the
19.16 main traveled lanes of an interstate highway, when required for the purpose of avoiding
19.17 obstructions to travel when no other method of avoidance is possible; provided the
19.18 snowmobile is operated in the extreme right-hand lane, the entrance to the roadway is made
19.19 within 100 feet of the bridge and the crossing is made without undue delay.

19.20 (d) No snowmobile shall be operated upon a public street or highway unless it is equipped
19.21 with at least one headlamp, one tail lamp, each of minimum candlepower as prescribed by
19.22 rules of the commissioner, reflector material of a minimum area of 16 square inches mounted
19.23 on each side forward of the handle bars, and with brakes each of which shall conform to
19.24 standards prescribed by rule of the commissioner pursuant to the authority vested in the

19.25 commissioner by section 84.86, and each of which shall be subject to approval of the
 19.26 commissioner of public safety.

19.27 (e) A snowmobile may be operated upon a public street or highway other than as provided
 19.28 by paragraph (c) in an emergency during the period of time when and at locations where
 19.29 snow upon the roadway renders travel by automobile impractical.

19.30 (f) All provisions of chapters 169 and 169A shall apply to the operation of snowmobiles
 19.31 upon streets and highways, except for those relating to required equipment, and except those
 19.32 which by their nature have no application. Section 169.09 applies to the operation of
 19.33 snowmobiles anywhere in the state or on the ice of any boundary water of the state.

20.1 (g) Any sled, trailer, or other device being towed by a snowmobile must be equipped
 20.2 with reflective materials as required by rule of the commissioner.

20.3 Sec. 10. Minnesota Statutes 2021 Supplement, section 84.92, subdivision 8, is amended
 20.4 to read:

20.5 Subd. 8. **All-terrain vehicle or vehicle.** (a) "All-terrain vehicle" or "vehicle" means a
 20.6 motorized vehicle with: (1) not less than three, but not more than six ~~low pressure or~~
 20.7 ~~non-pneumatic~~ tires; (2) a total dry weight of ~~2,000~~ 3,000 pounds or less; and (3) a total
 20.8 width from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain
 20.9 vehicle includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

20.10 (b) All-terrain vehicle does not include an electric-assisted bicycle as defined in section
 20.11 169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed
 20.12 and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

20.13 Sec. 11. Minnesota Statutes 2020, section 84.922, subdivision 4, is amended to read:

20.14 Subd. 4. **Report of transfers.** (a) Application for transfer of ownership must be made
 20.15 to the commissioner within 15 days of the date of transfer.

20.16 (b) An application for transfer must be executed by the ~~registered~~ current owner and the
 20.17 purchaser using a bill of sale that includes the vehicle serial number.

20.18 (c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser
 20.19 fails to apply for transfer of ownership as provided under this subdivision.

20.20 Sec. 12. Minnesota Statutes 2020, section 85.015, subdivision 10, is amended to read:

20.21 Subd. 10. **Luce Line Trail, Hennepin, McLeod, and Meeker Counties.** (a) The trail
 20.22 shall originate at Gleason Lake in Plymouth Village, Hennepin County, ~~and shall~~ follow
 20.23 the route of the Chicago Northwestern Railroad, and include a connection to Greenleaf Lake
 20.24 State Recreation Area.

20.25 (b) The trail shall be developed for multiuse wherever feasible. The department shall
 20.26 cooperate in maintaining its integrity for modes of use consistent with local ordinances.

28.6 Sec. 10. Minnesota Statutes 2020, section 85.015, subdivision 10, is amended to read:

28.7 Subd. 10. **Luce Line Trail, Hennepin, McLeod, and Meeker Counties.** (a) The trail
 28.8 shall originate at Gleason Lake in Plymouth Village, Hennepin County, ~~and shall~~ follow
 28.9 the route of the Chicago Northwestern Railroad, and include a connection to Greenleaf Lake
 28.10 State Recreation Area.

28.11 (b) The trail shall be developed for multiuse wherever feasible. The department shall
 28.12 cooperate in maintaining its integrity for modes of use consistent with local ordinances.

20.27 (c) In establishing, developing, maintaining, and operating the trail, the commissioner
 20.28 shall cooperate with local units of government and private individuals and groups. Before
 20.29 acquiring any parcel of land for the trail, the commissioner of natural resources shall develop
 20.30 a management program for the parcel and conduct a public hearing on the proposed
 21.1 management program in the vicinity of the parcel to be acquired. The management program
 21.2 of the commissioner shall include but not be limited to the following:

21.3 ~~(a) (1) fencing of~~ portions of the trail where necessary to protect adjoining landowners;
 21.4 and

21.5 ~~(b) the maintenance of~~ (2) maintaining the trail in a ~~litter free~~ litter-free condition to the
 21.6 extent practicable.

21.7 (d) The commissioner shall not acquire any of the right-of-way of the Chicago
 21.8 Northwestern Railway Company until the abandonment of the line described in this
 21.9 subdivision has been approved by the Surface Transportation Board or the former Interstate
 21.10 Commerce Commission. Compensation, in addition to the value of the land, shall include
 21.11 improvements made by the railroad, including but not limited to, bridges, trestles, public
 21.12 road crossings, or any portion thereof, it being the desire of the railroad that such
 21.13 improvements be included in the conveyance. The fair market value of the land and
 21.14 improvements shall be recommended by two independent appraisers mutually agreed upon
 21.15 by the parties. The fair market value thus recommended shall be reviewed by a review
 21.16 appraiser agreed to by the parties, and the fair market value thus determined, and supported
 21.17 by appraisals, may be the purchase price. The commissioner may exchange lands with
 21.18 landowners abutting the right-of-way described in this section to eliminate diagonally shaped
 21.19 separate fields.

21.20 Sec. 13. Minnesota Statutes 2021 Supplement, section 85.052, subdivision 6, is amended
 21.21 to read:

21.22 Subd. 6. **State park reservation system.** (a) The commissioner may, by written order,
 21.23 develop reasonable reservation policies for ~~campsites and other~~ using camping, lodging,
 21.24 and day-use facilities and for tours, educational programs, seminars, events, and rentals.
 21.25 The policies are exempt from the rulemaking provisions under chapter 14, and section
 21.26 14.386 does not apply.

21.27 (b) The revenue collected from the state park reservation fee established under subdivision
 21.28 5, including interest earned, ~~shall~~ must be deposited in the state park account in the natural
 21.29 resources fund and is annually appropriated to the commissioner for the cost of operating
 21.30 the state park reservation and point-of-sale system.

22.1 Sec. 14. Minnesota Statutes 2020, section 90.181, subdivision 2, is amended to read:

22.2 Subd. 2. **Deferred payments.** (a) If the amount of the statement is not paid or payment
 22.3 is not postmarked within 30 days of the statement date ~~thereof, it shall bear, the amount~~
 22.4 bears interest at the rate determined pursuant to section 16A.124, except that the purchaser
 22.5 ~~shall not be~~ is not required to pay interest that totals \$1 or less. If the amount is not paid

28.13 (c) In establishing, developing, maintaining, and operating the trail, the commissioner
 28.14 shall cooperate with local units of government and private individuals and groups. Before
 28.15 acquiring any parcel of land for the trail, the commissioner of natural resources shall develop
 28.16 a management program for the parcel and conduct a public hearing on the proposed
 28.17 management program in the vicinity of the parcel to be acquired. The management program
 28.18 of the commissioner shall include but not be limited to the following:

28.19 ~~(a) (1) fencing of~~ portions of the trail where necessary to protect adjoining landowners;
 28.20 and

28.21 ~~(b) the maintenance of~~ (2) maintaining the trail in a ~~litter free~~ litter-free condition to the
 28.22 extent practicable.

28.23 (d) The commissioner shall not acquire any of the right-of-way of the Chicago
 28.24 Northwestern Railway Company until the abandonment of the line described in this
 28.25 subdivision has been approved by the Surface Transportation Board or the former Interstate
 28.26 Commerce Commission. Compensation, in addition to the value of the land, shall include
 28.27 improvements made by the railroad, including but not limited to, bridges, trestles, public
 28.28 road crossings, or any portion thereof, it being the desire of the railroad that such
 28.29 improvements be included in the conveyance. The fair market value of the land and
 28.30 improvements shall be recommended by two independent appraisers mutually agreed upon
 28.31 by the parties. The fair market value thus recommended shall be reviewed by a review
 28.32 appraiser agreed to by the parties, and the fair market value thus determined, and supported
 28.33 by appraisals, may be the purchase price. The commissioner may exchange lands with
 29.1 landowners abutting the right-of-way described in this section to eliminate diagonally shaped
 29.2 separate fields.

37.10 Sec. 20. Minnesota Statutes 2020, section 90.181, subdivision 2, is amended to read:

37.11 Subd. 2. **Deferred payments.** (a) If the amount of the statement is not paid or payment
 37.12 is not postmarked within 30 days of the statement date ~~thereof, it shall bear, the amount~~
 37.13 bears interest at the rate determined pursuant to section 16A.124, except that the purchaser
 37.14 ~~shall not be~~ is not required to pay interest that totals \$1 or less. If the amount is not paid

22.6 within 60 days, the commissioner shall place the account in the hands of the commissioner
 22.7 of revenue according to chapter 16D, who shall proceed to collect the ~~same amount due~~.
 22.8 When deemed in the best interests of the state, the commissioner shall take possession of
 22.9 the timber for which an amount is due wherever it may be found and sell the ~~same timber~~
 22.10 informally or at public auction after giving reasonable notice.

22.11 (b) The proceeds of the sale ~~shall must~~ be applied, first, to the payment of the expenses
 22.12 of seizure and sale; and, second, to the payment of the amount due for the timber, with
 22.13 interest; ~~and~~. The surplus, if any, ~~shall belong belongs~~ to the state; ~~and~~. In case a sufficient
 22.14 amount is not realized to pay these amounts in full, the balance ~~shall must~~ be collected by
 22.15 the attorney general. ~~Neither~~ Payment of the amount, ~~nor the~~ recovery of judgment ~~therefor~~
 22.16 ~~for the amount, nor~~ satisfaction of the judgment, ~~nor the~~ or seizure and sale of timber, ~~shall~~
 22.17 ~~does not~~:

22.18 (1) release the sureties on any security deposit given pursuant to this chapter; ~~or~~;

22.19 (2) preclude the state from afterwards claiming that the timber was cut or removed
 22.20 contrary to law and recovering damages for the trespass thereby committed; ~~;~~ or

22.21 (3) preclude the state from prosecuting the offender criminally.

22.22 **Sec. 15. [93.70] ENSURING TIMELY ENVIRONMENTAL REVIEW OF**
 22.23 **METALLIC MINING PROJECTS.**

22.24 Subdivision 1. Definitions. (a) For purposes of this section, the terms defined in this
 22.25 subdivision have the meanings given.

22.26 (b) "Commissioner" means the commissioner of natural resources.

22.27 (c) "Covered mining project" means a proposed metallic mineral mining project or a
 22.28 modification to an existing metallic mining project for which an environmental assessment
 22.29 worksheet or an environmental impact statement must be or is being prepared according to
 22.30 chapter 116D.

23.1 (d) "Submission date" means the date on which a project proposer of a covered mining
 23.2 project submits the completed data portion of an environmental assessment worksheet to
 23.3 the responsible governmental unit for environmental review under chapter 116D.

23.4 Subd. 2. Environmental review goals. To ensure an environmental review process that
 23.5 is both timely and environmentally responsible, the responsible governmental unit for a
 23.6 covered mining project must attempt to ensure that all environmental reviews, permits, and
 23.7 approvals, including those at the federal level to the extent practicable, are completed in
 23.8 accordance with the following timelines:

23.9 (1) when an environmental assessment worksheet is prepared for a project for which an
 23.10 environmental impact statement is not required, the decision on the need for an environmental

37.15 within 60 days, the commissioner shall place the account in the hands of the commissioner
 37.16 of revenue according to chapter 16D, who shall proceed to collect the ~~same amount due~~.
 37.17 When deemed in the best interests of the state, the commissioner shall take possession of
 37.18 the timber for which an amount is due wherever it may be found and sell the ~~same timber~~
 37.19 informally or at public auction after giving reasonable notice.

37.20 (b) The proceeds of the sale ~~shall must~~ be applied, first, to the payment of the expenses
 37.21 of seizure and sale; and, second, to the payment of the amount due for the timber, with
 37.22 interest; ~~and~~. The surplus, if any, ~~shall belong belongs~~ to the state; ~~and~~. In case a sufficient
 37.23 amount is not realized to pay these amounts in full, the balance ~~shall must~~ be collected by
 37.24 the attorney general. ~~Neither~~ Payment of the amount, ~~nor the~~ recovery of judgment ~~therefor~~
 37.25 ~~for the amount, nor~~ satisfaction of the judgment, ~~nor the~~ or seizure and sale of timber, ~~shall~~
 37.26 ~~does not~~:

37.27 (1) release the sureties on any security deposit given pursuant to this chapter; ~~or~~;

37.28 (2) preclude the state from afterwards claiming that the timber was cut or removed
 37.29 contrary to law and recovering damages for the trespass thereby committed; ~~;~~ or

37.30 (3) preclude the state from prosecuting the offender criminally.

23.11 impact statement must be made no later than 18 months after the environmental assessment
23.12 worksheet submission date; and

23.13 (2) when an environmental impact statement is prepared for a project, the decision on
23.14 the adequacy of the final environmental impact statement must be made no later than three
23.15 years after the environmental assessment worksheet submission date.

23.16 Subd. 3. **Report.** If a responsible governmental unit fails to meet a goal set forth in
23.17 subdivision 2, it must within five days report to the project proposer and to the chairs and
23.18 ranking minority members of the legislative committees and divisions with jurisdiction over
23.19 mining to explain the reason for the failure and must provide an estimate of the additional
23.20 time that will be required to determine whether an environmental impact statement is required
23.21 or whether the final environmental impact statement is adequate, as applicable.

23.22 Sec. 16. Minnesota Statutes 2020, section 97A.015, subdivision 29, is amended to read:

23.23 Subd. 29. **Minnows.** "Minnows" means: (1) members of the minnow family, Cyprinidae,
23.24 except carp and goldfish; (2) members of the mudminnow family, Umbridae; (3) members
23.25 of the sucker family, Catostomidae, ~~not over 12 inches in length~~; (4) bullheads, ciscoes,
23.26 lake whitefish, goldeyes, and mooneyes, not over seven inches long; (5) leeches; and (6)
23.27 tadpole madtoms (willow cats) and stonecats.

23.28 Sec. 17. Minnesota Statutes 2020, section 97A.015, subdivision 51, is amended to read:

23.29 Subd. 51. **Unloaded.** "Unloaded" means, with reference to a firearm, without ammunition
23.30 in the barrels and magazine, if the magazine is in the firearm. A muzzle-loading firearm
23.31 ~~with~~ is unloaded if:

24.1 (1) for a flintlock ignition is unloaded if, it does not have priming powder in a pan—A
24.2 muzzle-loading firearm with;

24.3 (2) for a percussion ignition is unloaded if, it does not have a percussion cap on a nipple;

24.4 (3) for an electronic ignition system, the battery is removed and is disconnected from
24.5 the firearm; and

24.6 (4) for an encapsulated powder charge ignition system, the primer and powder charge
24.7 are removed from the firearm.

24.8 Sec. 18. Minnesota Statutes 2020, section 97A.126, as amended by Laws 2021, First
24.9 Special Session chapter 6, article 2, section 52, is amended to read:

24.10 **97A.126 WALK-IN ACCESS PROGRAM.**

24.11 Subdivision 1. **Establishment.** A walk-in access program is established to provide public
24.12 access to wildlife habitat on private land for hunting, bird-watching, nature photography,
24.13 and similar compatible uses, excluding trapping, as provided under this section. The
24.14 commissioner may enter into agreements with other units of government and landowners
24.15 to provide private land hunting access.

38.5 Sec. 22. Minnesota Statutes 2020, section 97A.015, subdivision 51, is amended to read:

38.6 Subd. 51. **Unloaded.** "Unloaded" means, with reference to a firearm, without ammunition
38.7 in the barrels and magazine, if the magazine is in the firearm. A muzzle-loading firearm
38.8 ~~with~~ is unloaded if:

38.9 (1) for a flintlock ignition is unloaded if, it does not have priming powder in a pan—A
38.10 muzzle-loading firearm with;

38.11 (2) for a percussion ignition is unloaded if, it does not have a percussion cap on a nipple;

38.12 (3) for an electronic ignition system, the battery is removed and is disconnected from
38.13 the firearm; and

38.14 (4) for an encapsulated powder charge ignition system, the primer and powder charge
38.15 are removed from the firearm.

38.16 Sec. 23. Minnesota Statutes 2020, section 97A.126, as amended by Laws 2021, First
38.17 Special Session chapter 6, article 2, section 52, is amended to read:

38.18 **97A.126 WALK-IN ACCESS PROGRAM.**

38.19 Subdivision 1. **Establishment.** A walk-in access program is established to provide public
38.20 access to wildlife habitat on private land for hunting, bird-watching, nature photography,
38.21 and similar compatible uses, excluding trapping, as provided under this section. The
38.22 commissioner may enter into agreements with other units of government and landowners
38.23 to provide private land hunting access.

24.16 Subd. 2. **Use of enrolled lands.** (a) From September 1 to May 31, a person must have
24.17 a walk-in access ~~hunter~~ validation in possession to hunt, photograph, and watch wildlife on
24.18 private lands, including agricultural lands, that are posted as being enrolled in the walk-in
24.19 access program.

24.20 (b) Hunting, bird-watching, nature photography, and similar compatible uses on private
24.21 lands that are posted as enrolled in the walk-in access program is allowed from one-half
24.22 hour before sunrise to one-half hour after sunset.

24.23 (c) ~~Hunter~~ Access on private lands that are posted as enrolled in the walk-in access
24.24 program is restricted to nonmotorized use, except by ~~hunters~~ persons with disabilities
24.25 operating motor vehicles on established trails or field roads who ~~possess a valid permit to~~
24.26 ~~shoot from a stationary vehicle under section 97B.055, subdivision 3~~ provide credible
24.27 assurance to the commissioner that the device or motor boat is used because of a disability.

24.28 (d) The general provisions for use of wildlife management areas adopted under sections
24.29 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,
24.30 firearms and target shooting, hunting stands, abandonment of trash and property, destruction
24.31 or removal of property, introduction of plants or animals, and animal trespass, apply to
24.32 ~~hunters on use of~~ lands enrolled in the walk-in access program.

25.1 (e) Any use of enrolled lands other than ~~hunting according to~~ use authorized under this
25.2 section is prohibited, including:

25.3 (1) harvesting bait, including minnows, leeches, and other live bait;

25.4 (2) training dogs or using dogs for activities other than hunting; and

25.5 (3) constructing or maintaining any building, dock, fence, billboard, sign, hunting blind,
25.6 or other structure, unless constructed or maintained by the landowner.

25.7 Subd. 3. **Walk-in-access ~~hunter~~ validation; fee.** The fee for a walk-in-access ~~hunter~~
25.8 validation is \$3.

25.9 Sec. 19. Minnesota Statutes 2020, section 97A.137, subdivision 3, is amended to read:

25.10 Subd. 3. **Use of motorized vehicles by ~~disabled hunters~~ people with disabilities.** The
25.11 commissioner may ~~issue~~ provide an accommodation by issuing a special permit, without a
25.12 fee, authorizing a ~~hunter~~ person with a permanent physical disability to use a ~~snowmobile,~~
25.13 ~~highway-licensed vehicle, all-terrain vehicle,~~ an other power-driven mobility device, as
25.14 defined under Code of Federal Regulations, title 28, section 35.104, or a motor boat in
25.15 wildlife management areas. To qualify for a permit under this subdivision, the ~~disabled~~
25.16 person must ~~possess:~~

25.17 (1) ~~the required hunting licenses; and~~

38.24 Subd. 2. **Use of enrolled lands.** (a) From September 1 to May 31, a person must have
38.25 a walk-in access ~~hunter~~ validation in possession to hunt, photograph, and watch wildlife on
38.26 private lands, including agricultural lands, that are posted as being enrolled in the walk-in
38.27 access program.

38.28 (b) Hunting, bird-watching, nature photography, and similar compatible uses on private
38.29 lands that are posted as enrolled in the walk-in access program ~~is~~ are allowed from one-half
38.30 hour before sunrise to one-half hour after sunset.

39.1 (c) ~~Hunter~~ Access on private lands that are posted as enrolled in the walk-in access
39.2 program is restricted to nonmotorized use, except by ~~hunters~~ persons with disabilities
39.3 operating motor vehicles on established trails or field roads who possess a valid permit to
39.4 shoot from a stationary vehicle under section 97B.055, subdivision 3.

39.5 (d) The general provisions for use of wildlife management areas adopted under sections
39.6 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,
39.7 firearms and target shooting, hunting stands, abandonment of trash and property, destruction
39.8 or removal of property, introduction of plants or animals, and animal trespass, apply to
39.9 ~~hunters on use of~~ lands enrolled in the walk-in access program.

39.10 (e) Any use of enrolled lands other than ~~hunting according to~~ use authorized under this
39.11 section is prohibited, including:

39.12 (1) harvesting bait, including minnows, leeches, and other live bait;

39.13 (2) training dogs or using dogs for activities other than hunting; and

39.14 (3) constructing or maintaining any building, dock, fence, billboard, sign, hunting blind,
39.15 or other structure, unless constructed or maintained by the landowner.

39.16 Subd. 3. **Walk-in-access ~~hunter~~ validation; fee.** The fee for a walk-in-access ~~hunter~~
39.17 validation is \$3.

39.18 Sec. 24. Minnesota Statutes 2020, section 97A.137, subdivision 3, is amended to read:

39.19 Subd. 3. **Use of motorized vehicles by ~~disabled hunters~~ people with disabilities.** The
39.20 commissioner may ~~issue~~ provide an accommodation by issuing a special permit, without a
39.21 fee, authorizing a ~~hunter~~ person with a permanent physical disability to use a ~~snowmobile,~~
39.22 ~~highway-licensed vehicle, all-terrain vehicle,~~ an other power-driven mobility device, as
39.23 defined under Code of Federal Regulations, title 28, section 35.104, or a motor boat in
39.24 wildlife management areas. To qualify for a permit under this subdivision, the ~~disabled~~
39.25 person must ~~possess:~~

39.26 (1) ~~the required hunting licenses; and~~

25.18 ~~(2) a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3;~~
25.19 provide credible assurance to the commissioner that the device or motor boat is used because
25.20 of a disability.

25.21 Sec. 20. Minnesota Statutes 2020, section 97A.137, subdivision 5, is amended to read:

25.22 Subd. 5. **Portable stands.** (a) Prior to the Saturday on or nearest September 16, a portable
25.23 stand may be left overnight in a wildlife management area by a person with a valid bear
25.24 license who is hunting within 100 yards of a bear bait site that is legally tagged and registered
25.25 as prescribed under section 97B.425. Any person leaving a portable stand overnight under
25.26 this subdivision must affix a tag with: (1) the person's name and address; (2) the licensee's
25.27 driver's license number; or (3) the "MDNR#" license identification number issued to the
25.28 licensee. The tag must be affixed to the stand in a manner that it can be read from the ground.

25.29 (b) From November 1 through December 31, a portable stand may be left overnight by
25.30 a person possessing a license to take deer in a wildlife management area located in whole
25.31 or in part north and west of a line described as follows:

26.1 State Trunk Highway 1 from the west boundary of the state to State Trunk Highway 89;
26.2 then north along State Trunk Highway 89 to Fourtown; then north on County State-Aid
26.3 Highway 44, Beltrami County, to County Road 704, Beltrami County; then north on County
26.4 Road 704 to Dick's Parkway State Forest Road; then north on Dick's Parkway to County
26.5 State-Aid Highway 5, Roseau County; then north on County State-Aid Highway 5 to
26.6 Warroad; then north on State Trunk Highway 11 to State Trunk Highway 313; then north
26.7 on State Trunk Highway 313 to the north boundary of the state.

26.8 A person leaving a portable stand overnight under this paragraph must affix a tag with: (1)
26.9 the person's name and address; (2) the licensee's driver's license number; or (3) the "MDNR#"
26.10 license identification number issued to the licensee. The tag must be affixed to the stand so
26.11 that it can be read from the ground and must be made of a material sufficient to withstand
26.12 weather conditions. A person leaving a portable stand overnight in a wildlife management
26.13 area under this paragraph may not leave more than two portable stands in any one wildlife
26.14 management area. Unoccupied portable stands left overnight under this paragraph may be
26.15 used by any member of the public. ~~This paragraph expires December 31, 2019.~~

26.16 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019, and
26.17 Minnesota Statutes, section 97A.137, subdivision 5, paragraph (b), is revived and reenacted
26.18 as of that date.

26.19 Sec. 21. Minnesota Statutes 2020, section 97A.405, subdivision 5, is amended to read:

26.20 Subd. 5. **Resident licenses.** (a) To obtain a resident license, ~~a resident~~ an individual 21
26.21 years of age or older must be a resident and:

26.22 (1) possess a current Minnesota driver's license or a valid application receipt for a driver's
26.23 license that is at least 60 days past the issuance date;

39.27 ~~(2) a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3;~~
39.28 provide credible assurance to the commissioner that the device or motor boat is used because
39.29 of a disability.

26.24 (2) possess a current identification card issued by the commissioner of public safety or
26.25 a valid application receipt for an identification card that is at least 60 days past the issuance
26.26 date; or

26.27 (3) present evidence showing proof of residency in cases when clause (1) or (2) would
26.28 violate the Religious Freedom Restoration Act of 1993, Public Law 103-141; or

26.29 (4) possess a Tribal identification card as provided in paragraph (b).

26.30 (b) For purposes of this subdivision, "Tribal identification card" means an unexpired
26.31 identification card as provided under section 171.072, paragraphs (b) and (c). The Tribal
26.32 identification card:

27.1 (1) must contain the enrolled Tribal member's Minnesota residence address; and

27.2 (2) may be used to obtain a resident license under paragraph (a) only if the Tribal member
27.3 does not have a current driver's license or state identification card in any state.

27.4 (c) A person must not have applied for, purchased, or accepted a resident hunting, fishing,
27.5 or trapping license issued by another state or foreign country within 60 days before applying
27.6 for a resident license under this section.

27.7 Sec. 22. Minnesota Statutes 2020, section 97B.031, subdivision 1, is amended to read:

27.8 Subdivision 1. **Permissible firearms and ammunition; big game and wolves.** A person
27.9 may take big game and wolves with a firearm only if:

27.10 (1) the any rifle, shotgun, and or handgun used is a caliber of at least .22 inches and with
27.11 has centerfire ignition;

27.12 (2) the firearm is loaded only with single projectile ammunition;

27.13 (3) a projectile used is a caliber of at least .22 inches and has a soft point or is an
27.14 expanding bullet type;

27.15 (4) the any muzzleloader used is incapable of being has the projectile loaded only at the
27.16 breech muzzle;

27.17 (5) the any smooth-bore muzzleloader used is a caliber of at least .45 inches; and

27.18 (6) the any rifled muzzleloader used is a caliber of at least .40 inches.

27.19 Sec. 23. Minnesota Statutes 2020, section 97B.071, is amended to read:

27.20 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**
27.21 **ORANGE OR BLAZE PINK.**

27.22 (a) Except as provided in rules adopted under paragraph ~~(e)~~ (d), a person may not hunt
27.23 or trap during the open season where deer may be taken by firearms under applicable laws
27.24 and ordinances, unless the visible portion of the person's cap and outer clothing above the
27.25 waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze

40.7 Sec. 26. Minnesota Statutes 2020, section 97B.031, subdivision 1, is amended to read:

40.8 Subdivision 1. **Permissible firearms and ammunition; big game and wolves.** A person
40.9 may take big game and wolves with a firearm only if:

40.10 (1) the any rifle, shotgun, and or handgun used is a caliber of at least .22 inches and with
40.11 has centerfire ignition;

40.12 (2) the firearm is loaded only with single projectile ammunition;

40.13 (3) a projectile used is a caliber of at least .22 inches and has a soft point or is an
40.14 expanding bullet type;

40.15 (4) the any muzzleloader used is incapable of being has the projectile loaded only at the
40.16 breech muzzle;

40.17 (5) the any smooth-bore muzzleloader used is a caliber of at least .45 inches; and

40.18 (6) the any rifled muzzleloader used is a caliber of at least .40 inches.

27.26 pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within
 27.27 each foot square. This section does not apply to migratory-waterfowl hunters on waters of
 27.28 this state or in a stationary shooting location or to trappers on waters of this state.

27.29 (b) Except as provided in rules adopted under paragraph (d) and in addition to the
 27.30 requirements under paragraph (a), during the open season where deer may be taken by
 28.1 firearms under applicable laws and ordinances, a person in a fabric or synthetic ground
 28.2 blind on public land must have:

28.3 (1) a blaze orange or blaze pink safety covering on the top of the blind visible for 360
 28.4 degrees around the blind; or

28.5 (2) at least 144 square inches of blaze orange or blaze pink material on each side of the
 28.6 blind.

28.7 ~~(b)~~ (c) Except as provided in rules adopted under paragraph ~~(e)~~ (d), and in addition to
 28.8 the ~~requirement~~ requirements in ~~paragraph~~ paragraphs (a) and (b), a person may not take
 28.9 small game other than turkey, migratory birds, raccoons, and predators, except while trapping,
 28.10 unless a visible portion of at least one article of the person's clothing above the waist is
 28.11 blaze orange or blaze pink. This paragraph does not apply to a person when in a stationary
 28.12 location while hunting deer by archery or when hunting small game by falconry.

28.13 ~~(e)~~ (d) The commissioner may, by rule, prescribe an alternative color in cases where
 28.14 ~~paragraph (a) or (b)~~ paragraphs (a) to (c) would violate the Religious Freedom Restoration
 28.15 Act of 1993, Public Law 103-141.

28.16 ~~(d)~~ (e) A violation of paragraph ~~(b)~~ (c) ~~shall~~ does not result in a penalty, but is punishable
 28.17 only by a safety warning.

28.18 Sec. 24. Minnesota Statutes 2020, section 97B.311, is amended to read:

28.19 **97B.311 DEER SEASONS AND RESTRICTIONS.**

28.20 (a) Except as provided under paragraph (c), the commissioner may, by rule, prescribe
 28.21 restrictions and designate areas where deer may be taken, including hunter selection criteria
 28.22 for special hunts established under section 97A.401, subdivision 4. The commissioner may,
 28.23 by rule, prescribe the open seasons for deer within the following periods:

28.24 (1) taking with firearms, other than muzzle-loading firearms, between November 1 and
 28.25 December 15;

28.26 (2) taking with muzzle-loading firearms between September 1 and December 31; and

28.27 (3) taking by archery between September 1 and December 31.

28.28 (b) Notwithstanding paragraph (a), the commissioner may establish special seasons
 28.29 within designated areas at any time of year.

28.30 (c) The commissioner may not impose an antler point restriction other than that imposed
28.31 under Minnesota Rules, part 6232.0200, subpart 6.

29.1 Sec. 25. Minnesota Statutes 2020, section 97B.318, subdivision 1, is amended to read:

29.2 Subdivision 1. **Shotgun use area.** During the regular firearms season in the shotgun use
29.3 area, only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading long
29.4 guns, and legal handguns may be used for taking deer. Legal shotguns include those with
29.5 rifled barrels. The shotgun use area is that portion of the state ~~lying within the following~~
29.6 ~~described boundary: Beginning on the west boundary of the state at the northern boundary~~
29.7 ~~of Clay County; thence along the northern boundary of Clay County to State Trunk Highway~~
29.8 ~~(STH) 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94~~
29.9 ~~(I-94); thence along I-94 to County State Aid Highway (CSAH) 40, Douglas County; thence~~
29.10 ~~along CSAH 40 to CSAH 82, Douglas County; thence along CSAH 82 to CSAH 22, Douglas~~
29.11 ~~County; thence along CSAH 22 to CSAH 6, Douglas County; thence along CSAH 6 to~~
29.12 ~~CSAH 14, Douglas County; thence along CSAH 14 to STH 29; thence along STH 29 to~~
29.13 ~~CSAH 46, Otter Tail County; thence along CSAH 46, Otter Tail County, to CSAH 22, Todd~~
29.14 ~~County; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71 to STH~~
29.15 ~~27; thence along STH 27 to the Mississippi River; thence along the east bank of the~~
29.16 ~~Mississippi River to STH 23; thence along STH 23 to STH 95; thence along STH 95 to~~
29.17 ~~U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence~~
29.18 ~~along the east, south, and west boundaries of the state to the point of beginning consisting~~
29.19 ~~of Olmsted and Dodge Counties.~~

29.20 Sec. 26. Minnesota Statutes 2020, section 97B.415, is amended to read:

29.21 **97B.415 TAKING BEAR TO PROTECT PROPERTY; SPECIAL PERMIT FOR**
29.22 **TAKING NUISANCE BEAR.**

29.23 (a) A person may take a bear at any time to protect the person's property. The person
29.24 must report the bear taken to a conservation officer within 48 hours. The bear may be
29.25 disposed of as prescribed by the commissioner.

29.26 (b) The commissioner must issue a bear control special permit according to section
29.27 97A.401 for wildlife control operators to take nuisance bear by live trapping and relocating
29.28 the bear. When a bear is trapped and released, an enforcement officer or a wildlife manager
29.29 must approve the release location. The commissioner must provide specific training to
29.30 wildlife control operators who are issued a permit under this paragraph, including a refresher
29.31 course every five years. The commissioner may not charge a fee for the bear control special
29.32 permit or training. A wildlife control operator with a special permit issued under this
29.33 paragraph may use remote surveillance equipment to monitor live traps.

30.1 Sec. 27. Minnesota Statutes 2020, section 97B.668, is amended to read:

30.2 **97B.668 ~~GAME BIRDS~~ ANIMALS CAUSING DAMAGE.**

30.3 Subdivision 1. **Game birds causing damage.** Notwithstanding sections 97B.091 and
30.4 97B.805, subdivisions 1 and 2, a person or agent of that person on lands and nonpublic
30.5 waters owned or operated by the person may nonlethally scare, haze, chase, or harass game
30.6 birds that are causing property damage or to protect a disease risk at any time or place that
30.7 a hunting season for the game birds is not open. This section does not apply to public waters
30.8 as defined under section 103G.005, subdivision 15. This section does not apply to migratory
30.9 waterfowl on nests and other federally protected game birds on nests, except ducks and
30.10 geese on nests when a permit is obtained under section 97A.401.

30.11 Subd. 2. **Deer and elk causing damage.** (a) Notwithstanding section 97B.091, a property
30.12 owner, the property owner's immediate family member, or an agent of the property owner
30.13 may nonlethally scare, haze, chase, or harass deer or elk that are causing damage to
30.14 agricultural crops propagated under generally accepted agricultural practices.

30.15 (b) Paragraph (a) applies only:

30.16 (1) in the immediate area of the crop damage; and

30.17 (2) during the closed season for taking deer or elk.

30.18 (c) Paragraph (a) does not allow:

30.19 (1) using poisons;

30.20 (2) using dogs;

30.21 (3) conduct that drives a deer or elk to the point of exhaustion;

30.22 (4) activities requiring a permit under section 97A.401; or

30.23 (5) causing the death of a deer or elk or actions likely to cause the death of a deer or elk.

30.24 (d) A property owner or the owner's agent must report the death of any deer or elk to
30.25 Division of Fish and Wildlife staff within 24 hours of the death if the death resulted from
30.26 actions taken under paragraph (a).

30.27 Sec. 28. Minnesota Statutes 2020, section 97C.211, subdivision 2a, is amended to read:

30.28 Subd. 2a. **Acquiring fish.** (a) A private fish hatchery may not obtain fish outside of the
30.29 state unless the fish or the source of the fish are approved by the commissioner. The
30.30 commissioner may apply more stringent requirements to fish or a source of fish from outside
30.31 the state than are applied to fish and sources of fish from within the state. The commissioner
31.1 must either approve or deny the acquisition within 30 days after receiving a written request
31.2 for approval. Minnows acquired must be processed and not released into public waters,
31.3 except as provided in section 97C.515, subdivision 4. A request may be for annual
31.4 acquisition.

- 31.5 (b) If the commissioner denies approval, a written notice must be submitted to the
31.6 applicant stating the reasons for the denial and the commissioner must:
- 31.7 (1) designate approved sources to obtain the desired fish or fish eggs; or
31.8 (2) sell the fish or fish eggs from state fish hatcheries at fair market value.
- 31.9 Sec. 29. Minnesota Statutes 2020, section 97C.315, subdivision 1, is amended to read:
- 31.10 Subdivision 1. **Lines.** An angler may not use more than one line except:
- 31.11 (1) two lines may be used to take fish through the ice; ~~and~~
31.12 (2) the commissioner may, by rule, authorize the use of two lines in areas designated by
31.13 the commissioner in Lake Superior; and
- 31.14 (3) two lines may be used in the Minnesota River downstream of the Granite Falls dam
31.15 and in the Mississippi River downstream of St. Anthony Falls.
- 31.16 Sec. 30. Minnesota Statutes 2020, section 97C.515, subdivision 2, is amended to read:
- 31.17 Subd. 2. **Permit for ~~transportation~~ importation.** (a) A person may ~~transport import~~
31.18 ~~live minnows through into~~ the state with a permit from the commissioner. ~~The permit must~~
31.19 ~~state the name and address of the person, the number and species of minnows, the point of~~
31.20 ~~entry into the state, the destination, and the route through the state. The permit is not valid~~
31.21 ~~for more than 12 hours after it is issued. A person must not import minnows into the state~~
31.22 except as provided in this section.
- 31.23 (b) ~~Minnows transported under this subdivision must be in a tagged container. The tag~~
31.24 ~~number must correspond with tag numbers listed on the minnow transportation permit.~~
- 31.25 (c) ~~The commissioner may require the person transporting minnow species found on~~
31.26 ~~the official list of viral hemorrhagic septicemia susceptible species published by the United~~
31.27 ~~States Department of Agriculture, Animal and Plant Health Inspection Services, to provide~~
31.28 ~~health certification for viral hemorrhagic septicemia. The certification must disclose any~~
31.29 ~~incidentally isolated replicating viruses, and must be dated within the 12 months preceding~~
31.30 ~~transport.~~
- 32.1 (b) Minnows must be certified as healthy according to standards of the World
32.2 Organisation for Animal Health or the Fish Health Section Blue Book of the American
32.3 Fisheries Society.
- 32.4 (c) Minnows must be certified free of viral hemorrhagic septicemia, infectious
32.5 hematopoietic necrosis, infectious pancreatic necrosis, spring viremia of carp virus, fathead
32.6 minnow nidovirus, and Heterosporis within the past 12 months.
- 32.7 (d) Minnows must originate from a biosecure facility that has tested negative for invasive
32.8 species in the past 12 months.

32.9 (e) Only a person that holds a minnow dealer's license issued under section 97C.501,
32.10 subdivision 2, may obtain a permit to import minnows.

32.11 (f) The following information must be available to the commissioner upon request for
32.12 each load of imported minnows:

32.13 (1) the date minnows were imported;

32.14 (2) the number of pounds or gallons imported;

32.15 (3) the facility name from which the minnows originated; and

32.16 (4) a fish health certificate for the minnows.

32.17 (g) Minnows may be imported to feed hatchery fish if the requirements in paragraphs
32.18 (a) to (f) are met.

32.19 Sec. 31. Minnesota Statutes 2020, section 103G.201, is amended to read:

32.20 **103G.201 PUBLIC WATERS INVENTORY.**

32.21 (a) The commissioner ~~shall~~ must maintain a public waters inventory map of each county
32.22 that shows the waters of this state that are designated as public waters under the public
32.23 waters inventory and classification procedures prescribed under Laws 1979, chapter 199,
32.24 and ~~shall~~ must provide access to a copy of the maps. As county public waters inventory
32.25 maps are revised according to this section, the commissioner ~~shall~~ must send a notification
32.26 or a copy of the maps to the auditor of each affected county.

32.27 (b) The commissioner is authorized to revise the map of public waters established under
32.28 Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously identified
32.29 as public waters wetlands under Laws 1979, chapter 199, as public waters or as wetlands
32.30 under section 103G.005, subdivision 19. The commissioner may only reclassify public
32.31 waters wetlands as public waters if:

33.1 (1) they are assigned a shoreland management classification by the commissioner under
33.2 sections 103F.201 to 103F.221;

33.3 (2) they are classified as lacustrine wetlands or deepwater habitats according to
33.4 Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al.,
33.5 1979 edition); or

33.6 (3) the state or federal government has become titleholder to any of the beds or shores
33.7 of the public waters wetlands, subsequent to the preparation of the public waters inventory
33.8 map filed with the auditor of the county, pursuant to paragraph (a), and the responsible state
33.9 or federal agency declares that the water is necessary for the purposes of the public
33.10 ownership.

33.11 (c) The commissioner must provide notice of ~~the~~ a reclassification under paragraph (b)
33.12 or a revision under paragraph (e) to the local government unit, the county board, the

33.13 watershed district, if one exists for the area, and the soil and water conservation district.
33.14 Within 60 days of receiving notice from the commissioner, a party required to receive the
33.15 notice may provide a resolution stating objections to the reclassification or revision. If the
33.16 commissioner receives an objection from a party required to receive the notice, the
33.17 reclassification or revision is not effective. If the commissioner does not receive an objection
33.18 from a party required to receive the notice, the reclassification of a wetland under paragraph
33.19 (b) or revision under paragraph (e) is effective 60 days after the notice is received by all of
33.20 the parties.

33.21 (d) The commissioner ~~shall~~ must give priority to the reclassification of public waters
33.22 wetlands that are or have the potential to be affected by public works projects.

33.23 (e) The commissioner may revise the public waters inventory map of each county:

33.24 (1) to reflect the changes authorized in paragraph (b); and

33.25 (2) as needed, to:

33.26 (i) correct errors in the original inventory;

33.27 (ii) add or subtract trout stream tributaries within sections that contain a designated trout
33.28 stream following written notice to the landowner;

33.29 (iii) add depleted quarries, and sand and gravel pits, when the body of water exceeds 50
33.30 acres and the shoreland has been zoned for residential development; and

33.31 (iv) add or subtract public waters that have been created or eliminated as a requirement
33.32 of a permit authorized by the commissioner under section 103G.245.

34.1 Sec. 32. Minnesota Statutes 2020, section 103G.211, is amended to read:

34.2 **103G.211 DRAINING PUBLIC WATERS PROHIBITED WITHOUT**
34.3 **REPLACEMENT.**

34.4 (a) Except as provided in sections 103G.221 to 103G.235, public waters may not be
34.5 drained, and a permit authorizing drainage of public waters may not be issued, unless the
34.6 public waters to be drained are replaced by public waters that will have equal or greater
34.7 public value.

34.8 (b) Nothing in this section shall be construed to prevent the commissioner from issuing
34.9 or amending a water-use permit for appropriation from groundwater where:

34.10 (1) the application is for a new groundwater well or to increase appropriation amounts
34.11 under an existing permit;

34.12 (2) the applicant is a municipality wholly or partially located within a five-mile radius
34.13 of White Bear Lake; and

34.14 (3) the amount of water to be appropriated under the proposal is consistent with the
34.15 amount anticipated to be needed by the applicant each year according to a water supply
34.16 plan approved by the commissioner under section 103G.291 before 2021.

34.17 (c) Paragraph (b) and this paragraph expire January 1, 2041.

34.18 **EFFECTIVE DATE.** This section is effective the day following final enactment and
34.19 applies to applications for new or modified permits filed on or after that date.

34.20 Sec. 33. Minnesota Statutes 2020, section 103G.223, is amended to read:

34.21 **103G.223 CALCAREOUS FENS.**

34.22 (a) Calcareous fens, as identified by the commissioner by written order published in the
34.23 State Register, may not be filled, drained, or otherwise degraded, wholly or partially, by
34.24 any activity, unless the commissioner, under an approved management plan, decides some
34.25 alteration is necessary or as provided in paragraph (b). Identifications made by the
34.26 commissioner are not subject to the rulemaking provisions of chapter 14 and section 14.386
34.27 does not apply.

34.28 (b) The commissioner may allow water appropriations that result in temporary reductions
34.29 in groundwater resources on a seasonal basis under an approved calcareous fen management
34.30 plan.

35.1 (c) If the commissioner determines that a water appropriation permit cannot be issued
35.2 or renewed because of this section, the commissioner must, within one year of the date of
35.3 denial and at no cost to the applicant, provide the applicant with a groundwater and surface
35.4 water hydrologic evaluation that demonstrates by a preponderance of the evidence the basis
35.5 for that conclusion.

35.6 (d) An applicant whose permit is denied under this section may file a written request
35.7 with the commissioner to designate a mutually agreed upon third-party expert to review the
35.8 evaluation provided under paragraph (c) at no cost to the applicant and to make
35.9 recommendations to the commissioner about whether the permit should be issued. The third
35.10 party expert must agree to provide the commissioner and applicant with the expert's
35.11 recommendations within 90 days of agreeing to review the evaluation.

35.12 (e) A permit applicant may file for a contested case hearing under chapter 14 within 30
35.13 days of the later of the following:

35.14 (1) the date by which the hydrologic evaluation was required to have been provided to
35.15 the applicant under paragraph (c);

35.16 (2) receiving the recommendations of the third party who is reviewing the evaluation
35.17 under paragraph (d); or

35.18 (3) determining that no mutually agreed upon third-party expert can be found.

35.19 (f) Any permit applicant who has had a water appropriation permit previously denied
35.20 under this section may resubmit a permit application under this section and is entitled to all
35.21 rights and reviews available under this section.

35.22 Sec. 34. Minnesota Statutes 2021 Supplement, section 103G.271, subdivision 4a, is
35.23 amended to read:

35.24 Subd. 4a. **Mt. Simon-Hinckley aquifer.** The commissioner may not issue new water-use
35.25 permits that will appropriate water from the Mt. Simon-Hinckley aquifer unless:

35.26 (1) the appropriation is for potable water use, there are no feasible or practical alternatives
35.27 to this source, and a water conservation plan is incorporated with the permit; or

35.28 (2) the appropriation is for less than 4,000,000 gallons per year and is to facilitate the
35.29 growth of trees.

36.1 Sec. 35. Minnesota Statutes 2020, section 103G.271, subdivision 7, is amended to read:

36.2 Subd. 7. **Transferring permit.** (a) A water-use permit may be transferred to a successive
36.3 owner of real property if the permittee conveys the real property where the source of water
36.4 is located. The new owner must notify the commissioner immediately after the conveyance
36.5 and request transfer of the permit. The commissioner must not deny the transfer of a permit
36.6 if the permittee is in compliance with all permit conditions and the permit meets the
36.7 requirements of sections 103G.255 to 103G.301.

36.8 (b) When transferring a permit, the commissioner must not require additional conditions
36.9 on the permit, reduce the appropriation, reduce the term, or require any testing.

36.10 Sec. 36. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision
36.11 to read:

36.12 Subd. 8. **Management plans; effect on land values.** Before a management plan for
36.13 appropriating water is prepared, the commissioner must provide estimates of the impact of
36.14 any new restriction or policy on land values in the affected area. Strategies to address adverse
36.15 impacts to land values must be included in the plan.

36.16 Sec. 37. Minnesota Statutes 2020, section 103G.285, is amended by adding a subdivision
36.17 to read:

36.18 Subd. 7. **Application.** (a) Nothing in this section shall be construed to prevent the
36.19 commissioner from issuing or amending a water-use permit for appropriation from
36.20 groundwater where:

36.21 (1) the application is for a new groundwater well or to increase appropriation amounts
36.22 under an existing permit;

36.23 (2) the applicant is a municipality wholly or partially located within a five-mile radius
36.24 of White Bear Lake; and

36.25 (3) the amount of water to be appropriated under the proposal is consistent with the
36.26 amount anticipated to be needed by the applicant each year according to a water supply
36.27 plan approved by the commissioner under section 103G.291 before 2021.

36.28 (b) This subdivision expires January 1, 2041.

36.29 **EFFECTIVE DATE.** This section is effective the day following final enactment and
36.30 applies to applications for new or modified permits filed on or after that date.

37.1 Sec. 38. Minnesota Statutes 2020, section 103G.287, subdivision 4, is amended to read:

37.2 Subd. 4. **Groundwater management areas.** (a) The commissioner may designate
37.3 groundwater management areas and limit total annual water appropriations and uses within
37.4 a designated area to ensure sustainable use of groundwater that protects ecosystems, water
37.5 quality, and the ability of future generations to meet their own needs. Water appropriations
37.6 and uses within a designated management area must be consistent with a groundwater
37.7 management area plan approved by the commissioner that addresses water conservation
37.8 requirements and water allocation priorities established in section 103G.261. During
37.9 development of a groundwater management area plan, the commissioner and employees
37.10 and agents of the department may disseminate information related to the timing, location,
37.11 and agendas of meetings related to the plan, but must otherwise limit public information
37.12 related to the groundwater management area plan to direct factual responses to public and
37.13 media inquiries. At least 30 days prior to implementing or modifying a groundwater
37.14 management area plan under this subdivision, the commissioner shall consult with the
37.15 advisory team established in paragraph (c).

37.16 (b) Notwithstanding section 103G.271, subdivision 1, paragraph (b), and Minnesota
37.17 Rules, within designated groundwater management areas, the commissioner may require
37.18 general permits as specified in section 103G.271, subdivision 1, paragraph (c), for water
37.19 users using less than 10,000 gallons per day or 1,000,000 gallons per year and water suppliers
37.20 serving less than 25 persons for domestic purposes. The commissioner may waive the
37.21 requirements under section 103G.281 for general permits issued under this paragraph, and
37.22 the fee specified in section 103G.301, subdivision 2, paragraph (c), does not apply to general
37.23 permits issued under this paragraph.

37.24 (c) When designating a groundwater management area, the commissioner shall assemble
37.25 an advisory team to assist in developing a groundwater management area plan for the area.
37.26 The advisory team members shall be selected from public and private entities that have an
37.27 interest in the water resources affected by the groundwater management area. A majority
37.28 of the advisory team members shall be public and private entities that currently hold water-use
37.29 permits for water appropriations from the affected water resources. The commissioner shall
37.30 consult with the League of Minnesota Cities, the Association of Minnesota Counties, the
37.31 Minnesota Association of Watershed Districts, and the Minnesota Association of Townships
37.32 in appointing the local government representatives to the advisory team. The advisory team
37.33 may also include representatives from the University of Minnesota, the Minnesota State
37.34 Colleges and Universities, other institutions of higher learning in Minnesota, political

38.1 subdivisions with jurisdiction over water issues, nonprofits with expertise in water, and
38.2 federal agencies.

38.3 (d) Before designating a groundwater management area, the commissioner must provide
38.4 estimates of the impact of any new restriction or policy on land values in the affected area.
38.5 Strategies to address adverse impacts to land values must be included in any plan.

38.6 Sec. 39. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:
38.7 Subd. 5. **Sustainability standard.** (a) The commissioner may issue water-use permits
38.8 for appropriation from groundwater only if the commissioner determines that the groundwater
38.9 use is sustainable to supply the needs of future generations and the proposed use will not
38.10 harm ecosystems, degrade water, or reduce water levels beyond the reach of public water
38.11 supply and private domestic wells constructed according to Minnesota Rules, chapter 4725.

38.12 (b) For the purposes of this subdivision and subdivision 4, "sustainable" means a change
38.13 in hydrologic regime of 20 percent or less relative to the August median stream flow.

38.14 Sec. 40. Minnesota Statutes 2020, section 103G.287, is amended by adding a subdivision
38.15 to read:

38.16 Subd. 6. **Application.** (a) Nothing in this section shall be construed to prevent the
38.17 commissioner from issuing or amending a water-use permit for appropriation from
38.18 groundwater where:

38.19 (1) the application is for a new groundwater well or to increase appropriation amounts
38.20 under an existing permit;

38.21 (2) the applicant is a municipality wholly or partially located within a five-mile radius
38.22 of White Bear Lake; and

38.23 (3) the amount of water to be appropriated under the proposal is consistent with the
38.24 amount anticipated to be needed by the applicant each year according to a water supply
38.25 plan approved by the commissioner under section 103G.291 before 2021.

38.26 (b) This subdivision expires January 1, 2041.

38.27 **EFFECTIVE DATE.** This section is effective the day following final enactment and
38.28 applies to applications for new or modified permits filed on or after that date.

39.1 Sec. 41. Minnesota Statutes 2020, section 103G.287, is amended by adding a subdivision
39.2 to read:

39.3 Subd. 7. **Issuance of certain permits.** (a) Notwithstanding any other provision of law,
39.4 the commissioner must issue a water-use permit for appropriation from groundwater that
39.5 meets the criteria of subdivision 6. Nothing in this subdivision shall be construed to prohibit

49.22 Sec. 42. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:
49.23 Subd. 5. **Sustainability standard.** (a) The commissioner may issue water-use permits
49.24 for appropriation from groundwater only if the commissioner determines that the groundwater
49.25 use is sustainable to supply the needs of future generations and the proposed use will not
49.26 harm ecosystems, degrade water, or reduce water levels beyond the reach of public water
49.27 supply and private domestic wells constructed according to Minnesota Rules, chapter 4725.

49.28 (b) When determining whether a consumptive use of groundwater is sustainable, the
49.29 commissioner must make a determination that the level of recharge to the aquifer impacted
49.30 is sufficient to replenish the groundwater supply to meet the needs of future generations.

- 39.6 the commissioner from imposing conditions on the permit so long as the conditions do not
39.7 prevent the applicant from appropriating the amount of groundwater applied for.
- 39.8 (b) This subdivision expires January 1, 2041.
- 39.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and
39.10 applies to applications for new or modified permits filed on or after that date.
- 39.11 Sec. 42. Minnesota Statutes 2020, section 103G.289, is amended to read:
- 39.12 **103G.289 WELL INTERFERENCE; WELL SEALING VALIDATION;**
39.13 **CONTESTED CASE.**
- 39.14 (a) The commissioner shall not validate a claim for well interference ~~claim~~ if the affected
39.15 well has been sealed prior to the completion of the commissioner's investigation of the
39.16 complaint. If the well is sealed prior to completion of the investigation, the commissioner
39.17 must dismiss the complaint.
- 39.18 (b) When validating a claim for well interference, the commissioner must take into
39.19 account the condition of the affected well.
- 39.20 (c) Within 30 days after the commissioner's decision on a claim for well interference, a
39.21 party ordered by the commissioner to contribute to an affected well owner may petition for
39.22 a contested case hearing under sections 14.57 to 14.62. The commissioner must grant the
39.23 petitioner a contested case hearing on the commissioner's decision.
- 39.24 Sec. 43. Minnesota Statutes 2020, section 115.03, subdivision 1, is amended to read:
- 39.25 Subdivision 1. **Generally.** (a) The agency is hereby given and charged with the following
39.26 powers and duties:
- 39.27 ~~(a)~~ (1) to administer and enforce all laws relating to the pollution of any of the waters
39.28 of the state;
- 39.29 ~~(b)~~ (2) to investigate the extent, character, and effect of the pollution of the waters of
39.30 this state and to gather data and information necessary or desirable in the administration or
40.1 enforcement of pollution laws, and to make such classification of the waters of the state as
40.2 it may deem advisable;
- 40.3 ~~(c)~~ (3) to establish and alter such reasonable pollution standards for any waters of the
40.4 state in relation to the public use to which they are or may be put as it ~~shall~~ must deem
40.5 necessary for the purposes of this chapter and, with respect to the pollution of waters of the
40.6 state, chapter 116;
- 40.7 ~~(d)~~ (4) to encourage waste treatment, including advanced waste treatment, instead of
40.8 stream low-flow augmentation for dilution purposes to control and prevent pollution;
- 40.9 ~~(e)~~ (5) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable
40.10 orders, permits, variances, standards, rules, schedules of compliance, and stipulation

- 40.11 agreements, under such conditions as it may prescribe, in order to prevent, control or abate
 40.12 water pollution, or for the installation or operation of disposal systems or parts thereof, or
 40.13 for other equipment and facilities:
- 40.14 (1) (i) requiring the discontinuance of the discharge of sewage, industrial waste or other
 40.15 wastes into any waters of the state resulting in pollution in excess of the applicable pollution
 40.16 standard established under this chapter;
- 40.17 (2) (ii) prohibiting or directing the abatement of any discharge of sewage, industrial
 40.18 waste, or other wastes, into any waters of the state or the deposit thereof or the discharge
 40.19 into any municipal disposal system where the same is likely to get into any waters of the
 40.20 state in violation of this chapter and, with respect to the pollution of waters of the state,
 40.21 chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and
 40.22 specifying the schedule of compliance within which such prohibition or abatement must be
 40.23 accomplished;
- 40.24 (3) (iii) prohibiting the storage of any liquid or solid substance or other pollutant in a
 40.25 manner which does not reasonably assure proper retention against entry into any waters of
 40.26 the state that would be likely to pollute any waters of the state;
- 40.27 (4) (iv) requiring the construction, installation, maintenance, and operation by any person
 40.28 of any disposal system or any part thereof, or other equipment and facilities, or the
 40.29 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,
 40.30 or the adoption of other remedial measures to prevent, control or abate any discharge or
 40.31 deposit of sewage, industrial waste or other wastes by any person;
- 40.32 (5) (v) establishing, and from time to time revising, standards of performance for new
 40.33 sources taking into consideration, among other things, classes, types, sizes, and categories
 41.1 of sources, processes, pollution control technology, cost of achieving such effluent reduction,
 41.2 and any nonwater quality environmental impact and energy requirements. Said standards
 41.3 of performance for new sources ~~shall~~ must encompass those standards for the control of the
 41.4 discharge of pollutants which reflect the greatest degree of effluent reduction which the
 41.5 agency determines to be achievable through application of the best available demonstrated
 41.6 control technology, processes, operating methods, or other alternatives, including, where
 41.7 practicable, a standard permitting no discharge of pollutants. New sources ~~shall~~ must
 41.8 encompass buildings, structures, facilities, or installations from which there is or may be
 41.9 the discharge of pollutants, the construction of which is commenced after the publication
 41.10 by the agency of proposed rules prescribing a standard of performance which will be
 41.11 applicable to such source. Notwithstanding any other provision of the law of this state, any
 41.12 point source the construction of which is commenced after May 20, 1973, and which is so
 41.13 constructed as to meet all applicable standards of performance for new sources ~~shall~~ must,
 41.14 consistent with and subject to the provisions of section 306(d) of the Amendments of 1972
 41.15 to the Federal Water Pollution Control Act, not be subject to any more stringent standard
 41.16 of performance for new sources during a ten-year period beginning on the date of completion
 41.17 of such construction or during the period of depreciation or amortization of such facility
 41.18 for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of

- 41.19 1954, whichever period ends first. Construction ~~shall~~ must encompass any placement,
 41.20 assembly, or installation of facilities or equipment, including contractual obligations to
 41.21 purchase such facilities or equipment, at the premises where such equipment will be used,
 41.22 including preparation work at such premises;
- 41.23 ~~(6)~~ (vi) establishing and revising pretreatment standards to prevent or abate the discharge
 41.24 of any pollutant into any publicly owned disposal system, which pollutant interferes with,
 41.25 passes through, or otherwise is incompatible with such disposal system;
- 41.26 ~~(7)~~ (vii) requiring the owner or operator of any disposal system or any point source to
 41.27 establish and maintain such records, make such reports, install, use, and maintain such
 41.28 monitoring equipment or methods, including where appropriate biological monitoring
 41.29 methods, sample such effluents in accordance with such methods, at such locations, at such
 41.30 intervals, and in such a manner as the agency ~~shall~~ must prescribe, and providing such other
 41.31 information as the agency may reasonably require;
- 41.32 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the
 41.33 pollution of waters of the state, chapter 116, requiring the achievement of more stringent
 41.34 limitations than otherwise imposed by effluent limitations in order to meet any applicable
 41.35 water quality standard by establishing new effluent limitations, based upon section 115.01,
 42.1 subdivision 13, clause (b), including alternative effluent control strategies for any point
 42.2 source or group of point sources to insure the integrity of water quality classifications,
 42.3 whenever the agency determines that discharges of pollutants from such point source or
 42.4 sources, with the application of effluent limitations required to comply with any standard
 42.5 of best available technology, would interfere with the attainment or maintenance of the
 42.6 water quality classification in a specific portion of the waters of the state. Prior to
 42.7 establishment of any such effluent limitation, the agency ~~shall~~ must hold a public hearing
 42.8 to determine the relationship of the economic and social costs of achieving such limitation
 42.9 or limitations, including any economic or social dislocation in the affected community or
 42.10 communities, to the social and economic benefits to be obtained and to determine whether
 42.11 or not such effluent limitation can be implemented with available technology or other
 42.12 alternative control strategies. If a person affected by such limitation demonstrates at such
 42.13 hearing that, whether or not such technology or other alternative control strategies are
 42.14 available, there is no reasonable relationship between the economic and social costs and
 42.15 the benefits to be obtained, such limitation ~~shall~~ must not become effective and ~~shall~~ must
 42.16 be adjusted as it applies to such person;
- 42.17 ~~(9)~~ (ix) modifying, in its discretion, any requirement or limitation based upon best
 42.18 available technology with respect to any point source for which a permit application is filed
 42.19 after July 1, 1977, upon a showing by the owner or operator of such point source satisfactory
 42.20 to the agency that such modified requirements will represent the maximum use of technology
 42.21 within the economic capability of the owner or operator and will result in reasonable further
 42.22 progress toward the elimination of the discharge of pollutants; and
- 42.23 ~~(10)~~ (x) requiring that applicants for wastewater discharge permits evaluate in their
 42.24 applications the potential reuses of the discharged wastewater;

- 42.25 ~~(6)~~ (6) to require to be submitted and to approve plans and specifications for disposal
42.26 systems or point sources, or any part thereof and to inspect the construction thereof for
42.27 compliance with the approved plans and specifications thereof;
- 42.28 ~~(7)~~ (7) to prescribe and alter rules, not inconsistent with law, for the conduct of the
42.29 agency and other matters within the scope of the powers granted to and imposed upon it by
42.30 this chapter and, with respect to pollution of waters of the state, in chapter 116, provided
42.31 that every rule affecting any other department or agency of the state or any person other
42.32 than a member or employee of the agency ~~shall~~ must be filed with the secretary of state;
- 42.33 ~~(8)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold
42.34 such hearings as are necessary or which it may deem advisable for the discharge of its duties
43.1 under this chapter and, with respect to the pollution of waters of the state, under chapter
43.2 116, including, but not limited to, the issuance of permits, and to authorize any member,
43.3 employee, or agent appointed by it to conduct such investigations or, issue such notices and
43.4 hold such hearings;
- 43.5 ~~(9)~~ (9) for the purpose of water pollution control planning by the state and pursuant to
43.6 the Federal Water Pollution Control Act, as amended, to establish and revise planning areas,
43.7 adopt plans and programs and continuing planning processes, including, but not limited to,
43.8 basin plans and areawide waste treatment management plans, and to provide for the
43.9 implementation of any such plans by means of, including, but not limited to, standards, plan
43.10 elements, procedures for revision, intergovernmental cooperation, residual treatment process
43.11 waste controls, and needs inventory and ranking for construction of disposal systems;
- 43.12 ~~(10)~~ (10) to train water pollution control personnel; and charge ~~such fees therefor as are~~
43.13 for the training as necessary to cover the agency's costs. The fees under this clause are
43.14 subject to legislative approval under section 16A.1283. All such fees received shall must
43.15 be paid into the state treasury and credited to the Pollution Control Agency training account;
- 43.16 ~~(11)~~ (11) to impose as additional conditions in permits to publicly owned disposal systems
43.17 appropriate measures to insure compliance by industrial and other users with any pretreatment
43.18 standard, including, but not limited to, those related to toxic pollutants, and any system of
43.19 user charges ratably as is hereby required under state law or said Federal Water Pollution
43.20 Control Act, as amended, or any regulations or guidelines promulgated thereunder;
- 43.21 ~~(12)~~ (12) to set a period not to exceed five years for the duration of any national pollutant
43.22 discharge elimination system permit or not to exceed ten years for any permit issued as a
43.23 state disposal system permit only;
- 43.24 ~~(13)~~ (13) to require each governmental subdivision identified as a permittee for a
43.25 wastewater treatment works to evaluate in every odd-numbered year the condition of its
43.26 existing system and identify future capital improvements that will be needed to attain or
43.27 maintain compliance with a national pollutant discharge elimination system or state disposal
43.28 system permit; and

43.29 ~~(m)~~ (14) to train subsurface sewage treatment system personnel, including persons who
 43.30 design, construct, install, inspect, service, and operate subsurface sewage treatment systems,
 43.31 and charge fees for the training as necessary to pay the agency's costs. The fees under this
 43.32 clause are subject to legislative approval under section 16A.1283. All fees received must
 43.33 be paid into the state treasury and credited to the agency's training account. Money in the
 43.34 account is appropriated to the agency to pay expenses related to training.

44.1 (b) The information required in paragraph (a), clause ~~(m)~~ (13), must be submitted in
 44.2 every odd-numbered year to the commissioner on a form provided by the commissioner.
 44.3 The commissioner ~~shall~~ must provide technical assistance if requested by the governmental
 44.4 subdivision.

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

44.7 Sec. 44. Minnesota Statutes 2020, section 115.455, is amended to read:

44.8 **115.455 EFFLUENT LIMITATIONS; COMPLIANCE.**

44.9 To the extent allowable under federal law, for a municipality that constructs a publicly
 44.10 owned treatment works or for an industrial national pollutant discharge elimination system
 44.11 and state disposal system permit holder that constructs a treatment works to comply with a
 44.12 new or modified effluent limitation, compliance with any new or modified effluent limitation
 44.13 adopted after construction begins that would require additional capital investment is required
 44.14 no sooner than 16 years after the date the facility begins operating.

44.15 Sec. 45. Minnesota Statutes 2020, section 115.55, is amended by adding a subdivision to
 44.16 read:

44.17 Subd. 3a. **Repaired drainage holes.** A precast reinforced concrete tank that has one or
 44.18 more openings in the exterior walls or tank bottom below the tank liquid level meets
 44.19 minimum standards and criteria for subsurface sewage treatment systems if:

44.20 (1) the openings have been repaired or sealed; and

44.21 (2) all other requirements of the rules adopted under subdivision 3 are met.

44.22 Sec. 46. Minnesota Statutes 2020, section 115.77, subdivision 1, is amended to read:

44.23 Subdivision 1. **Fees.** The agency ~~shall~~ must collect fees in amounts necessary, but no
 44.24 greater than the amounts necessary, to cover the reasonable costs of reviewing applications
 44.25 and issuing certifications. The fees under this subdivision are subject to legislative approval
 44.26 under section 16A.1283.

44.27 Sec. 47. Minnesota Statutes 2020, section 115.84, subdivision 2, is amended to read:

44.28 Subd. 2. **Rules.** The agency may adopt rules to govern certification of laboratories
44.29 according to this section. ~~Notwithstanding section 16A.1283, the agency may adopt rules~~
44.30 ~~establishing fees.~~

45.1 Sec. 48. Minnesota Statutes 2020, section 115.84, subdivision 3, is amended to read:

45.2 Subd. 3. **Fees.** (a) Until the agency adopts a rule establishing fees for certification, the
45.3 agency ~~shall~~ must collect fees from laboratories registering with the agency, but not
45.4 accredited by the commissioner of health under sections 144.97 to 144.99, in amounts
45.5 necessary to cover the reasonable costs of the certification program, including reviewing
45.6 applications, issuing certifications, and conducting audits and compliance assistance. The
45.7 fees under this paragraph are subject to legislative approval under section 16A.1283.

45.8 (b) Fees under this section must be based on the number, type, and complexity of
45.9 analytical methods that laboratories are certified to perform.

45.10 (c) Revenue from fees charged by the agency for certification ~~shall~~ must be credited to
45.11 the environmental fund.

45.12 Sec. 49. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
45.13 to read:

45.14 Subd. 3b. **Chemical plastic recycling.** "Chemical plastic recycling" means a
45.15 manufacturing process for converting post-use polymers into products, such as monomers,
45.16 oligomers, plastics, basic and unfinished chemicals, and other raw materials. Chemical
45.17 plastic recycling is not processing, treatment, incineration, disposal, or waste management,
45.18 as those terms are defined or used pursuant to chapters 115, 115A, and 116.

45.19 Sec. 50. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
45.20 to read:

45.21 Subd. 3c. **Chemical plastic recycling facility.** "Chemical plastic recycling facility"
45.22 means a manufacturing facility that receives, stores, and converts post-use polymers it
45.23 receives using chemical plastic recycling. A chemical plastic recycling facility is not a
45.24 disposal facility, resource recovery facility, solid waste facility, or waste facility as those
45.25 terms are defined and regulated pursuant to chapters 115, 115A, and 116.

45.26 Sec. 51. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
45.27 to read:

45.28 Subd. 24c. **Post-use polymers.** "Post-use polymers" means plastic that:

45.29 (1) is derived from any industrial, commercial, agricultural, or domestic activities;

45.30 (2) is used as feedstock for chemical plastic recycling;

46.1 (3) is processed at a chemical plastic recycling facility or held at a chemical plastic
46.2 recycling facility before processing;

46.3 (4) is not stored at any one location for more than three years without being utilized for
46.4 chemical plastic recycling; and

46.5 (5) has been sorted from solid waste and regulated waste but may contain residual
46.6 amounts of solid waste such as organic materials and individual contaminants or impurities,
46.7 such as paper labels and metal rings.

46.8 Sec. 52. Minnesota Statutes 2020, section 115A.03, subdivision 35, is amended to read:

46.9 Subd. 35. **Waste facility.** "Waste facility" means all property, real or personal, including
46.10 negative and positive easements and water and air rights, which is or may be needed or
46.11 useful for the processing or disposal of waste, except property for the collection of the waste
46.12 and property used primarily for the manufacture of scrap metal ~~or~~ paper, or post-use
46.13 polymers. Waste facility includes but is not limited to transfer stations, processing facilities,
46.14 and disposal sites and facilities.

46.15 Sec. 53. **[115A.571] CHEMICAL PLASTIC RECYCLING.**

46.16 Subdivision 1. **Chemical plastic recycling facility.** A chemical plastic recycling facility
46.17 and chemical plastic recycling are subject to all applicable federal, state, and local laws,
46.18 except chapters 115, 115A, and 116, and the rules adopted pursuant to those chapters.

46.19 Subd. 2. **Solid waste management exemption requirements.** (a) The solid waste
46.20 management exemption in subdivision 1 does not apply:

46.21 (1) if any solid waste other than or in addition to a post-use polymer or residual amounts
46.22 of organic material and incidental contaminants are treated, stored, processed, transferred,
46.23 or disposed of at a chemical plastic recycling facility; or

46.24 (2) to management of post-use polymers at any location other than a chemical plastic
46.25 recycling facility.

46.26 (b) To qualify for the solid waste management facility permit exemption in subdivision
46.27 1, a chemical plastic recycling facility must only treat, store, or process post-use polymers
46.28 in a fully enclosed building.

46.29 (c) The commissioner may enter and inspect any chemical plastic recycling facility to
46.30 determine whether the storage of materials prior to chemical plastic recycling is a nuisance
46.31 or poses a threat to human health or the environment. The commissioner may use the
47.1 enforcement authority under section 116.072 and Minnesota Rules, chapter 7035, to require
47.2 abatement of the nuisance or threat if found.

47.3 Subd. 3. **Duty to report.** The owner or operator of a chemical plastic recycling facility
 47.4 must submit an annual report to the commissioner in a form and manner prescribed by the
 47.5 commissioner that must include:

47.6 (1) the amount of post-use polymers accepted, stored, and managed at the facility;

47.7 (2) annual chemical plastic recycling throughput at the facility, including beginning and
 47.8 ending volumes stored in a calendar year;

47.9 (3) to the extent known, the source and county of origin of the post-use polymers and
 47.10 the amount and type of material collected from each source; and

47.11 (4) the amount, type, and destination of products and by-products produced through the
 47.12 chemical plastic recycling, such as what weight of post-use polymers received went to an
 47.13 end market, a broker, a processor, or a manufacturer or was managed as a waste.

47.14 Subd. 4. **Duty to provide information.** Any person must furnish to the commissioner
 47.15 any information that the person may have or may reasonably obtain that the commissioner
 47.16 requests for the purposes of determining compliance with statutes or rules pertaining to
 47.17 chemical plastic recycling.

47.18 Sec. 54. Minnesota Statutes 2020, section 115B.52, subdivision 4, is amended to read:

47.19 Subd. 4. **Reporting.** The commissioner of the Pollution Control Agency and the
 47.20 commissioner of natural resources must jointly submit:

47.21 (1) by April 1, 2019, an implementation plan detailing how the commissioners will:

47.22 (i) determine how the priorities in the settlement will be met and how the spending will
 47.23 move from the first priority to the second priority and the second priority to the third priority
 47.24 outlined in the settlement; and

47.25 (ii) evaluate and determine what projects receive funding;

47.26 (2) by ~~February 1 and August~~ October 1 each year, a ~~biannual~~ report to the chairs and
 47.27 ranking minority members of the legislative policy and finance committees with jurisdiction
 47.28 over environment and natural resources on expenditures from the water quality and
 47.29 sustainability account during the previous ~~six months~~ fiscal year; and

47.30 (3) by ~~August 1, 2019, and October 1~~ each year thereafter, a report to the legislature on
 47.31 expenditures from the water quality and sustainability account during the previous fiscal
 48.1 year and a spending plan for anticipated expenditures from the account during the current
 48.2 fiscal year.

48.3 Sec. 55. Minnesota Statutes 2020, section 116.03, subdivision 2b, is amended to read:

48.4 Subd. 2b. **Permitting efficiency.** (a) It is the goal of the state that environmental and
 48.5 resource management permits be issued or denied within 90 days for tier 1 permits or 150
 48.6 days for tier 2 permits following submission of a permit application. The commissioner of

62.21 Sec. 55. Minnesota Statutes 2020, section 115B.52, subdivision 4, is amended to read:

62.22 Subd. 4. **Reporting.** The commissioner of the Pollution Control Agency and the
 62.23 commissioner of natural resources must jointly submit:

62.24 (1) by April 1, 2019, an implementation plan detailing how the commissioners will:

62.25 (i) determine how the priorities in the settlement will be met and how the spending will
 62.26 move from the first priority to the second priority and the second priority to the third priority
 62.27 outlined in the settlement; and

62.28 (ii) evaluate and determine what projects receive funding;

62.29 (2) by ~~February 1 and August~~ October 1 each year, a ~~biannual~~ report to the chairs and
 62.30 ranking minority members of the legislative policy and finance committees with jurisdiction
 62.31 over environment and natural resources on expenditures from the water quality and
 62.32 sustainability account during the previous ~~six months~~ fiscal year; and

63.1 (3) by ~~August 1, 2019, and October 1~~ each year thereafter, a report to the legislature on
 63.2 expenditures from the water quality and sustainability account during the previous fiscal
 63.3 year and a spending plan for anticipated expenditures from the account during the current
 63.4 fiscal year.

48.7 the Pollution Control Agency ~~shall~~ must establish management systems designed to achieve
 48.8 the goal. For the purposes of this section, "tier 1 permits" are permits that do not require
 48.9 individualized actions or public comment periods, and "tier 2 permits" are permits that
 48.10 require individualized actions or public comment periods.

48.11 (b) The commissioner ~~shall~~ must prepare ~~an annual~~ semiannual permitting efficiency
 48.12 ~~report~~ reports that ~~includes~~ include statistics on meeting the tier 2 goal in paragraph (a) and
 48.13 the criteria for tier 2 by permit categories. ~~The report is~~ reports are due on February 1 and
 48.14 August 1 each year. For permit applications that have not met the goal, ~~the~~ each report must
 48.15 state the reasons for not meeting the goal. In stating the reasons for not meeting the goal,
 48.16 the commissioner ~~shall~~ must separately identify delays caused by the responsiveness of the
 48.17 proposer, ~~lack of staff,~~ scientific or technical disagreements, or the level of public
 48.18 engagement. ~~The~~ Each report must specify the number of days from initial submission of
 48.19 the application to the day of determination that the application is complete. ~~The~~ Each report
 48.20 must aggregate the data for the year reporting period and assess whether program or system
 48.21 changes are necessary to achieve the goal. Whenever a report required by this subdivision
 48.22 states the number of permits completed within a particular period, the report must,
 48.23 immediately after the number and in parentheses, state the percentage of total applications
 48.24 received for that permit category that the number represents. Whenever a report required
 48.25 by this subdivision states the number of permits completed within a particular period, the
 48.26 report must separately state completion data for industrial and municipal permits. The ~~report~~
 48.27 reports must be posted on the agency's website and submitted to the governor and the chairs
 48.28 and ranking minority members of the house of representatives and senate committees having
 48.29 jurisdiction over environment policy and finance.

48.30 (c) The commissioner ~~shall~~ must allow electronic submission of environmental review
 48.31 and permit documents to the agency.

48.32 (d) Within 30 business days of application for a permit subject to paragraph (a), the
 48.33 commissioner of the Pollution Control Agency ~~shall~~ must notify the permit applicant, in
 48.34 writing, whether the application is complete or incomplete. If the commissioner determines
 49.1 that an application is incomplete, the notice to the applicant must enumerate all deficiencies,
 49.2 citing specific provisions of the applicable rules and statutes, and advise the applicant on
 49.3 how the deficiencies can be remedied. If the commissioner determines that the application
 49.4 is complete, the notice must confirm the application's tier 1 or tier 2 permit status. If the
 49.5 commissioner believes that a complete application for a tier 2 construction permit cannot
 49.6 be issued within the 150-day goal, the commissioner must provide notice to the applicant
 49.7 with the commissioner's notice that the application is complete and, upon request of the
 49.8 applicant, provide the permit applicant with a schedule estimating when the agency will
 49.9 begin drafting the permit and issue the public notice of the draft permit. This paragraph
 49.10 does not apply to an application for a permit that is subject to a grant or loan agreement
 49.11 under chapter 446A.

49.12 (e) For purposes of this subdivision, "permit professional" means an individual not
 49.13 employed by the Pollution Control Agency who:

- 49.14 (1) has a professional license issued by the state of Minnesota in the subject area of the
49.15 permit;
- 49.16 (2) has at least ten years of experience in the subject area of the permit; and
- 49.17 (3) abides by the duty of candor applicable to employees of the Pollution Control Agency
49.18 under agency rules and complies with all applicable requirements under chapter 326.
- 49.19 (f) Upon the agency's request, an applicant relying on a permit professional must
49.20 participate in a meeting with the agency before submitting an application:
- 49.21 (1) at least two weeks prior to the preapplication meeting, the applicant must submit at
49.22 least the following:
- 49.23 (i) project description, including, but not limited to, scope of work, primary emissions
49.24 points, discharge outfalls, and water intake points;
- 49.25 (ii) location of the project, including county, municipality, and location on the site;
- 49.26 (iii) business schedule for project completion; and
- 49.27 (iv) other information requested by the agency at least four weeks prior to the scheduled
49.28 meeting; and
- 49.29 (2) during the preapplication meeting, the agency ~~shall~~ must provide for the applicant
49.30 at least the following:
- 49.31 (i) an overview of the permit review program;
- 50.1 (ii) a determination of which specific application or applications will be necessary to
50.2 complete the project;
- 50.3 (iii) a statement notifying the applicant if the specific permit being sought requires a
50.4 mandatory public hearing or comment period;
- 50.5 (iv) a review of the timetable established in the permit review program for the specific
50.6 permit being sought; and
- 50.7 (v) a determination of what information must be included in the application, including
50.8 a description of any required modeling or testing.
- 50.9 (g) The applicant may select a permit professional to undertake the preparation of the
50.10 permit application and draft permit.
- 50.11 (h) If a preapplication meeting was held, the agency ~~shall~~ must, within seven business
50.12 days of receipt of an application, notify the applicant and submitting permit professional
50.13 that the application is complete or is denied, specifying the deficiencies of the application.
- 50.14 (i) Upon receipt of notice that the application is complete, the permit professional ~~shall~~
50.15 must submit to the agency a timetable for submitting a draft permit. The permit professional
50.16 ~~shall~~ must submit a draft permit on or before the date provided in the timetable. Within 60

50.17 days after the close of the public comment period, the commissioner ~~shall~~ must notify the
 50.18 applicant whether the permit can be issued.

50.19 (j) Nothing in this section ~~shall~~ must be construed to modify:

50.20 (1) any requirement of law that is necessary to retain federal delegation to or assumption
 50.21 by the state; or

50.22 (2) the authority to implement a federal law or program.

50.23 (k) The permit application and draft permit ~~shall~~ must identify or include as an appendix
 50.24 all studies and other sources of information used to substantiate the analysis contained in
 50.25 the permit application and draft permit. The commissioner ~~shall~~ must request additional
 50.26 studies, if needed, and the permit applicant ~~shall~~ must submit all additional studies and
 50.27 information necessary for the commissioner to perform the commissioner's responsibility
 50.28 to review, modify, and determine the completeness of the application and approve the draft
 50.29 permit.

50.30 Sec. 56. Minnesota Statutes 2020, section 116.07, subdivision 4d, is amended to read:

50.31 Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater
 50.32 than those necessary to cover the reasonable costs of developing, reviewing, and acting
 51.1 upon applications for agency permits and implementing and enforcing the conditions of the
 51.2 permits pursuant to agency rules. Permit fees ~~shall~~ must not include the costs of litigation.
 51.3 The fee schedule must reflect reasonable and routine direct and indirect costs associated
 51.4 with permitting, implementation, and enforcement. The agency may impose an additional
 51.5 enforcement fee to be collected for ~~a period of~~ up to two years to cover the reasonable costs
 51.6 of implementing and enforcing the conditions of a permit under the rules of the agency.
 51.7 Water fees under this paragraph are subject to legislative approval under section 16A.1283.
 51.8 Any money collected under this paragraph ~~shall~~ must be deposited in the environmental
 51.9 fund.

51.10 (b) Notwithstanding paragraph (a), the agency ~~shall~~ must collect an annual fee from the
 51.11 owner or operator of all stationary sources, emission facilities, emissions units, air
 51.12 contaminant treatment facilities, treatment facilities, potential air contaminant storage
 51.13 facilities, or storage facilities subject to a notification, permit, or license requirement under
 51.14 this chapter, subchapters I and V of the federal Clean Air Act, United States Code, title 42,
 51.15 section 7401 et seq., or rules adopted thereunder. The annual fee ~~shall~~ must be used to pay
 51.16 for all direct and indirect reasonable costs, including legal costs, required to develop and
 51.17 administer the notification, permit, or license program requirements of this chapter,
 51.18 subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401
 51.19 et seq., or rules adopted thereunder. Those costs include the reasonable costs of reviewing
 51.20 and acting upon an application for a permit; implementing and enforcing statutes, rules, and
 51.21 the terms and conditions of a permit; emissions, ambient, and deposition monitoring;
 51.22 preparing generally applicable regulations; responding to federal guidance; modeling,

51.23 analyses, and demonstrations; preparing inventories and tracking emissions; and providing
51.24 information to the public about these activities.

51.25 (c) The agency ~~shall~~ must set fees that:

51.26 (1) will result in the collection, in the aggregate, from the sources listed in paragraph
51.27 (b), of an amount not less than \$25 per ton of each volatile organic compound; pollutant
51.28 regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112 of
51.29 the federal Clean Air Act); and each pollutant, except carbon monoxide, for which a national
51.30 primary ambient air quality standard has been promulgated;

51.31 (2) may result in the collection, in the aggregate, from the sources listed in paragraph
51.32 (b), of an amount not less than \$25 per ton of each pollutant not listed in clause (1) that is
51.33 regulated under this chapter or air quality rules adopted under this chapter; and

52.1 (3) ~~shall~~ must collect, in the aggregate, from the sources listed in paragraph (b), the
52.2 amount needed to match grant funds received by the state under United States Code, title
52.3 42, section 7405 (section 105 of the federal Clean Air Act).

52.4 The agency must not include in the calculation of the aggregate amount to be collected
52.5 under clauses (1) and (2) any amount in excess of 4,000 tons per year of each air pollutant
52.6 from a source. The increase in air permit fees to match federal grant funds ~~shall be~~ is a
52.7 surcharge on existing fees. The commissioner may not collect the surcharge after the grant
52.8 funds become unavailable. In addition, the commissioner ~~shall~~ must use nonfee funds to
52.9 the extent practical to match the grant funds so that the fee surcharge is minimized.

52.10 (d) To cover the reasonable costs described in paragraph (b), the agency ~~shall~~ must
52.11 provide in the rules promulgated under paragraph (c) for an increase in the fee collected in
52.12 each year by the percentage, if any, by which the Consumer Price Index for the most recent
52.13 calendar year ending before the beginning of the year the fee is collected exceeds the
52.14 Consumer Price Index for the calendar year 1989. For purposes of this paragraph, the
52.15 Consumer Price Index for any calendar year is the average of the Consumer Price Index for
52.16 all-urban consumers published by the United States Department of Labor, as of the close
52.17 of the 12-month period ending on August 31 of each calendar year. The revision of the
52.18 Consumer Price Index that is most consistent with the Consumer Price Index for calendar
52.19 year 1989 ~~shall~~ must be used.

52.20 (e) Any money collected under paragraphs (b) to (d) must be deposited in the
52.21 environmental fund and must be used solely for the activities listed in paragraph (b).

52.22 (f) Permit applicants who wish to construct, reconstruct, or modify a project may offer
52.23 to reimburse the agency for the costs of staff time or consultant services needed to expedite
52.24 the preapplication process and permit development process through the final decision on
52.25 the permit, including the analysis of environmental review documents. The reimbursement
52.26 ~~shall be~~ is in addition to permit application fees imposed by law. When the agency determines
52.27 that it needs additional resources to develop the permit application in an expedited manner;
52.28 and that expediting the development is consistent with permitting program priorities, the

52.29 agency may accept the reimbursement. The commissioner must give the applicant an estimate
 52.30 of costs to be incurred by the commissioner. The estimate must include a brief description
 52.31 of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for
 52.32 each task. The applicant and the commissioner must enter into a written agreement detailing
 52.33 the estimated costs for the expedited permit decision-making process to be incurred by the
 52.34 agency. The agreement must also identify staff anticipated to be assigned to the project.
 52.35 The commissioner must not issue a permit until the applicant has paid all fees in full. The
 53.1 commissioner must refund any unobligated balance of fees paid. Reimbursements accepted
 53.2 by the agency are appropriated to the agency for the purpose of developing the permit or
 53.3 analyzing environmental review documents. Reimbursement by a permit applicant ~~shall~~
 53.4 must precede and not be contingent upon issuance of a permit; ~~shall~~ must not affect the
 53.5 agency's decision on whether to issue or deny a permit, what conditions are included in a
 53.6 permit, or the application of state and federal statutes and rules governing permit
 53.7 determinations; and ~~shall~~ must not affect final decisions regarding environmental review.

53.8 (g) The fees under this subdivision are exempt from section 16A.1285.

53.9 Sec. 57. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
 53.10 read:

53.11 Subd. 13. **Unadopted rules.** The commissioner of the Pollution Control Agency must
 53.12 not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision,
 53.13 "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive
 53.14 statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual
 53.15 standard, interpretive statement, policy plan, or similar pronouncement has not been adopted
 53.16 according to the rulemaking process provided under chapter 14. If an unadopted rule is
 53.17 challenged under section 14.381, the commissioner must cease enforcement of the unadopted
 53.18 rule and overcome a presumption that the unadopted rule must be adopted according to the
 53.19 rulemaking process provided under chapter 14.

53.20 Sec. 58. Minnesota Statutes 2020, section 116B.03, subdivision 1, is amended to read:

53.21 Subdivision 1. **Parties.** Any person residing within the state; the attorney general; any
 53.22 political subdivision of the state; any instrumentality or agency of the state or of a political
 53.23 subdivision thereof; or any partnership, corporation, association, organization, or other
 53.24 entity having shareholders, members, partners or employees residing within the state may
 53.25 maintain a civil action in the district court for declaratory or equitable relief in the name of
 53.26 the state of Minnesota against any person, for the protection of the air, water, land, or other
 53.27 natural resources located within the state, whether publicly or privately owned, from
 53.28 pollution, impairment, or destruction; provided, however, that no action ~~shall be~~ is allowable
 53.29 ~~hereunder~~ under this section for:

53.30 (1) acts taken by a person on land leased or owned by said person pursuant to a permit
 53.31 or license issued by the owner of the land to said person which do not and can not reasonably
 53.32 be expected to pollute, impair, or destroy any other air, water, land, or other natural resources

54.1 located within the state; ~~provided further that no action shall be allowable under this section~~
54.2 ~~for~~

54.3 (2) conduct taken by a person pursuant to any environmental quality standard, limitation,
54.4 rule, order, license, stipulation agreement or permit issued by the Pollution Control Agency,
54.5 Department of Natural Resources, Department of Health or Department of Agriculture; or

54.6 (3) issuance of a groundwater appropriation permit that meets the criteria under section
54.7 103G.287, subdivision 6, by the Department of Natural Resources. This clause expires
54.8 January 1, 2041.

54.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and
54.10 applies to applications for new or modified permits filed on or after that date.

54.11 Sec. 59. Minnesota Statutes 2020, section 116B.10, is amended by adding a subdivision
54.12 to read:

54.13 Subd. 6. **Application.** No action is allowable under this section for issuance of a
54.14 groundwater appropriation permit that meets the criteria under section 103G.287, subdivision
54.15 6, by the Department of Natural Resources. This subdivision expires January 1, 2041.

54.16 **EFFECTIVE DATE.** This section is effective the day following final enactment and
54.17 applies to applications for new or modified permits filed on or after that date.

54.18 Sec. 60. Minnesota Statutes 2020, section 116D.04, subdivision 2a, is amended to read:

54.19 Subd. 2a. **When prepared.** (a) Where there is potential for significant environmental
54.20 effects resulting from any major governmental action, the action must be preceded by a
54.21 detailed environmental impact statement prepared by the responsible governmental unit.
54.22 The environmental impact statement must be an analytical rather than an encyclopedic
54.23 document that describes the proposed action in detail, analyzes its significant environmental
54.24 impacts, discusses appropriate alternatives to the proposed action and their impacts, and
54.25 explores methods by which adverse environmental impacts of an action could be mitigated.
54.26 The environmental impact statement must also analyze those economic, employment, and
54.27 sociological effects that cannot be avoided should the action be implemented. To ensure its
54.28 use in the decision-making process, the environmental impact statement must be prepared
54.29 as early as practical in the formulation of an action.

54.30 (b) The board ~~shall~~ must by rule establish categories of actions for which environmental
54.31 impact statements and for which environmental assessment worksheets must be prepared
54.32 as well as categories of actions for which no environmental review is required under this
55.1 section. A mandatory environmental assessment worksheet is not required for the expansion
55.2 of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the
55.3 conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol
55.4 facility as defined in section 41A.15, subdivision 2d, based on the capacity of the expanded
55.5 or converted facility to produce alcohol fuel, but must be required if the ethanol plant or
55.6 biobutanol facility meets or exceeds thresholds of other categories of actions for which

55.7 environmental assessment worksheets must be prepared. The responsible governmental unit
 55.8 for an ethanol plant or biobutanol facility project for which an environmental assessment
 55.9 worksheet is prepared is the state agency with the greatest responsibility for supervising or
 55.10 approving the project as a whole.

55.11 (c) A mandatory environmental impact statement is not required for a facility or plant
 55.12 located outside the seven-county metropolitan area that produces less than 125,000,000
 55.13 gallons of ethanol, biobutanol, or cellulosic biofuel annually, or produces less than 400,000
 55.14 tons of chemicals annually, if the facility or plant is: an ethanol plant, as defined in section
 55.15 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined in section 41A.15,
 55.16 subdivision 2d; or a cellulosic biofuel facility. A facility or plant that only uses a cellulosic
 55.17 feedstock to produce chemical products for use by another facility as a feedstock is not
 55.18 considered a fuel conversion facility as used in rules adopted under this chapter.

55.19 (d) The responsible governmental unit ~~shall~~ must promptly publish notice of the
 55.20 completion of an environmental assessment worksheet by publishing the notice in at least
 55.21 one newspaper of general circulation in the geographic area where the project is proposed,
 55.22 by posting the notice on a website that has been designated as the official publication site
 55.23 for publication of proceedings, public notices, and summaries of a political subdivision in
 55.24 which the project is proposed, or in any other manner determined by the board and ~~shall~~
 55.25 must provide copies of the environmental assessment worksheet to the board and its member
 55.26 agencies. Comments on the need for an environmental impact statement may be submitted
 55.27 to the responsible governmental unit during a 30-day period following publication of the
 55.28 notice that an environmental assessment worksheet has been completed. The responsible
 55.29 governmental unit may extend the 30-day comment period for an additional 30 days one
 55.30 time. Further extensions of the comment period may not be made unless approved by the
 55.31 project's proposer. The responsible governmental unit's decision on the need for an
 55.32 environmental impact statement must be based on the environmental assessment worksheet
 55.33 and the comments received during the comment period, and must be made within 15 days
 55.34 after the close of the comment period. The board's chair may extend the 15-day period by
 55.35 not more than 15 additional days upon the request of the responsible governmental unit.

56.1 (e) An environmental assessment worksheet must also be prepared for a proposed action
 56.2 whenever material evidence accompanying a petition by not less than 100 individuals who
 56.3 reside or own property in ~~the state~~ a county where the proposed action will be undertaken
 56.4 or in one or more adjoining counties, submitted before the proposed project has received
 56.5 final approval by the appropriate governmental units, demonstrates that, because of the
 56.6 nature or location of a proposed action, there may be potential for significant environmental
 56.7 effects. Petitions requesting the preparation of an environmental assessment worksheet must
 56.8 be submitted to the board. The chair of the board ~~shall~~ must determine the appropriate
 56.9 responsible governmental unit and forward the petition to it. A decision on the need for an
 56.10 environmental assessment worksheet must be made by the responsible governmental unit
 56.11 within 15 days after the petition is received by the responsible governmental unit. The
 56.12 board's chair may extend the 15-day period by not more than 15 additional days upon request
 56.13 of the responsible governmental unit.

56.14 (f) Except in an environmentally sensitive location where Minnesota Rules, part
 56.15 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental
 56.16 review under this chapter and rules of the board, if:

56.17 (1) the proposed action is:

56.18 (i) an animal feedlot facility with a capacity of less than 1,000 animal units; or

56.19 (ii) an expansion of an existing animal feedlot facility with a total cumulative capacity
 56.20 of less than 1,000 animal units;

56.21 (2) the application for the animal feedlot facility includes a written commitment by the
 56.22 proposer to design, construct, and operate the facility in full compliance with Pollution
 56.23 Control Agency feedlot rules; and

56.24 (3) the county board holds a public meeting for citizen input at least ten business days
 56.25 before the Pollution Control Agency or county issuing a feedlot permit for the animal feedlot
 56.26 facility unless another public meeting for citizen input has been held with regard to the
 56.27 feedlot facility to be permitted. The exemption in this paragraph is in addition to other
 56.28 exemptions provided under other law and rules of the board.

56.29 (g) The board may, before final approval of a proposed project, require preparation of
 56.30 an environmental assessment worksheet by a responsible governmental unit selected by the
 56.31 board for any action where environmental review under this section has not been specifically
 56.32 provided for by rule or otherwise initiated.

57.1 (h) An early and open process must be used to limit the scope of the environmental
 57.2 impact statement to a discussion of those impacts that, because of the nature or location of
 57.3 the project, have the potential for significant environmental effects. The same process must
 57.4 be used to determine the form, content, and level of detail of the statement as well as the
 57.5 alternatives that are appropriate for consideration in the statement. In addition, the permits
 57.6 that will be required for the proposed action must be identified during the scoping process.
 57.7 Further, the process must identify those permits for which information will be developed
 57.8 concurrently with the environmental impact statement. The board ~~shall~~ must provide in its
 57.9 rules for the expeditious completion of the scoping process. The determinations reached in
 57.10 the process must be incorporated into the order requiring the preparation of an environmental
 57.11 impact statement.

57.12 (i) The responsible governmental unit ~~shall~~ must, to the extent practicable, avoid
 57.13 duplication and ensure coordination between state and federal environmental review and
 57.14 between environmental review and environmental permitting. Whenever practical,
 57.15 information needed by a governmental unit for making final decisions on permits or other
 57.16 actions required for a proposed project must be developed in conjunction with the preparation
 57.17 of an environmental impact statement. When an environmental impact statement is prepared
 57.18 for a project requiring multiple permits for which two or more agencies' decision processes
 57.19 include either mandatory or discretionary hearings before a hearing officer before the
 57.20 agencies' decision on the permit, the agencies may, notwithstanding any law or rule to the

57.21 contrary, conduct the hearings in a single consolidated hearing process if requested by the
 57.22 proposer. All agencies having jurisdiction over a permit that is included in the consolidated
 57.23 hearing ~~shall~~ must participate. The responsible governmental unit ~~shall~~ must establish
 57.24 appropriate procedures for the consolidated hearing process, including procedures to ensure
 57.25 that the consolidated hearing process is consistent with the applicable requirements for each
 57.26 permit regarding the rights and duties of parties to the hearing, and ~~shall~~ must use the earliest
 57.27 applicable hearing procedure to initiate the hearing. All agencies having jurisdiction over
 57.28 a permit identified in the draft environmental assessment worksheet scoping document must
 57.29 begin reviewing any permit application upon publication of the notice of preparation of the
 57.30 environmental impact statement.

57.31 (j) An environmental impact statement must be prepared and its adequacy determined
 57.32 within 280 days after notice of its preparation unless the time is extended by consent of the
 57.33 parties or by the governor for good cause. The responsible governmental unit ~~shall~~ must
 57.34 determine the adequacy of an environmental impact statement, unless within 60 days after
 57.35 notice is published that an environmental impact statement will be prepared, the board
 58.1 chooses to determine the adequacy of an environmental impact statement. If an environmental
 58.2 impact statement is found to be inadequate, the responsible governmental unit has 60 days
 58.3 to prepare an adequate environmental impact statement.

58.4 (k) The proposer of a specific action may include in the information submitted to the
 58.5 responsible governmental unit a preliminary draft environmental impact statement under
 58.6 this section on that action for review, modification, and determination of completeness and
 58.7 adequacy by the responsible governmental unit. A preliminary draft environmental impact
 58.8 statement prepared by the project proposer and submitted to the responsible governmental
 58.9 unit must identify or include as an appendix all studies and other sources of information
 58.10 used to substantiate the analysis contained in the preliminary draft environmental impact
 58.11 statement. The responsible governmental unit ~~shall~~ must require additional studies, if needed,
 58.12 and obtain from the project proposer all additional studies and information necessary for
 58.13 the responsible governmental unit to perform its responsibility to review, modify, and
 58.14 determine the completeness and adequacy of the environmental impact statement.

58.15 (l) A mandatory environmental assessment worksheet is not required for a project that
 58.16 will diminish the course, current, or cross-section of one acre or more of any water unless
 58.17 the affected water is on the public waters inventory described in section 103G.201.

58.18 Sec. 61. Minnesota Statutes 2020, section 116U.55, is amended by adding a subdivision
 58.19 to read:

58.20 Subd. 3. **Events promotion account.** The events promotion account is established as a
 58.21 separate account in the natural resources fund. Money received under section 297A.94,
 58.22 paragraph (l), must be deposited into the events promotion account for promoting special
 58.23 events in the state. At least 50 percent of the money appropriated under this subdivision
 58.24 must be for promoting special events outside of the metropolitan area.

58.25 Sec. 62. Minnesota Statutes 2020, section 127A.353, subdivision 2, is amended to read:

58.26 Subd. 2. **Qualifications.** The governor shall select the school trust lands director on the
58.27 basis of outstanding professional qualifications and knowledge of finance, business practices,
58.28 minerals, forest and real estate management, and the fiduciary responsibilities of a trustee
58.29 to the beneficiaries of a trust. The school trust lands director serves in the unclassified service
58.30 for a term of four years. ~~The first term shall end on December 31, 2020.~~ The governor may
58.31 remove the school trust lands director for cause. If a director resigns or is removed for cause,
58.32 the governor shall appoint a director for the remainder of the term.

59.1 Sec. 63. Minnesota Statutes 2021 Supplement, section 127A.353, subdivision 4, is amended
59.2 to read:

59.3 Subd. 4. **Duties; powers.** (a) The school trust lands director shall:

59.4 (1) ~~take an oath of office before assuming any duties as the director~~ act in a fiduciary
59.5 capacity for trust beneficiaries in accordance with the principles under section 127A.351;

59.6 (2) evaluate the school trust land asset position;

59.7 (3) determine the estimated current and potential market value of school trust lands;

59.8 (4) ~~advise and provide recommendations to the governor, Executive Council,~~
59.9 ~~commissioner of natural resources, and the Legislative Permanent School Fund Commission~~
59.10 ~~on the management of school trust lands, including: on school trust land management policies~~
59.11 ~~and other policies that may affect the goal of the permanent school fund under section~~
59.12 127A.31;

59.13 (5) advise and provide recommendations to the Executive Council and Land Exchange
59.14 Board on all matters regarding school trust lands presented to either body;

59.15 (6) advise and provide recommendations to the commissioner of natural resources on
59.16 managing school trust lands, including but not limited to advice and recommendations on:

59.17 (i) Department of Natural Resources school trust land management plans;

59.18 (ii) leases of school trust lands;

59.19 (iii) royalty agreements on school trust lands;

59.20 (iv) land sales and exchanges;

59.21 (v) cost certification; and

59.22 (vi) revenue generating options;

59.23 (7) serve as temporary trustee of school trust lands for school trust lands subject to
59.24 proposed or active eminent domain proceedings;

73.9 Sec. 73. Minnesota Statutes 2020, section 127A.353, subdivision 2, is amended to read:

73.10 Subd. 2. **Qualifications.** The governor shall select the school trust lands director on the
73.11 basis of outstanding professional qualifications and knowledge of finance, business practices,
73.12 minerals, forest and real estate management, and the fiduciary responsibilities of a trustee
73.13 to the beneficiaries of a trust. The school trust lands director serves in the unclassified service
73.14 for a term of four years. ~~The first term shall end on December 31, 2020.~~ The governor may
73.15 remove the school trust lands director for cause. If a director resigns or is removed for cause,
73.16 the governor shall appoint a director for the remainder of the term.

73.17 Sec. 74. Minnesota Statutes 2021 Supplement, section 127A.353, subdivision 4, is amended
73.18 to read:

73.19 Subd. 4. **Duties; powers.** (a) The school trust lands director shall:

73.20 (1) ~~take an oath of office before assuming any duties as the director~~ act in a fiduciary
73.21 capacity for trust beneficiaries in accordance with the principles under section 127A.351;

73.22 (2) evaluate the school trust land asset position;

73.23 (3) determine the estimated current and potential market value of school trust lands;

73.24 (4) ~~advise and provide recommendations to the governor, Executive Council,~~
73.25 ~~commissioner of natural resources, and the Legislative Permanent School Fund Commission~~
73.26 ~~on the management of school trust lands, including: on school trust land management policies~~
73.27 ~~and other policies that may affect the goal of the permanent school fund under section~~
73.28 127A.31;

73.29 (5) advise and provide recommendations to the Executive Council and Land Exchange
73.30 Board on all matters regarding school trust lands presented to either body;

74.1 (6) advise and provide recommendations to the commissioner of natural resources on
74.2 managing school trust lands, including but not limited to advice and recommendations on:

74.3 (i) Department of Natural Resources school trust land management plans;

74.4 (ii) leases of school trust lands;

74.5 (iii) royalty agreements on school trust lands;

74.6 (iv) land sales and exchanges;

74.7 (v) cost certification; and

74.8 (vi) revenue generating options;

74.9 (7) serve as temporary trustee of school trust lands for school trust lands subject to
74.10 proposed or active eminent domain proceedings;

59.25 (8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision
 59.26 5;

59.27 ~~(5) propose (9) submit to the Legislative Permanent School Fund Commission for review~~
 59.28 ~~an annual budget and management plan for the director that includes proposed legislative~~
 59.29 ~~changes that will improve the asset allocation of the school trust lands;~~

60.1 ~~(6) (10) develop and implement a ten-year strategic plan and a 25-year framework for~~
 60.2 ~~management of school trust lands, in conjunction with the commissioner of natural resources,~~
 60.3 ~~that is updated every five years and implemented by the commissioner, with goals to:~~

60.4 (i) retain core real estate assets;

60.5 (ii) increase the value of the real estate assets and the cash flow from those assets;

60.6 (iii) rebalance the portfolio in assets with high performance potential and the strategic
 60.7 disposal of selected assets;

60.8 (iv) establish priorities for management actions;

60.9 (v) balance revenue enhancement and resource stewardship; and

60.10 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;
 60.11 and

60.12 ~~(7) submit to the Legislative Permanent School Fund Commission for review an annual~~
 60.13 ~~budget and management plan for the director; and~~

60.14 ~~(8) (11) keep the beneficiaries, governor, legislature, and the public informed about the~~
 60.15 ~~work of the director by reporting to the Legislative Permanent School Fund Commission~~
 60.16 ~~in a public meeting at least once during each calendar quarter.~~

60.17 (b) In carrying out the duties under paragraph (a), the school trust lands director ~~shall~~
 60.18 ~~have the authority to~~ may:

60.19 (1) direct and control money appropriated to the director;

60.20 (2) establish job descriptions and employ ~~up to five employees in the unclassified service;~~
 60.21 ~~staff~~ within the limitations of money appropriated to the director;

60.22 (3) enter into interdepartmental agreements with any other state agency;

60.23 (4) enter into joint powers agreements under chapter 471;

60.24 (5) evaluate and initiate real estate development projects on school trust lands in
 60.25 conjunction with the commissioner of natural resources and with the advice of the Legislative
 60.26 Permanent School Fund Commission in order to generate long-term economic return to the
 60.27 permanent school fund; and

74.11 (8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision
 74.12 5;

74.13 ~~(5) propose (9) submit to the Legislative Permanent School Fund Commission for review~~
 74.14 ~~an annual budget and management plan for the director that includes proposed legislative~~
 74.15 ~~changes that will improve the asset allocation of the school trust lands;~~

74.16 ~~(6) (10) develop and implement a ten-year strategic plan and a 25-year framework for~~
 74.17 ~~management of school trust lands, in conjunction with the commissioner of natural resources,~~
 74.18 ~~that is updated every five years and implemented by the commissioner, with goals to:~~

74.19 (i) retain core real estate assets;

74.20 (ii) increase the value of the real estate assets and the cash flow from those assets;

74.21 (iii) rebalance the portfolio in assets with high performance potential and the strategic
 74.22 disposal of selected assets;

74.23 (iv) establish priorities for management actions;

74.24 (v) balance revenue enhancement and resource stewardship; and

74.25 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;
 74.26 and

74.27 ~~(7) submit to the Legislative Permanent School Fund Commission for review an annual~~
 74.28 ~~budget and management plan for the director; and~~

75.1 ~~(8) (11) keep the beneficiaries, governor, legislature, and the public informed about the~~
 75.2 ~~work of the director by reporting to the Legislative Permanent School Fund Commission~~
 75.3 ~~in a public meeting at least once during each calendar quarter.~~

75.4 (b) In carrying out the duties under paragraph (a), the school trust lands director ~~shall~~
 75.5 ~~have the authority to~~ may:

75.6 (1) direct and control money appropriated to the director;

75.7 (2) establish job descriptions and employ ~~up to five employees in the unclassified service;~~
 75.8 ~~staff~~ within the limitations of money appropriated to the director;

75.9 (3) enter into interdepartmental agreements with any other state agency;

75.10 (4) enter into joint powers agreements under chapter 471;

75.11 (5) evaluate and initiate real estate development projects on school trust lands in
 75.12 conjunction with the commissioner of natural resources and with the advice of the Legislative
 75.13 Permanent School Fund Commission in order to generate long-term economic return to the
 75.14 permanent school fund; and

60.28 ~~(6) serve as temporary trustee of school trust land for school trust lands subject to~~
60.29 ~~proposed or active eminent domain proceedings; and~~

61.1 ~~(7)~~ (6) submit recommendations on strategies for school trust land leases, sales, or
61.2 exchanges to the commissioner of natural resources and the Legislative Permanent School
61.3 Fund Commission.

61.4 Sec. 64. Minnesota Statutes 2020, section 282.08, is amended to read:

61.5 **282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.**

61.6 The net proceeds from the sale or rental of any parcel of forfeited land, or from the sale
61.7 of products from the forfeited land, must be apportioned by the county auditor to the taxing
61.8 districts interested in the land, as follows:

61.9 (1) the portion required to pay any amounts included in the appraised value under section
61.10 282.01, subdivision 3, as representing increased value due to any public improvement made
61.11 after forfeiture of the parcel to the state, but not exceeding the amount certified by the
61.12 appropriate governmental authority must be apportioned to the governmental subdivision
61.13 entitled to it;

61.14 (2) the portion required to pay any amount included in the appraised value under section
61.15 282.019, subdivision 5, representing increased value due to response actions taken after
61.16 forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by
61.17 the Pollution Control Agency or the commissioner of agriculture, must be apportioned to
61.18 the agency or the commissioner of agriculture and deposited in the fund from which the
61.19 expenses were paid;

61.20 (3) the portion of the remainder required to discharge any special assessment chargeable
61.21 against the parcel for drainage or other purpose whether due or deferred at the time of
61.22 forfeiture, must be apportioned to the governmental subdivision entitled to it; and

61.23 (4) any balance must be apportioned as follows:

61.24 (i) The county board may annually by resolution set aside no more than 30 percent of
61.25 the receipts remaining to be used for forest development on tax-forfeited land and dedicated
61.26 memorial forests, to be expended under the supervision of the county board. It must be
61.27 expended only on projects improving the health and management of the forest resource.

61.28 (ii) The county board may annually by resolution set aside no more than 20 percent of
61.29 the receipts remaining to be used for the acquisition and maintenance of county parks or
61.30 recreational areas as defined in sections 398.31 to 398.36, to be expended under the
61.31 supervision of the county board.

62.1 (iii) The county board may by resolution set aside up to 100 percent of the receipts
62.2 remaining to be used:

75.15 ~~(6) serve as temporary trustee of school trust land for school trust lands subject to~~
75.16 ~~proposed or active eminent domain proceedings; and~~

75.17 ~~(7)~~ (6) submit recommendations on strategies for school trust land leases, sales, or
75.18 exchanges to the commissioner of natural resources and the Legislative Permanent School
75.19 Fund Commission.

76.6 Sec. 76. Minnesota Statutes 2020, section 282.08, is amended to read:

76.7 **282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.**

76.8 The net proceeds from the sale or rental of any parcel of forfeited land, or from the sale
76.9 of products from the forfeited land, must be apportioned by the county auditor to the taxing
76.10 districts interested in the land, as follows:

76.11 (1) the portion required to pay any amounts included in the appraised value under section
76.12 282.01, subdivision 3, as representing increased value due to any public improvement made
76.13 after forfeiture of the parcel to the state, but not exceeding the amount certified by the
76.14 appropriate governmental authority must be apportioned to the governmental subdivision
76.15 entitled to it;

76.16 (2) the portion required to pay any amount included in the appraised value under section
76.17 282.019, subdivision 5, representing increased value due to response actions taken after
76.18 forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by
76.19 the Pollution Control Agency or the commissioner of agriculture, must be apportioned to
76.20 the agency or the commissioner of agriculture and deposited in the fund from which the
76.21 expenses were paid;

76.22 (3) the portion of the remainder required to discharge any special assessment chargeable
76.23 against the parcel for drainage or other purpose whether due or deferred at the time of
76.24 forfeiture, must be apportioned to the governmental subdivision entitled to it; and

76.25 (4) any balance must be apportioned as follows:

76.26 (i) The county board may annually by resolution set aside no more than 30 percent of
76.27 the receipts remaining to be used for forest development on tax-forfeited land and dedicated
76.28 memorial forests, to be expended under the supervision of the county board. It must be
76.29 expended only on projects improving the health and management of the forest resource.

76.30 (ii) The county board may annually by resolution set aside no more than 20 percent of
76.31 the receipts remaining to be used for the acquisition and maintenance of county parks or
77.1 recreational areas as defined in sections 398.31 to 398.36, to be expended under the
77.2 supervision of the county board.

77.3 (iii) The county board may by resolution set aside up to 100 percent of the receipts
77.4 remaining to be used:

62.3 (A) according to section 282.09, subdivision 2;
 62.4 (B) for remediating contamination at tax-forfeited properties; or
 62.5 (C) for correcting blighted conditions at tax-forfeited properties.
 62.6 An election made under this item is effective for a minimum of five years, unless the county
 62.7 board specifies a shorter duration.
 62.8 (iv) Any balance remaining must be apportioned as follows: county, 40 percent; town
 62.9 or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized
 62.10 territory that portion which would have accrued to the township must be administered by
 62.11 the county board of commissioners.
 62.12 **EFFECTIVE DATE.** This section is effective the day following final enactment.
 62.13 Sec. 65. Minnesota Statutes 2020, section 297A.94, is amended to read:
 62.14 **297A.94 DEPOSIT OF REVENUES.**
 62.15 (a) Except as provided in this section, the commissioner shall deposit the revenues,
 62.16 including interest and penalties, derived from the taxes imposed by this chapter in the state
 62.17 treasury and credit them to the general fund.
 62.18 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic
 62.19 account in the special revenue fund if:
 62.20 (1) the taxes are derived from sales and use of property and services purchased for the
 62.21 construction and operation of an agricultural resource project; and
 62.22 (2) the purchase was made on or after the date on which a conditional commitment was
 62.23 made for a loan guaranty for the project under section 41A.04, subdivision 3.
 62.24 The commissioner of management and budget shall certify to the commissioner the date on
 62.25 which the project received the conditional commitment. The amount deposited in the loan
 62.26 guaranty account must be reduced by any refunds and by the costs incurred by the Department
 62.27 of Revenue to administer and enforce the assessment and collection of the taxes.
 62.28 (c) The commissioner shall deposit the revenues, including interest and penalties, derived
 62.29 from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3,
 62.30 paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:
 63.1 (1) first to the general obligation special tax bond debt service account in each fiscal
 63.2 year the amount required by section 16A.661, subdivision 3, paragraph (b); and
 63.3 (2) after the requirements of clause (1) have been met, the balance to the general fund.
 63.4 (d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit
 63.5 in the state treasury the revenues collected under section 297A.64, subdivision 1, including

77.5 (1) according to section 282.09, subdivision 2;
 77.6 (2) for remediating contamination at tax-forfeited properties; or
 77.7 (3) for correcting blighted conditions at tax-forfeited properties.
 77.8 An election made under this item is effective for a minimum of five years, unless the county
 77.9 board specifies a shorter duration.
 77.10 (iv) Any balance remaining must be apportioned as follows: county, 40 percent; town
 77.11 or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized
 77.12 territory that portion which would have accrued to the township must be administered by
 77.13 the county board of commissioners.
 77.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.
 77.15 Sec. 77. Minnesota Statutes 2020, section 297A.94, is amended to read:
 77.16 **297A.94 DEPOSIT OF REVENUES.**
 77.17 (a) Except as provided in this section, the commissioner shall deposit the revenues,
 77.18 including interest and penalties, derived from the taxes imposed by this chapter in the state
 77.19 treasury and credit them to the general fund.
 77.20 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic
 77.21 account in the special revenue fund if:
 77.22 (1) the taxes are derived from sales and use of property and services purchased for the
 77.23 construction and operation of an agricultural resource project; and
 77.24 (2) the purchase was made on or after the date on which a conditional commitment was
 77.25 made for a loan guaranty for the project under section 41A.04, subdivision 3.
 77.26 The commissioner of management and budget shall certify to the commissioner the date on
 77.27 which the project received the conditional commitment. The amount deposited in the loan
 77.28 guaranty account must be reduced by any refunds and by the costs incurred by the Department
 77.29 of Revenue to administer and enforce the assessment and collection of the taxes.
 78.1 (c) The commissioner shall deposit the revenues, including interest and penalties, derived
 78.2 from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3,
 78.3 paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:
 78.4 (1) first to the general obligation special tax bond debt service account in each fiscal
 78.5 year the amount required by section 16A.661, subdivision 3, paragraph (b); and
 78.6 (2) after the requirements of clause (1) have been met, the balance to the general fund.
 78.7 (d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit
 78.8 in the state treasury the revenues collected under section 297A.64, subdivision 1, including

63.6 interest and penalties and minus refunds, and credit them to the highway user tax distribution
63.7 fund.

63.8 (e) The commissioner shall deposit the revenues, including interest and penalties,
63.9 collected under section 297A.64, subdivision 5, in the state treasury and credit them to the
63.10 general fund. By July 15 of each year the commissioner shall transfer to the highway user
63.11 tax distribution fund an amount equal to the excess fees collected under section 297A.64,
63.12 subdivision 5, for the previous calendar year.

63.13 (f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit
63.14 of revenues under paragraph (d), the commissioner shall deposit into the state treasury and
63.15 credit to the highway user tax distribution fund an amount equal to the estimated revenues
63.16 derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or
63.17 rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The
63.18 commissioner shall estimate the amount of sales tax revenue deposited under this paragraph
63.19 based on the amount of revenue deposited under paragraph (d).

63.20 (g) Starting after July 1, 2017, the commissioner shall deposit an amount of the
63.21 remittances monthly into the state treasury and credit them to the highway user tax
63.22 distribution fund as a portion of the estimated amount of taxes collected from the sale and
63.23 purchase of motor vehicle repair parts in that month. For the remittances between July 1,
63.24 2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in
63.25 each subsequent fiscal year, the monthly deposit amount is \$12,137,000. For purposes of
63.26 this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11,
63.27 and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories,
63.28 and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle
63.29 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor
63.30 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,
63.31 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of
63.32 rubber and if marked according to federal regulations for highway use.

64.1 (h) 72.43 percent of the revenues, including interest and penalties, transmitted to the
64.2 commissioner under section 297A.65, must be deposited by the commissioner in the state
64.3 treasury as follows:

64.4 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in
64.5 the game and fish fund, and may be spent only on activities that improve, enhance, or protect
64.6 fish and wildlife resources, including conservation, restoration, and enhancement of land,
64.7 water, and other natural resources of the state;

64.8 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
64.9 be spent only for state parks and trails;

64.10 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
64.11 be spent only on metropolitan park and trail grants;

78.9 interest and penalties and minus refunds, and credit them to the highway user tax distribution
78.10 fund.

78.11 (e) The commissioner shall deposit the revenues, including interest and penalties,
78.12 collected under section 297A.64, subdivision 5, in the state treasury and credit them to the
78.13 general fund. By July 15 of each year the commissioner shall transfer to the highway user
78.14 tax distribution fund an amount equal to the excess fees collected under section 297A.64,
78.15 subdivision 5, for the previous calendar year.

78.16 (f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit
78.17 of revenues under paragraph (d), the commissioner shall deposit into the state treasury and
78.18 credit to the highway user tax distribution fund an amount equal to the estimated revenues
78.19 derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or
78.20 rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The
78.21 commissioner shall estimate the amount of sales tax revenue deposited under this paragraph
78.22 based on the amount of revenue deposited under paragraph (d).

78.23 (g) Starting after July 1, 2017, the commissioner shall deposit an amount of the
78.24 remittances monthly into the state treasury and credit them to the highway user tax
78.25 distribution fund as a portion of the estimated amount of taxes collected from the sale and
78.26 purchase of motor vehicle repair parts in that month. For the remittances between July 1,
78.27 2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in
78.28 each subsequent fiscal year, the monthly deposit amount is \$12,137,000. For purposes of
78.29 this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11,
78.30 and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories,
78.31 and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle
78.32 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor
78.33 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,
79.1 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of
79.2 rubber and if marked according to federal regulations for highway use.

79.3 (h) ~~72.43~~ 97 percent of the revenues, including interest and penalties, transmitted to the
79.4 commissioner under section 297A.65, must be deposited by the commissioner in the state
79.5 treasury as follows:

79.6 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in
79.7 the game and fish fund, and may be spent only on activities that improve, enhance, or protect
79.8 fish and wildlife resources, including conservation, restoration, and enhancement of land,
79.9 water, and other natural resources of the state;

79.10 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
79.11 be spent only for state parks and trails;

79.12 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may
79.13 be spent only on metropolitan park and trail grants;

64.12 (4) three percent of the receipts must be deposited in the natural resources fund, and
 64.13 may be spent only on local trail grants; and

64.14 (5) two percent of the receipts must be deposited in the natural resources fund, and may
 64.15 be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory,
 64.16 and the Duluth Zoo.

64.17 (i) The revenue dedicated under paragraph (h) may not be used as a substitute for
 64.18 traditional sources of funding for the purposes specified, but the dedicated revenue shall
 64.19 supplement traditional sources of funding for those purposes. Land acquired with money
 64.20 deposited in the game and fish fund under paragraph (h) must be open to public hunting
 64.21 and fishing during the open season, except that in aquatic management areas or on lands
 64.22 where angling easements have been acquired, fishing may be prohibited during certain times
 64.23 of the year and hunting may be prohibited. At least 87 percent of the money deposited in
 64.24 the game and fish fund for improvement, enhancement, or protection of fish and wildlife
 64.25 resources under paragraph (h) must be allocated for field operations.

64.26 (j) The commissioner must deposit the revenues, including interest and penalties minus
 64.27 any refunds, derived from the sale of items regulated under section 624.20, subdivision 1,
 64.28 that may be sold to persons 18 years old or older and that are not prohibited from use by
 64.29 the general public under section 624.21, in the state treasury and credit:

64.30 (1) 25 percent to the volunteer fire assistance grant account established under section
 64.31 88.068;

64.32 (2) 25 percent to the fire safety account established under section 2971.06, subdivision
 64.33 3; and

65.1 (3) the remainder to the general fund.

65.2 For purposes of this paragraph, the percentage of total sales and use tax revenue derived
 65.3 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be
 65.4 sold to persons 18 years old or older and are not prohibited from use by the general public
 65.5 under section 624.21, is a set percentage of the total sales and use tax revenues collected in
 65.6 the state, with the percentage determined under Laws 2017, First Special Session chapter
 65.7 1, article 3, section 39.

65.8 (k) The revenues deposited under paragraphs (a) to (j) do not include the revenues,
 65.9 including interest and penalties, generated by the sales tax imposed under section 297A.62,
 65.10 subdivision 1a, which must be deposited as provided under the Minnesota Constitution,
 65.11 article XI, section 15.

65.12 (l) One percent of the revenues, including interest and penalties, transmitted to the
 65.13 commissioner under section 297A.65, must be deposited in the state treasury and credited
 65.14 to the events promotion account under section 116U.55, subdivision 3.

79.14 (4) three percent of the receipts must be deposited in the natural resources fund, and
 79.15 may be spent only on local trail grants; and

79.16 (5) two percent of the receipts must be deposited in the natural resources fund, and may
 79.17 be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory,
 79.18 and the Duluth Zoo.

79.19 (i) The revenue dedicated under paragraph (h) may not be used as a substitute for
 79.20 traditional sources of funding for the purposes specified, but the dedicated revenue shall
 79.21 supplement traditional sources of funding for those purposes. Land acquired with money
 79.22 deposited in the game and fish fund under paragraph (h) must be open to public hunting
 79.23 and fishing during the open season, except that in aquatic management areas or on lands
 79.24 where angling easements have been acquired, fishing may be prohibited during certain times
 79.25 of the year and hunting may be prohibited. At least 87 percent of the money deposited in
 79.26 the game and fish fund for improvement, enhancement, or protection of fish and wildlife
 79.27 resources under paragraph (h) must be allocated for field operations.

79.28 (j) The commissioner must deposit the revenues, including interest and penalties minus
 79.29 any refunds, derived from the sale of items regulated under section 624.20, subdivision 1,
 79.30 that may be sold to persons 18 years old or older and that are not prohibited from use by
 79.31 the general public under section 624.21, in the state treasury and credit:

79.32 (1) 25 percent to the volunteer fire assistance grant account established under section
 79.33 88.068;

80.1 (2) 25 percent to the fire safety account established under section 2971.06, subdivision
 80.2 3; and

80.3 (3) the remainder to the general fund.

80.4 For purposes of this paragraph, the percentage of total sales and use tax revenue derived
 80.5 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be
 80.6 sold to persons 18 years old or older and are not prohibited from use by the general public
 80.7 under section 624.21, is a set percentage of the total sales and use tax revenues collected in
 80.8 the state, with the percentage determined under Laws 2017, First Special Session chapter
 80.9 1, article 3, section 39.

80.10 (k) The revenues deposited under paragraphs (a) to (j) do not include the revenues,
 80.11 including interest and penalties, generated by the sales tax imposed under section 297A.62,
 80.12 subdivision 1a, which must be deposited as provided under the Minnesota Constitution,
 80.13 article XI, section 15.

65.15 Sec. 66. Laws 2015, First Special Session chapter 4, article 4, section 136, as amended
 65.16 by Laws 2017, chapter 93, article 2, section 149, is amended to read:
 65.17 Sec. 136. **WILD RICE WATER QUALITY STANDARDS.**

65.18 (a) Until the commissioner of the Pollution Control Agency amends rules refining the
 65.19 wild rice water quality standard in Minnesota Rules, part 7050.0224, subpart 2, to consider
 65.20 all independent research and publicly funded research and to include criteria for identifying
 65.21 waters and a list of waters subject to the standard, implementation of the wild rice water
 65.22 quality standard in Minnesota Rules, part 7050.0224, subpart 2, shall be limited to the
 65.23 following, unless the permittee requests additional conditions:

65.24 (1) when issuing, modifying, or renewing national pollutant discharge elimination system
 65.25 (NPDES) or state disposal system (SDS) permits, the agency shall endeavor to protect wild
 65.26 rice, and in doing so shall be limited by the following conditions:

65.27 (i) the agency shall not require permittees to expend money for design or implementation
 65.28 of sulfate treatment technologies or other forms of sulfate mitigation; and

65.29 (ii) the agency may require sulfate minimization plans in permits; and

65.30 (2) the agency shall not list waters containing natural beds of wild rice as impaired for
 65.31 sulfate under section 303(d) of the federal Clean Water Act, United States Code, title 33,
 65.32 section 1313, until the rulemaking described in this paragraph takes effect.

66.1 (b) Upon the rule described in paragraph (a) taking effect, the agency may reopen permits
 66.2 issued or reissued after the effective date of this section as needed to include numeric permit
 66.3 limits based on the wild rice water quality standard.

66.4 (c) The commissioner shall complete the rulemaking described in paragraph (a) by
 66.5 January 15, ~~2019~~ 2025.

66.6 Sec. 67. **CONTINUATION OF OTHER WATER APPROPRIATION PERMITS.**

66.7 Prior to additional rulemaking or legislative action in response to the findings and
 66.8 recommendations submitted pursuant to section 69, the commissioner of natural resources
 66.9 shall not reduce appropriations under a groundwater appropriations permit, terminate
 66.10 groundwater appropriations authorized by a permit, or decline to renew a groundwater
 66.11 appropriations permit where:

66.12 (1) the permit was in effect as of December 31, 2021;

66.13 (2) the permit authorized appropriation of groundwater from a site located wholly or
 66.14 partially within a five-mile radius of White Bear Lake;

66.15 (3) the permittee is in compliance with applicable permit terms; and

66.16 (4) the permittee is not a municipality.

66.17 Sec. 68. DEPARTMENT OF NATURAL RESOURCES REGISTRATION SYSTEM.66.18 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have
66.19 the meanings given.

66.20 (b) "Commissioner" means the commissioner of natural resources.

66.21 (c) "DNR" means the Department of Natural Resources.

66.22 (d) "DNR registration system" means the current Department of Natural Resources
66.23 system for boat, all-terrain vehicle, and snowmobile registrations.66.24 Subd. 2. Request for proposals; scoring preference. When the commissioner issues
66.25 a request for proposals to replace the DNR registration system and scores the responses to
66.26 the request for proposals, the commissioner may give a preference to a software vendor that
66.27 currently provides vehicle registration software to the state in an amount commensurate
66.28 with the commissioner's assessments of the benefits of using an existing software vendor.66.29 Subd. 3. Report to legislature. Within 45 days after a vendor has been selected to
66.30 provide software to replace the DNR registration system, the commissioner must report to
67.1 the chairs and ranking minority members of the legislative committees with jurisdiction
67.2 over transportation policy and finance and natural resources policy and finance. At a
67.3 minimum, the commissioner must include in the report:67.4 (1) the names of all vendors who submitted a proposal;67.5 (2) which vendor was selected;67.6 (3) the estimated timeline for implementing the new registration system;67.7 (4) if a preference was given as described in subdivision 2, what the preference was and
67.8 how the commissioner arrived at that number; and67.9 (5) if a software vendor that currently provides vehicle registration software to the state
67.10 submitted a proposal and that vendor was not selected, an explanation of why that vendor
67.11 was not selected.67.12 EFFECTIVE DATE. This section is effective the day following final enactment.67.13 Sec. 69. ENSURING SUSTAINABLE GROUNDWATER LEVELS IN WHITE
67.14 BEAR LAKE AND RELATED AQUIFERS.67.15 The commissioner of natural resources, in cooperation with the Minnesota Department
67.16 of Health, the Metropolitan Council, and representatives of east metropolitan area
67.17 municipalities, must explore available options for supplying east metropolitan area
67.18 communities with safe drinking water in a manner that allows municipal growth while
67.19 simultaneously ensuring the sustainability and quality of the state's water resources in and
67.20 around White Bear Lake and neighboring aquifers. By October 1, 2023, the commissioner
67.21 must report findings and recommendations to the chairs and ranking minority members of

67.22 the legislative committees and divisions with jurisdiction over environment and natural
67.23 resources.

67.24 **Sec. 70. FACILITATING SAFE TRAVEL ON COUNTY STATE-AID HIGHWAY**
67.25 **13 IN MURRAY COUNTY.**

67.26 Subdivision 1. **Requirements.** Notwithstanding any other provision of law, the
67.27 commissioner of natural resources must do all of the following to ensure that the portion
67.28 of County State-Aid Highway 13 in Murray County that extends over Lake Shetek between
67.29 170th Avenue and Lakeview Drive can be widened to a sufficient width to ensure traveler
67.30 safety:

68.1 (1) issue any permits applied for by the county as part of a project to widen the highway;
68.2 and

68.3 (2) convey to the county any right-of-way, easement, or other interest in real property
68.4 administered by the Department of Natural Resources that is necessary to facilitate the
68.5 widening.

68.6 Subd. 2. **Sufficient width.** For purposes of subdivision 1, "sufficient width to ensure
68.7 traveler safety" means a width of at least 70 feet, including room for two lanes of vehicular
68.8 traffic, a shoulder on each side, and a shared-use path on each side to safely accommodate
68.9 bicycle and pedestrian transportation. Any riprap needed to ensure the structural integrity
68.10 of the widened highway must be in addition to the 70-foot width required by this subdivision.

68.11 Subd. 3. **Reporting.** The commissioner of natural resources must immediately report
68.12 to the chairs and ranking minority members of the house of representatives and senate
68.13 committees and divisions with jurisdiction over environment and natural resources if the
68.14 commissioner denies any permit or other request made by Murray County in connection
68.15 with the widening described in this section. A report under this subdivision must explain
68.16 the reason for the denial, including the statute or rule that prohibits the commissioner from
68.17 granting the permit or other request. A policy decision by the Department of Natural
68.18 Resources that the lake is more important than protecting the lives of travelers on the highway
68.19 does not constitute a sufficient explanation for a decision to deny a permit under this
68.20 subdivision.

68.21 **EFFECTIVE DATE.** This section is effective the day after the governing body of
68.22 Murray County and its chief clerical officer comply with the requirements of Minnesota
68.23 Statutes, section 645.021, subdivisions 2 and 3.

68.24 **Sec. 71. FILLING OF CERTAIN POLLUTION CONTROL AGENCY AIR PERMIT**
68.25 **PROGRAM VACANCIES.**

68.26 Subdivision 1. **Duty to fill certain positions.** The commissioner of the Pollution Control
68.27 Agency must do the following for each position in the agency's air permit program that has
68.28 been open for at least one year as of the effective date of this section:

68.29 (1) within 60 days of the effective date of this section, post job opening information for
 68.30 each position in the manner normally used by the commissioner to post job openings;

68.31 (2) within 90 days of the effective date of this section, conduct interviews to fill each
 68.32 position; and

69.1 (3) within 120 days of the effective date of this section, complete hiring to fill each
 69.2 position.

69.3 Subd. 2. **Report.** By January 15, 2024, the commissioner must submit a report to the
 69.4 chairs and ranking minority members of the house of representatives and senate committees
 69.5 and divisions with jurisdiction over environment and natural resources on efforts to comply
 69.6 with this section. The report must include the following:

69.7 (1) a summary of the commissioner's efforts to comply with each clause in subdivision
 69.8 1; and

69.9 (2) for any position that receives less than five applicants, an explanation of the need
 69.10 for each of the job requirements included in the job posting.

69.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

69.12 Sec. 72. **INTERIM PROVISIONS.**

69.13 (a) From the effective date of this section until the rules under section 77 are adopted,
 69.14 to the extent allowable under the federal Clean Water Act or other federal laws, this section
 69.15 applies to discharges from facilities that process sugar beets outside the Lake Superior basin.

69.16 (b) If a whole effluent toxicity test, as defined under Minnesota Rules, part 7050.0218,
 69.17 subpart 3, item AAA, is performed on the effluent of a point source discharger that is a
 69.18 facility that processes sugar beets and results in less than 50 percent mortality of the test
 69.19 organisms or if a demonstration is provided under Minnesota Rules, part 7052.0210, subpart
 69.20 1, that 0.3 acute toxic units can be met at the edge of an approved acute mixing zone, the
 69.21 effluent must not be considered acutely toxic or lethal to aquatic organisms unless the
 69.22 commissioner of the Pollution Control Agency finds that the test species do not represent
 69.23 sensitive organisms in the affected surface water body or the whole effluent toxicity test
 69.24 was performed on a sample not representative of the effluent quality.

69.25 (c) The commissioner of the Pollution Control Agency must establish whole effluent
 69.26 toxicity mixing zones and whole effluent toxicity water-quality-based effluent limitations
 69.27 and permit conditions for facilities that process sugar beets according to Minnesota Rules,
 69.28 parts 7052.0210, subparts 1 and 2, and 7052.0240.

69.29 (d) The antibacksliding provisions of Minnesota Rules, part 7001.1080, subpart 9, do
 69.30 not apply to new or revised permit conditions established under paragraph (c).

69.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

70.1 **Sec. 73. REGISTRATION DECAL FORMAT TRANSITION.**

70.2 Separately displaying registration numbers is not required when a larger-format
70.3 registration decal as provided under Minnesota Statutes, section 84.82, subdivision 2, is
70.4 displayed according to Minnesota Statutes, section 84.82, subdivision 3b. Snowmobiles
70.5 displaying valid but older smaller-format registration decals must display the separate
70.6 registration numbers. Persons may obtain duplicate registration decals in the new, larger
70.7 format, when available, without being required to display the separate registration numbers.

70.8 **Sec. 74. REQUIRED RULEMAKING.**

70.9 (a) The commissioner of natural resources must amend Minnesota Rules as follows:

70.10 (1) part 6100.5000, subpart 1, by striking the last sentence and inserting "The registration
70.11 number remains the same if renewed by July 1 following the expiration date.";

70.12 (2) part 6100.5700, subpart 1, item C, by striking the reference to registration numbers;
70.13 and

70.14 (3) part 6230.0250, subpart 10, item A, subitem (2), by changing the word "hunter" to
70.15 "person".

70.16 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
70.17 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
70.18 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
70.19 14.388.

70.20 **Sec. 75. STATE IMPLEMENTATION PLAN REVISIONS.**

70.21 (a) The commissioner of the Pollution Control Agency must seek approval from the
70.22 federal Environmental Protection Agency for revisions to the state's federal Clean Air Act
70.23 state implementation plan so that under the revised plan, the Pollution Control Agency is
70.24 prohibited from applying a national or state ambient air quality standard in a permit issued
70.25 solely to authorize operations to continue at an existing facility with unmodified emissions
70.26 levels. Nothing in this section must be construed to require the commissioner to apply for
70.27 a revision that would prohibit the agency from applying a national or state ambient air
70.28 quality standard in a permit that authorizes an increase in emissions due to construction of
70.29 a new facility or in a permit that authorizes changes to existing facilities that result in a
70.30 significant net emissions increase of a regulated NSR pollutant, as defined in Code of Federal
70.31 Regulations, title 40, section 52.21(b)(50).

71.1 (b) The commissioner of the Pollution Control Agency must report quarterly to the chairs
71.2 and ranking minority members of the house of representatives and senate committees and
71.3 divisions with jurisdiction over environment and natural resources policy on the status of
71.4 efforts to implement paragraph (a) until the revisions required by paragraph (a) have been
71.5 either approved or denied.

83.1 **Sec. 84. PERSON WITH A DISABILITY; RULEMAKING.**

83.2 (a) The commissioner of natural resources must amend Minnesota Rules, part 6230.0250,
83.3 subpart 10, item A, subitem (2), by changing the word "hunter" to "person."

83.4 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,
83.5 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
83.6 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
83.7 14.388.

- 71.6 Sec. 76. **WHOLE EFFLUENT TOXICITY RULEMAKING FOR FACILITIES**
71.7 **THAT PROCESS SUGAR BEETS.**
- 71.8 (a) By January 31, 2023, the commissioner of the Pollution Control Agency must adopt
71.9 rules on:
- 71.10 (1) evaluating and applying whole effluent toxicity (WET) as water-quality-based effluent
71.11 limitations and permit conditions for discharges from facilities that process sugar beets that
71.12 are located outside the Lake Superior basin; and
- 71.13 (2) the applicability and standards for acute and chronic mixing zones at those facilities.
- 71.14 (b) Rules adopted under this section must be substantially identical to Minnesota Rules,
71.15 parts 7052.0210, subparts 1 and 2, and 7052.0240, so that, to the greatest extent possible,
71.16 facilities that process sugar beets in all parts of the state are subject to the same mixing
71.17 zones requirements and acute and chronic WET requirements for establishing permit
71.18 conditions.
- 71.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 71.20 Sec. 77. **PFAS MONITORING PLAN EXPENSES.**
- 71.21 Notwithstanding any other provision of law, the commissioner of the Pollution Control
71.22 Agency shall not require a person, facility, or other entity to monitor PFAS as part of its
71.23 March 2022 PFAS monitoring plan unless the monitoring can be done at no cost to the
71.24 person, facility, or other entity or unless the commissioner agrees to reimburse the person,
71.25 facility, or other entity for all costs of the monitoring. Nothing in this section shall be
71.26 construed to prohibit:
- 71.27 (1) voluntary compliance with an agency request to monitor PFAS;
- 71.28 (2) compliance with a PFAS monitoring requirement that is not part of the March 2022
71.29 PFAS monitoring plan; or
- 71.30 (3) a PFAS monitoring requirement imposed as a result of a known release or threatened
71.31 release of PFAS from a facility.
- 72.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 72.2 Sec. 78. **RED RIVER OF THE NORTH; ADAPTIVE PHOSPHORUS**
72.3 **MANAGEMENT FEASIBILITY ASSESSMENT.**
- 72.4 Subdivision 1. **Assessment contents.** The Red River Basin Commission must facilitate
72.5 the development of a feasibility assessment of adaptive phosphorus management for the
72.6 Red River of the North. The commission may contract with outside experts or academic
72.7 institutions in developing the assessment. The assessment:
- 72.8 (1) must address applicable water quality targets for phosphorous loading;

- 72.9 (2) must include an allocation of phosphorus between point and nonpoint sources;
- 72.10 (3) must identify cost-effective nutrient reduction implementation strategies; and
- 72.11 (4) may include other state water quality goals and objectives.
- 72.12 Subd. 2. **Advisory group.** In developing the assessment, the Red River Basin Commission
- 72.13 shall work in cooperation with an advisory group consisting of representatives from the
- 72.14 Minnesota Agricultural Water Resource Center, the Red River Watershed Management
- 72.15 Board, other agricultural groups, soil and water conservation districts, watershed districts,
- 72.16 cities, and other Minnesota organizations represented on the board of directors of the Red
- 72.17 River Basin Commission. The Red River Basin Commission may also work with
- 72.18 representatives from similar organizations from North Dakota, South Dakota, and Manitoba.
- 72.19 Subd. 3. **Reporting.** By June 30, 2024, the Red River Basin Commission must submit
- 72.20 the final assessment to the chairs and ranking minority members of the house of
- 72.21 representatives and senate committees with jurisdiction over agriculture policy and finance.
- 72.22 By December 31 of each year prior to the submission of the final assessment, the commission
- 72.23 must submit a progress report on the assessment's development to these same recipients.
- 72.24 Sec. 79. **WEST NEWTON SPECIAL USE DISTRICT; WABASHA COUNTY.**
- 72.25 Notwithstanding Minnesota Statutes, section 394.36, subdivision 4; Minnesota Rules,
- 72.26 part 6120.5800, subpart 3; or any other law to the contrary, an existing structure in the West
- 72.27 Newton Special Use District may be expanded. The expansion must follow the requirements
- 72.28 for expansions of structures in the West Newton Special Use District as provided in the
- 72.29 Wabasha County floodplain management ordinance in effect on January 1, 2022.
- 73.1 **EFFECTIVE DATE.** This section is effective the day after the governing body of
- 73.2 Wabasha County and its chief clerical officer timely complete their compliance with
- 73.3 Minnesota Statutes, section 645.021, subdivisions 2 and 3.
- 73.4 Sec. 80. **REPEALER.**
- 73.5 (a) Minnesota Statutes 2020, section 97C.515, subdivisions 4 and 5, are repealed.
- 73.6 (b) Minnesota Rules, parts 6100.5000, subparts 3, 4, and 5; 6100.5700, subpart 4; and
- 73.7 6232.0350, are repealed.
- 73.8 (c) Laws 2013, chapter 121, section 53, is repealed.

94.6 Sec. 96. **REPEALER.**

94.7 (a) Minnesota Statutes 2020, section 97C.605, subdivisions 2, 2a, 2b, and 5, and

94.8 Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.

94.9 (b) Minnesota Statutes 2020, sections 325E.389; and 325E.3891, are repealed.

94.10 (c) Minnesota Statutes 2020, sections 86B.101; 86B.305; and 86B.313, subdivisions 2
94.11 and 3, are repealed.

94.12 **EFFECTIVE DATE.** Paragraph (b) is effective July 1, 2023. Paragraph (c) is effective
94.13 July 1, 2024.

24.16 Section 1. Minnesota Statutes 2020, section 15A.0815, subdivision 3, is amended to read:

24.17 Subd. 3. **Group II salary limits.** The salary for a position listed in this subdivision shall
24.18 not exceed 120 percent of the salary of the governor. This limit must be adjusted annually
24.19 on January 1. The new limit must equal the limit for the prior year increased by the percentage
24.20 increase, if any, in the Consumer Price Index for all urban consumers from October of the
24.21 second prior year to October of the immediately prior year. The commissioner of management
24.22 and budget must publish the limit on the department's website. This subdivision applies to
24.23 the following positions:

24.24 Executive director of Gambling Control Board;

24.25 Commissioner of Iron Range resources and rehabilitation;

24.26 Commissioner, Bureau of Mediation Services;

24.27 Ombudsman for mental health and developmental disabilities;

24.28 Ombudsperson for corrections;

24.29 Chair, Metropolitan Council;

24.30 School trust lands director;

24.31 Executive director of pari-mutuel racing; ~~and~~

25.1 Commissioner, Public Utilities Commission; and

25.2 Director of the Minnesota Outdoor Recreation Office.

25.3 Sec. 2. Minnesota Statutes 2020, section 18B.09, subdivision 2, is amended to read:

25.4 Subd. 2. **Authority.** (a) Statutory and home rule charter cities may enact an ordinance,
25.5 which may include penalty and enforcement provisions, containing one or both of the
25.6 following:

25.7 (1) the pesticide application warning information contained in subdivision 3, including
25.8 their own licensing, penalty, and enforcement provisions; and

25.9 (2) the pesticide prohibition contained in subdivision 4.

- 25.10 (b) Statutory and home rule charter cities may not enact an ordinance ~~that contains more~~
25.11 ~~restrictive pesticide application warning information than is contained in subdivision~~
25.12 ~~subdivisions 3 and 4.~~
- 25.13 Sec. 3. Minnesota Statutes 2020, section 18B.09, is amended by adding a subdivision to
25.14 read:
- 25.15 Subd. 4. **Application of certain pesticides prohibited.** (a) A person may not apply or
25.16 use a pollinator-lethal pesticide within the geographic boundaries of a city that has enacted
25.17 an ordinance under subdivision 2 prohibiting such use.
- 25.18 (b) For purposes of this subdivision, "pollinator-lethal pesticide" means a pesticide that
25.19 has a pollinator protection box on the label or labeling or a pollinator, bee, or honey bee
25.20 precautionary statement in the environmental hazards section of the label or labeling.
- 25.21 (c) This subdivision does not apply to:
- 25.22 (1) pet care products used to mitigate fleas, mites, ticks, heartworms, or other animals
25.23 that are harmful to the health of a domesticated animal;
- 25.24 (2) personal care products used to mitigate lice and bedbugs;
- 25.25 (3) indoor pest control products used to mitigate insects indoors, including ant bait;
- 25.26 (4) a pesticide as used or applied by the Metropolitan Mosquito Control District for
25.27 public health protection if the pesticide includes vector species on the label; and
- 25.28 (5) a pesticide-treated wood product.
- 25.29 (d) The commissioner must maintain a list of pollinator-lethal pesticides on the
25.30 department's website.
- 26.1 Sec. 4. Minnesota Statutes 2020, section 21.81, is amended by adding a subdivision to
26.2 read:
- 26.3 Subd. 5a. **Coated agricultural seed.** "Coated agricultural seed" means any seed unit
26.4 covered with a coating material.
- 26.5 Sec. 5. Minnesota Statutes 2020, section 21.86, subdivision 2, is amended to read:
- 26.6 Subd. 2. **Miscellaneous violations.** No person may:
- 26.7 ~~(a)~~ (1) detach, alter, deface, or destroy any label required in sections 21.82 and 21.83,
26.8 alter or substitute seed in a manner that may defeat the purposes of sections 21.82 and 21.83,
26.9 or alter or falsify any seed tests, laboratory reports, records, or other documents to create a
26.10 misleading impression as to kind, variety, history, quality, or origin of the seed;
- 26.11 ~~(b)~~ (2) hinder or obstruct in any way any authorized person in the performance of duties
26.12 under sections 21.80 to 21.92;

- 26.13 ~~(3)~~ fail to comply with a "stop sale" order or to move or otherwise handle or dispose
26.14 of any lot of seed held under a stop sale order or attached tags, except with express permission
26.15 of the enforcing officer for the purpose specified;
- 26.16 ~~(4)~~ use the word "type" in any labeling in connection with the name of any agricultural
26.17 seed variety;
- 26.18 ~~(5)~~ use the word "trace" as a substitute for any statement which is required;
- 26.19 ~~(6)~~ plant any agricultural seed which the person knows contains weed seeds or noxious
26.20 weed seeds in excess of the limits for that seed; ~~or~~
- 26.21 ~~(7)~~ advertise or sell seed containing patented, protected, or proprietary varieties used
26.22 without permission of the patent or certificate holder of the intellectual property associated
26.23 with the variety of seed; ~~or~~
- 26.24 (8) use or sell as food, feed, oil, or ethanol feedstock any seed treated with neonicotinoid
26.25 pesticide.
- 26.26 Sec. 6. **[21.915] PESTICIDE-TREATED SEED USE AND DISPOSAL; CONSUMER**
26.27 **GUIDANCE REQUIRED.**
- 26.28 (a) The commissioner, in consultation with the commissioner of the Pollution Control
26.29 Agency, must develop and maintain consumer guidance regarding the proper use and disposal
26.30 of seed treated with neonicotinoid pesticide.
- 27.1 (b) A person selling seed treated with neonicotinoid pesticide at retail must post in a
27.2 conspicuous location the guidance developed by the commissioner under paragraph (a).
- 27.3 Sec. 7. **[84.0345] PEAT SOIL GOAL.**
- 27.4 It is the goal of the state of Minnesota to protect, restore, and enhance at least the
27.5 following amounts of the state's presettlement peat soils, or histosols, that were drained for
27.6 and as of August 1, 2022, are used for agricultural cultivation or pasture:
- 27.7 (1) 25 percent by August 1, 2030; and
- 27.8 (2) 50 percent by August 1, 2040.
- 27.9 Sec. 8. **[84.9735] INSECTICIDES ON STATE LANDS.**
- 27.10 A person may not use a pesticide containing an insecticide in a wildlife management
27.11 area, state park, state forest, aquatic management area, or scientific and natural area if the
27.12 insecticide is from the neonicotinoid class of insecticides or contains chlorpyrifos.
- 27.13 Sec. 9. Minnesota Statutes 2020, section 84D.02, subdivision 3, is amended to read:
- 27.14 Subd. 3. **Management plan.** By December 31, 2022, and every five years thereafter,
27.15 the commissioner shall must prepare and maintain a long-term plan, which may include

- 27.16 specific plans for individual species and actions, for the statewide management of invasive
27.17 species of aquatic plants and wild animals. The plan must address:
- 27.18 (1) coordinated detection and prevention of accidental introductions;
- 27.19 (2) coordinated dissemination of information about invasive species of aquatic plants
27.20 and wild animals among resource management agencies and organizations;
- 27.21 (3) a coordinated public education and awareness campaign;
- 27.22 (4) coordinated control of selected invasive species of aquatic plants and wild animals
27.23 on lands and public waters;
- 27.24 (5) participation by lake associations, local citizen groups, and local units of government
27.25 in the development and implementation of local management efforts;
- 27.26 (6) a reasonable and workable inspection requirement for watercraft and equipment
27.27 including those participating in organized events on the waters of the state;
- 27.28 (7) the closing of points of access to infested waters, if the commissioner determines it
27.29 is necessary, for a total of not more than seven days during the open water season for control
27.30 or eradication purposes;
- 28.1 (8) maintaining public accesses on infested waters to be reasonably free of aquatic
28.2 macrophytes; ~~and~~
- 28.3 (9) notice to travelers of the penalties for violation of laws relating to invasive species
28.4 of aquatic plants and wild animals; and
- 28.5 (10) the impacts of climate change on invasive species management.
- 29.3 Sec. 11. Minnesota Statutes 2020, section 85A.01, subdivision 1, is amended to read:
- 29.4 Subdivision 1. **Creation.** (a) The Minnesota Zoological Garden is established under the
29.5 supervision and control of the Minnesota Zoological Board. The board consists of 30 public
29.6 and private sector members having a background or interest in zoological societies or zoo
29.7 management or an ability to generate community interest in the Minnesota Zoological
29.8 Garden. Fifteen members shall be appointed by the board after consideration of a list supplied
29.9 by board members serving on a nominating committee, and 15 members shall be appointed
29.10 by the governor. One member of the board must be a resident of Dakota County and shall
29.11 be appointed by the governor after consideration of the recommendation of the Dakota
29.12 County Board. Board appointees shall not be subject to the advice and consent of the senate.
- 29.13 (b) To the extent possible, the board and governor shall appoint members who are
29.14 residents of the various geographic regions of the state. Terms, compensation, and removal
29.15 of members are as provided in section 15.0575, except that a member may be compensated
29.16 at the rate of up to \$125 a day. In making appointments, the governor and board shall utilize
29.17 the appointment process as provided under section 15.0597 and consider, among other
29.18 factors, the ability of members to garner support for the Minnesota Zoological Garden.

29.19 (c) A member of the board may not be an employee of or have a direct or immediate
29.20 family financial interest in a business that provides goods or services to the zoo. A member
29.21 of the board may not be an employee of the zoo.

29.22 Sec. 12. **[86A.50] MINNESOTA OUTDOOR RECREATION OFFICE.**

29.23 Subdivision 1. **Establishment.** The Minnesota Outdoor Recreation Office is established.
29.24 The governor, in consultation with the commissioner of natural resources and the director
29.25 of Explore Minnesota Tourism, must appoint the director of the Minnesota Outdoor
29.26 Recreation Office. The director's appointment is subject to the advice and consent of the
29.27 senate.

29.28 Subd. 2. **Office; administration.** The commissioner of administration must provide
29.29 administrative services for the Minnesota Outdoor Recreation Office. The Minnesota Outdoor
29.30 Recreation Office must have locations in the cities of Ely and Winona.

29.31 Subd. 3. **Purpose; goals.** The purpose of the Minnesota Outdoor Recreation Office is
29.32 to:

30.1 (1) increase participation in outdoor recreation by advancing equity, diversity, and
30.2 inclusivity across the state's outdoor recreation sector;

30.3 (2) unite the state's outdoor recreation community; and

30.4 (3) unify communications among the state's diverse outdoor recreation sector by
30.5 developing a shared narrative about the health, economic, and other benefits of outdoor
30.6 recreation.

30.7 Subd. 4. **Duties.** To achieve the purposes of the Minnesota Outdoor Recreation Office,
30.8 the director must:

30.9 (1) increase participation by:

30.10 (i) bringing outdoor recreation stakeholders together, including historically
30.11 underrepresented populations, to develop a shared strategy to build community, improve
30.12 cultural relevance, foster relationships, and facilitate an inclusive and safe outdoor recreation
30.13 experience for all;

30.14 (ii) creating and implementing a marketing strategy to coordinate across public and
30.15 private entities that welcomes historically underrepresented populations into the outdoor
30.16 recreation community;

30.17 (iii) welcoming and integrating underrepresented populations as customers, owners,
30.18 employees, and vendors of outdoor recreation agencies, groups, and businesses;

30.19 (iv) identifying and developing solutions to overcome barriers such as cost and
30.20 transportation and creating new ways for accessing outdoor recreation activities;

- 30.21 (v) promoting and facilitating a culture of welcoming everyone outdoors by practicing
30.22 inclusivity and ensuring that historically underrepresented populations are equally valued;
- 30.23 (vi) promoting conservation strategies that connect diverse outdoor recreation groups
30.24 under a unified mission;
- 30.25 (vii) reviewing outdoor recreation trends and use patterns provided by the commissioner
30.26 of natural resources, Explore Minnesota Tourism, and other agencies; and
- 30.27 (viii) identifying what the public feels is missing in outdoor recreation and then
30.28 collaborating with other state agencies, residents, and businesses to provide those
30.29 opportunities;
- 30.30 (2) unite the state's outdoor recreation community by:
- 31.1 (i) bringing together users, government agencies, nonprofit organizations, for-profit
31.2 companies, and Tribal governments with an interest in outdoor recreation to build a united
31.3 community, drive relationships, and facilitate a shared vision for outdoor recreation in
31.4 Minnesota;
- 31.5 (ii) identifying stewardship and conservation priorities that will bring together diverse
31.6 outdoor stakeholders around a common goal;
- 31.7 (iii) annually convening outdoor recreation stakeholders, including underrepresented
31.8 populations, and measuring and sharing the benefits of coordinating at the event;
- 31.9 (iv) developing coordinated messaging and welcoming new narratives for Minnesota's
31.10 outdoors;
- 31.11 (v) ensuring all of Minnesota's varied geographies, landscapes, and recreation
31.12 opportunities are positioned as equal tenants within Minnesota's brand;
- 31.13 (vi) building, strengthening, and growing public-private partnerships at local, regional,
31.14 state, national, and international levels to unite the outdoor recreation community;
- 31.15 (vii) encouraging private sector partnerships to recognize the market potential of
31.16 historically underrepresented audiences;
- 31.17 (viii) promoting partnerships between communities, conservation, and stewardship
31.18 groups as well as outdoor user groups to maintain recreational infrastructure and preserve
31.19 Minnesota's natural spaces; and
- 31.20 (ix) encouraging conservation and outdoor recreation groups to work together more for
31.21 the common good; and
- 31.22 (3) unify communications by:
- 31.23 (i) defining and promoting Minnesota's unique value as a world-class inclusive outdoor
31.24 destination;

- 31.25 (ii) developing new communication mediums such as applications and mobile-first
31.26 strategies to reach target audiences;
- 31.27 (iii) strengthening land and water stewardship messaging and education in order to grow
31.28 public investment and attention from people who will help steward Minnesota's outdoor
31.29 resources;
- 31.30 (iv) developing best practices for outdoor recreation communication for the commissioner
31.31 of natural resources and Explore Minnesota Tourism;
- 32.1 (v) developing methods to amplify communication resources and to do more with less
32.2 through communication partnership creation and focusing these efforts both in and outside
32.3 Minnesota; and
- 32.4 (vi) measuring and communicating the return on investment of outdoor recreation
32.5 investments, specifically focused on measurable economic, health, and well-being benefits.
- 32.6 Subd. 5. **Powers.** The director of the Minnesota Outdoor Recreation Office may:
- 32.7 (1) direct and control money appropriated to the director;
- 32.8 (2) apply for, receive, and spend money for the purposes of this section;
- 32.9 (3) employ assistants and other officers, employees, and agents that the director considers
32.10 necessary for the purposes of this section;
- 32.11 (4) enter into interdepartmental agreements with any other state agency; and
- 32.12 (5) enter into joint powers agreements under chapter 471.
- 32.13 Subd. 6. **Report.** By January 15 each year, the director of the Minnesota Outdoor
32.14 Recreation Office must submit a report to the chairs and ranking minority members of the
32.15 legislative committees and divisions with jurisdiction over the environment and natural
32.16 resources and tourism on the office's performance in achieving its purpose under subdivision
32.17 3 and how money appropriated to the office was expended.
- 32.18 Sec. 13. **[86B.30] DEFINITIONS.**
- 32.19 Subdivision 1. **Applicability.** The definitions in this section apply to sections 86B.30
32.20 to 86B.341.
- 32.21 Subd. 2. **Accompanying operator.** "Accompanying operator" means a person 21 years
32.22 of age or older who:
- 32.23 (1) is in a personal watercraft or other type of motorboat;
- 32.24 (2) is within immediate reach of the controls of the motor; and
- 32.25 (3) possesses a valid operator's permit or is an exempt operator.

- 32.26 Subd. 3. **Adult operator.** "Adult operator" means a motorboat operator, including a
32.27 personal watercraft operator, who is 12 years of age or older and who was:
- 32.28 (1) effective July 1, 2024, born on or after July 1, 2003;
32.29 (2) effective July 1, 2025, born on or after July 1, 1999;
32.30 (3) effective July 1, 2026, born on or after July 1, 1995; and
33.1 (4) effective July 1, 2027, born on or after July 1, 1987.
- 33.2 Subd. 4. **Exempt operator.** "Exempt operator" means a motorboat operator, including
33.3 a personal watercraft operator, who is 12 years of age or older and who:
- 33.4 (1) possesses a valid license to operate a motorboat issued for maritime personnel by
33.5 the United States Coast Guard under Code of Federal Regulations, title 46, part 10, or a
33.6 marine certificate issued by the Canadian government;
- 33.7 (2) is not a resident of the state or country, is temporarily using the waters of the state
33.8 for a period not to exceed 60 days, and:
- 33.9 (i) meets any applicable requirements of the state of residency; or
33.10 (ii) possesses a Canadian pleasure craft operator's card;
- 33.11 (3) is operating a motorboat under a dealer's license according to section 86B.405; or
33.12 (4) is operating a motorboat during an emergency.
- 33.13 Subd. 5. **Motorboat rental business.** "Motorboat rental business" means a person
33.14 engaged in the business of renting or leasing motorboats, including personal watercraft and
33.15 houseboats, for a period not exceeding 30 days. Motorboat rental business includes a person's
33.16 agents and employees.
- 33.17 Subd. 6. **Young operator.** "Young operator" means a motorboat operator, including a
33.18 personal watercraft operator, younger than 12 years of age.
- 33.19 **EFFECTIVE DATE.** This section is effective July 1, 2024.
- 33.20 Sec. 14. **[86B.302] WATERCRAFT OPERATOR'S PERMIT.**
- 33.21 Subdivision 1. **Generally.** The commissioner must issue a watercraft operator's permit
33.22 to a person 12 years of age or older who successfully completes a water safety course and
33.23 written test according to section 86B.304, paragraph (a), or who provides proof of completion
33.24 of a program subject to a reciprocity agreement or certified by the commissioner as
33.25 substantially similar.
- 33.26 Subd. 2. **Issuing permit to certain young operators.** The commissioner may issue a
33.27 permit under this section to a person who is at least 11 years of age, but the permit is not
33.28 valid until the person becomes an adult operator.

- 33.29 Subd. 3. **Personal possession required.** (a) A person who is required to have a watercraft
33.30 operator's permit must have in personal possession:
- 33.31 (1) a valid watercraft operator's permit;
- 34.1 (2) a driver's license that has a valid watercraft operator's permit indicator issued under
34.2 section 171.07, subdivision 20; or
- 34.3 (3) an identification card that has a valid watercraft operator's permit indicator issued
34.4 under section 171.07, subdivision 20.
- 34.5 (b) A person who is required to have a watercraft operator's permit must display one of
34.6 the documents described in paragraph (a) to a conservation officer or peace officer upon
34.7 request.
- 34.8 Subd. 4. **Using electronic device to display proof of permit.** If a person uses an
34.9 electronic device to display a document described in subdivision 3 to a conservation officer
34.10 or peace officer:
- 34.11 (1) the officer is immune from liability for any damage to the device, unless the officer
34.12 does not exercise due care in handling the device; and
- 34.13 (2) this does not constitute consent for the officer to access other contents on the device.
- 34.14 **EFFECTIVE DATE.** This section is effective July 1, 2024.
- 34.15 Sec. 15. **[86B.303] OPERATING PERSONAL WATERCRAFT AND OTHER**
34.16 **MOTORBOATS.**
- 34.17 Subdivision 1. **Adult operators.** An adult operator may not operate a motorboat,
34.18 including a personal watercraft, unless:
- 34.19 (1) the adult operator possesses a valid watercraft operator's permit;
- 34.20 (2) the adult operator is an exempt operator; or
- 34.21 (3) an accompanying operator is in the motorboat.
- 34.22 Subd. 2. **Young operators.** (a) A young operator may not operate a personal watercraft
34.23 or any motorboat powered by a motor with a factory rating of more than 75 horsepower.
- 34.24 (b) A young operator may operate a motorboat that is not a personal watercraft and that
34.25 is powered by a motor with a factory rating of up to 75 horsepower if an accompanying
34.26 operator is in the motorboat.
- 34.27 Subd. 3. **Accompanying operators.** For purposes of this section and section 169A.20,
34.28 an accompanying operator, as well as the actual operator, is operating and is in physical
34.29 control of a motorboat.

- 34.30 Subd. 4. **Owners may not allow unlawful use.** An owner or other person in lawful
34.31 control of a motorboat may not allow the motorboat to be operated contrary to this section.
- 35.1 **EFFECTIVE DATE.** This section is effective July 1, 2024.
- 35.2 Sec. 16. **[86B.304] WATERCRAFT SAFETY PROGRAM.**
- 35.3 (a) The commissioner must establish a water safety course and testing program for
35.4 personal watercraft and watercraft operators and must prescribe a written test as part of the
35.5 course. The course must be approved by the National Association of State Boating Law
35.6 Administrators and must be available online. The commissioner may allow designated water
35.7 safety courses administered by third parties to meet the requirements of this paragraph and
35.8 may enter into reciprocity agreements or otherwise certify boat safety education programs
35.9 from other states that are substantially similar to in-state programs. The commissioner must
35.10 establish a working group of interested parties to develop course content and implementation.
35.11 The course must include content on aquatic invasive species mitigation best management
35.12 practices, reducing conflicts among user groups, and limiting the ecological impacts of
35.13 watercraft.
- 35.14 (b) The commissioner must create or designate a short boater safety examination to be
35.15 administered by motorboat rental businesses, as required by section 86B.306, subdivision
35.16 3. The examination developed pursuant to this paragraph must be one that can be
35.17 administered electronically or on paper, at the option of the motorboat rental business
35.18 administering the examination.
- 35.19 **EFFECTIVE DATE.** This section is effective July 1, 2024.
- 35.20 Sec. 17. **[86B.306] MOTORBOAT RENTAL BUSINESSES.**
- 35.21 Subdivision 1. **Requirements.** A motorboat rental business must not rent or lease a
35.22 motorboat, including a personal watercraft, to any person for operation on the waters of the
35.23 state unless the renter or lessee:
- 35.24 (1) has a valid watercraft operator's permit or is an exempt operator; and
- 35.25 (2) is 18 years of age or older.
- 35.26 Subd. 2. **Authorized operators.** A motorboat rental business must list on each motorboat
35.27 rental or lease agreement the name and age of each operator who is authorized to operate
35.28 the motorboat or personal watercraft. The renter or lessee of the motorboat must ensure that
35.29 only listed authorized operators operate the motorboat or personal watercraft.
- 35.30 Subd. 3. **Summary of boating regulations; examination.** (a) A motorboat rental
35.31 business must provide each authorized operator a summary of the statutes and rules governing
36.1 operation of motorboats and personal watercraft in the state and instructions for safe
36.2 operation.

36.3 (b) Each authorized operator must review the summary provided under this subdivision
36.4 and must take a short boater safety examination in a form approved by the commissioner
36.5 before the motorboat or personal watercraft leaves the motorboat rental business premises,
36.6 unless the authorized operator has taken the examination during the previous 60 days.

36.7 Subd. 4. **Safety equipment for personal watercraft.** A motorboat rental business must
36.8 provide at no additional cost a United States Coast Guard (USCG) approved wearable
36.9 personal flotation device with a USCG label indicating it either is approved for or does not
36.10 prohibit use with personal watercraft or water-skiing and any other required safety equipment
36.11 to all persons who rent a personal watercraft.

36.12 **EFFECTIVE DATE.** This section is effective July 1, 2024.

36.13 Sec. 18. Minnesota Statutes 2020, section 86B.313, subdivision 4, is amended to read:

36.14 Subd. 4. **Dealers and rental operations.** (a) A dealer of personal watercraft shall
36.15 distribute a summary of the laws and rules governing the operation of personal watercraft
36.16 and, upon request, shall provide instruction to a purchaser regarding:

36.17 (1) the laws and rules governing personal watercraft; and

36.18 (2) the safe operation of personal watercraft.

36.19 (b) ~~A person who offers personal watercraft for rent:~~

36.20 (1) ~~shall provide a summary of the laws and rules governing the operation of personal~~
36.21 ~~watercraft and provide instruction regarding the laws and rules and the safe operation of~~
36.22 ~~personal watercraft to each person renting a personal watercraft;~~

36.23 (2) ~~shall provide a United States Coast Guard (USCG) approved wearable personal~~
36.24 ~~flotation device with a USCG label indicating it either is approved for or does not prohibit~~
36.25 ~~use with personal watercraft or water-skiing and any other required safety equipment to all~~
36.26 ~~persons who rent a personal watercraft at no additional cost; and~~

36.27 (3) ~~shall require that a watercraft operator's permit from this state or from the operator's~~
36.28 ~~state of residence be shown each time a personal watercraft is rented to any person younger~~
36.29 ~~than age 18 and shall record the permit on the form provided by the commissioner.~~

36.30 (c) Each dealer of personal watercraft ~~or person offering personal watercraft for rent~~
36.31 shall have the person who purchases ~~or rents~~ a personal watercraft sign a form provided by
36.32 the commissioner acknowledging that the purchaser or renter has been provided a copy of
37.1 the laws and rules regarding personal watercraft operation and has read them. The form
37.2 must be retained by the dealer ~~or person offering personal watercraft for rent~~ for a period
37.3 of six months following the date of signature and must be made available for inspection by
37.4 sheriff's deputies or conservation officers during normal business hours.

37.5 **EFFECTIVE DATE.** This section is effective July 1, 2024.

- 37.6 Sec. 19. Minnesota Statutes 2020, section 89A.03, subdivision 5, is amended to read:
- 37.7 Subd. 5. **Membership regulation.** Terms, compensation, nomination, appointment, and
37.8 removal of council members are governed by section 15.059, except that a council member
37.9 may be compensated at the rate of up to \$125 a day.
- 38.1 Sec. 21. Minnesota Statutes 2020, section 97A.015, is amended by adding a subdivision
38.2 to read:
- 38.3 Subd. 32b. **Native swan.** "Native swan" means trumpeter swans and tundra swans and
38.4 does not include mute swans.
- 40.1 Sec. 25. Minnesota Statutes 2020, section 97A.475, subdivision 41, is amended to read:
- 40.2 Subd. 41. **Turtle licenses license.** ~~(a) The fee for a turtle seller's license to sell turtles~~
40.3 ~~and to take, transport, buy, and possess turtles for sale is \$250.~~
- 40.4 ~~(b) The fee for a recreational turtle license to take, transport, and possess turtles for~~
40.5 ~~personal use is \$25.~~
- 40.6 ~~(c) The fee for a turtle seller's apprentice license is \$100.~~
- 40.19 Sec. 27. **[97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME**
40.20 **IN CERTAIN AREAS.**
- 40.21 Subdivision 1. **Nontoxic shot on wildlife management areas in farmland zone.** After
40.22 July 1, 2023, a person may not take small game, rails, or common snipe on any wildlife
40.23 management area within the farmland zone with shot other than:
- 40.24 (1) steel shot;
- 40.25 (2) copper-plated, nickel-plated, or zinc-plated steel shot; or
- 40.26 (3) shot made of other nontoxic material approved by the director of the United States
40.27 Fish and Wildlife Service.
- 40.28 Subd. 2. **Farmland zone.** For the purposes of this section, the farmland zone is the
40.29 portion of the state that falls south and west of Minnesota Highway 70 westward from the
41.1 Wisconsin border to Minnesota Highway 65 to Minnesota Highway 23 to U.S. Highway
41.2 169 at Milaca to Minnesota Highway 18 at Garrison to Minnesota Highway 210 at Brainerd
41.3 to U.S. Highway 10 at Motley to U.S. Highway 59 at Detroit Lakes northward to the
41.4 Canadian border.
- 41.5 Sec. 28. **[97B.735] SWANS.**
- 41.6 A person who takes, harasses, destroys, buys, sells, possesses, transports, or ships a
41.7 native swan in violation of the game and fish laws is guilty of a gross misdemeanor.

- 41.8 Sec. 29. Minnesota Statutes 2020, section 97C.605, subdivision 1, is amended to read:
- 41.9 Subdivision 1. ~~Resident angling license required~~ **Taking turtles; requirements.** ~~In~~
41.10 ~~addition to any other license required in this section;~~ (a) A person may not take, possess,
41.11 or transport turtles without a resident angling license, ~~except as provided in subdivision 2e~~
41.12 ~~and a recreational turtle license.~~
- 41.13 (b) Turtles taken from the wild are for personal use only and may not be resold.
- 41.14 Sec. 30. Minnesota Statutes 2020, section 97C.605, subdivision 2c, is amended to read:
- 41.15 Subd. 2c. **License exemptions.** (a) A person does not need ~~a turtle seller's license or an~~
41.16 ~~angling license~~ the licenses specified under subdivision 1:
- 41.17 ~~(1) when buying turtles for resale at a retail outlet;~~
- 41.18 ~~(2) (1) when buying a turtle at a retail outlet; or~~
- 41.19 ~~(3) if the person is a nonresident buying a turtle from a licensed turtle seller for export~~
41.20 ~~out of state. Shipping documents provided by the turtle seller must accompany each shipment~~
41.21 ~~exported out of state by a nonresident. Shipping documents must include: name, address,~~
41.22 ~~city, state, and zip code of the buyer; number of each species of turtle; and name and license~~
41.23 ~~number of the turtle seller; or~~
- 41.24 ~~(4) (2) to take, possess, and rent or sell up to 25 turtles greater than four inches in length~~
41.25 ~~for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person~~
41.26 ~~is a resident under age 18. The person is responsible for the well-being of the turtles.~~
- 41.27 (b) A person with an aquatic farm license with a turtle endorsement or a private fish
41.28 hatchery license with a turtle endorsement may sell, obtain, possess, transport, and propagate
41.29 turtles and turtle eggs according to Minnesota Rules, part 6256.0900, without the licenses
41.30 specified under subdivision 1.
- 42.1 Sec. 31. Minnesota Statutes 2021 Supplement, section 97C.605, subdivision 3, is amended
42.2 to read:
- 42.3 Subd. 3. **Taking; methods prohibited.** ~~(a)~~ A person may not take turtles by using:
- 42.4 (1) explosives, drugs, poisons, lime, and other harmful substances;
- 42.5 (2) traps, ~~except as provided in paragraph (b) and rules adopted under this section;~~
- 42.6 (3) nets other than anglers' fish landing nets;
- 42.7 (4) commercial equipment, ~~except as provided in rules adopted under this section;~~
- 42.8 (5) firearms and ammunition;
- 42.9 (6) bow and arrow or crossbow; or
- 42.10 (7) spears, harpoons, or any other implements that impale turtles.

42.11 ~~(b) Until new rules are adopted under this section, a person with a turtle seller's license~~
42.12 ~~may take turtles with a floating turtle trap that:~~

42.13 ~~(1) has one or more openings above the water surface that measure at least ten inches~~
42.14 ~~by four inches; and~~

42.15 ~~(2) has a mesh size of not less than one-half inch, bar measure.~~

42.16 Sec. 32. Minnesota Statutes 2021 Supplement, section 97C.611, is amended to read:

42.17 **97C.611 TURTLE SPECIES; LIMITS.**

42.18 Subdivision 1. **Snapping turtles.** A person may not possess more than three snapping
42.19 turtles of the species *Chelydra serpentina* ~~without a turtle seller's license~~. Until new rules
42.20 are adopted under section 97C.605, a person may not take snapping turtles of a size less
42.21 than ten inches wide including curvature, measured from side to side across the shell at
42.22 midpoint. After new rules are adopted under section 97C.605, a person may only take
42.23 snapping turtles of a size specified in the adopted rules.

42.24 Subd. 2. **Western painted turtles.** (a) A person may not possess more than three Western
42.25 painted turtles of the species *Chrysemys picta* ~~without a turtle seller's license~~. Western
42.26 painted turtles must be between 4 and 5-1/2 inches in shell length.

42.27 (b) This subdivision does not apply to persons acting under section 97C.605, subdivision
42.28 2c, paragraph (a), clause ~~(4)~~ (2).

43.1 Subd. 3. **Spiny softshell.** A person may not possess spiny softshell turtles of the species
43.2 *Apalone spinifera* ~~after December 1, 2021~~, without an aquatic farm or private fish hatchery
43.3 license with a turtle endorsement.

43.4 Subd. 4. **Other species.** A person may not possess any other species of turtle ~~without~~
43.5 except with an aquatic farm or private fish hatchery license with a turtle endorsement or as
43.6 specified under section 97C.605, subdivision 2c.

43.7 Sec. 33. Minnesota Statutes 2020, section 103B.101, subdivision 2, is amended to read:

43.8 Subd. 2. **Voting members.** (a) The members are:

43.9 (1) three county commissioners;

43.10 (2) three soil and water conservation district supervisors;

43.11 (3) three watershed district or watershed management organization representatives;

43.12 (4) three citizens who are not employed by, or the appointed or elected officials of, a
43.13 state governmental office, board, or agency;

43.14 (5) one township officer;

43.15 (6) two elected city officials, one of whom must be from a city located in the metropolitan
43.16 area, as defined under section 473.121, subdivision 2;

- 43.17 (7) the commissioner of agriculture;
- 43.18 (8) the commissioner of health;
- 43.19 (9) the commissioner of natural resources;
- 43.20 (10) the commissioner of the Pollution Control Agency; and
- 43.21 (11) the director of the University of Minnesota Extension Service.
- 43.22 (b) Members in paragraph (a), clauses (1) to (6), must be distributed across the state
43.23 with at least four members but not more than six members from the metropolitan area, as
43.24 defined by section 473.121, subdivision 2.
- 43.25 (c) Members in paragraph (a), clauses (1) to (6), are appointed by the governor. In making
43.26 the appointments, the governor may consider persons recommended by the Association of
43.27 Minnesota Counties, the Minnesota Association of Townships, the League of Minnesota
43.28 Cities, the Minnesota Association of Soil and Water Conservation Districts, and the
43.29 Minnesota Association of Watershed Districts. The list submitted by an association must
43.30 contain at least three nominees for each position to be filled.
- 44.1 (d) The membership terms, compensation, removal of members and filling of vacancies
44.2 on the board for members in paragraph (a), clauses (1) to (6), are as provided in section
44.3 15.0575, except that a member may be compensated at the rate of up to \$125 a day.
- 44.4 Sec. 34. Minnesota Statutes 2020, section 103B.103, is amended to read:
- 44.5 **103B.103 EASEMENT STEWARDSHIP ACCOUNTS.**
- 44.6 Subdivision 1. **Accounts established; sources.** (a) The water and soil conservation
44.7 easement stewardship account and the mitigation easement stewardship account are created
44.8 in the special revenue fund. The accounts consist of money credited to the accounts and
44.9 interest and other earnings on money in the accounts. The State Board of Investment must
44.10 manage the accounts to maximize long-term gain.
- 44.11 (b) Revenue from contributions and money appropriated for any purposes of the account
44.12 as described in subdivision 2 must be deposited in the water and soil conservation easement
44.13 stewardship account. Revenue from contributions, ~~wetland banking~~ mitigation fees designated
44.14 for stewardship purposes by the board, easement stewardship payments authorized under
44.15 subdivision 3, and money appropriated for any purposes of the account as described in
44.16 subdivision 2 must be deposited in the mitigation easement stewardship account.
- 44.17 Subd. 2. **Appropriation; purposes of accounts.** (a) Five percent of the balance on July
44.18 1 each year in the water and soil conservation easement stewardship account and five percent
44.19 of the balance on July 1 each year in the mitigation easement stewardship account are
44.20 annually appropriated to the board and may be spent ~~only~~ to cover the costs of managing
44.21 easements held by the board, including costs associated with:

- 44.22 (1) repairing or replacing structures;
- 44.23 (2) monitoring;
- 44.24 (3) landowner contacts;
- 44.25 (4) records storage and management;
- 44.26 (5) processing landowner notices;
- 44.27 (6) requests for approval or amendments;
- 44.28 (7) enforcement; and
- 44.29 (8) legal services associated with easement management activities.
- 44.30 (b) In addition to the amounts appropriated under paragraph (a), up to ten percent of the
- 44.31 balance on July 1 each year in the water and soil conservation easement stewardship account
- 45.1 and up to ten percent of the balance on July 1 each year in the mitigation easement
- 45.2 stewardship account are annually appropriated to the board for emergency repair and
- 45.3 replacement of water control structures when the amount appropriated in paragraph (a) is
- 45.4 insufficient to cover the costs. The board must include a summary of how money appropriated
- 45.5 under this paragraph in the prior two fiscal years was used in the report required under
- 45.6 section 103B.101, subdivision 9, paragraph (a), clause (7).
- 45.7 Subd. 3. **Financial contributions.** The board shall seek a financial contribution to the
- 45.8 water and soil conservation easement stewardship account for each conservation easement
- 45.9 acquired by the board. The board shall seek a financial contribution or assess an easement
- 45.10 stewardship payment to the mitigation easement stewardship account for each wetland
- 45.11 ~~banking~~ mitigation easement acquired by the board. Unless otherwise provided by law, the
- 45.12 board shall determine the amount of the contribution or payment, which must be an amount
- 45.13 calculated to earn sufficient money to meet the costs of managing the easement at a level
- 45.14 that neither significantly overrecovers nor underrecovers the costs. In determining the
- 45.15 amount of the financial contribution, the board shall consider:
- 45.16 (1) the estimated annual staff hours needed to manage the conservation easement, taking
- 45.17 into consideration factors such as easement type, size, location, and complexity;
- 45.18 (2) the average hourly wages for the class or classes of state and local employees expected
- 45.19 to manage the easement;
- 45.20 (3) the estimated annual travel expenses to manage the easement;
- 45.21 (4) the estimated annual miscellaneous costs to manage the easement, including supplies
- 45.22 and equipment, information technology support, and aerial flyovers;
- 45.23 (5) the estimated annualized costs of legal services, including the cost to enforce the
- 45.24 easement in the event of a violation; ~~and~~

- 45.25 (6) the estimated annualized costs for repairing or replacing water control structures;
45.26 and
- 45.27 ~~(6)~~ (7) the expected rate of return on investments in the account.
- 45.28 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 45.29 **Sec. 35. [103B.104] LAWNS TO LEGUMES PROGRAM.**
- 45.30 The Board of Water and Soil Resources must establish a program to provide grants or
45.31 payments to plant residential lawns with native vegetation and pollinator-friendly forbs and
45.32 legumes to protect a diversity of pollinators. The board must establish criteria for grants or
46.1 payments awarded under this section. Grants or payments awarded under this section may
46.2 be made for up to 75 percent of the costs of the project, except that, in areas identified by
46.3 the United States Fish and Wildlife Service as areas where there is a high potential for rusty
46.4 patched bumble bees to be present, grants may be awarded for up to 90 percent of the costs
46.5 of the project.
- 46.6 **Sec. 36. [103C.701] SOIL HEALTH GOALS.**
- 46.7 The state of Minnesota's soil health goals are that:
- 46.8 (1) at least 5,750,000 acres employ cover crops, perennial crops, no-till, or managed
46.9 rotational grazing by 2030;
- 46.10 (2) at least 11,500,000 acres employ cover crops, perennial crops, no-till, or managed
46.11 rotational grazing by 2035; and
- 46.12 (3) at least 23,000,000 acres employ cover crops, perennial crops, no-till, or managed
46.13 rotational grazing by 2040.
- 46.14 **Sec. 37. [103E.122] DRAINAGE REGISTRY INFORMATION PORTAL.**
- 46.15 (a) The executive director of the Board of Water and Soil Resources must establish and
46.16 maintain a drainage registry information portal that includes a searchable electronic database
46.17 of all documents initiating proceedings and nonpetitioned repairs under this chapter. The
46.18 database must permit members of the public to easily search for and retrieve documents by:
- 46.19 (1) the name of the county or watershed district where the petition or document was
46.20 filed;
- 46.21 (2) the type of petition or document filed;
- 46.22 (3) the date of the petition or document; and
- 46.23 (4) other identifiers that allow members of the public to easily access information on
46.24 the proceeding or repair.

- 46.25 (b) For each proceeding, the database must include the contact information for a local
46.26 contact that can provide additional information on the proceeding or repair.
- 46.27 (c) For any proceeding or nonpetitioned repair brought under this chapter, the drainage
46.28 authority must file with the executive director an electronic copy of the petition or other
46.29 document initiating the drainage project or repair. The petition or other document must be
46.30 filed within ten calendar days of filing the petition or other document with the county auditor
46.31 or secretary or, for nonpetitioned repairs, within ten days of ordering the repair. A drainage
47.1 authority may not take any action on a drainage proceeding or repair if the proceeding does
47.2 not comply with this section.
- 47.3 (d) For any repair or maintenance undertaken under this chapter without a petition, the
47.4 drainage authority must file with the executive director an electronic copy of the drainage
47.5 inspection report or other document initiating the repair or maintenance within ten calendar
47.6 days of the drainage inspection report or other document being presented to the drainage
47.7 authority. A drainage authority may not take any action on a drainage inspector's report or
47.8 otherwise order a repair or maintenance until the drainage inspector's report has been posted
47.9 on the drainage registry information portal for 30 days.
- 47.10 **Sec. 38. [103F.49] SOIL HEALTH COST-SHARE PROGRAM.**
- 47.11 **Subdivision 1. Definitions.** (a) For purposes of this section, the terms in this subdivision
47.12 have the meanings given.
- 47.13 (b) "Board" means the Board of Water and Soil Resources.
- 47.14 (c) "Local units of government" has the meaning given under section 103B.305,
47.15 subdivision 5.
- 47.16 (d) "Soil health" has the meaning given under section 103C.101, subdivision 10a.
- 47.17 **Subd. 2. Establishment.** The board must administer a cost-share program consistent
47.18 with section 103C.501 to establish soil health practices that mitigate climate change impacts,
47.19 improve water quality, and provide related public benefits.
- 47.20 **Subd. 3. Financial assistance.** (a) The board may provide financial assistance to local
47.21 units of government, private sector providers, and farmers for the costs of soil health and
47.22 related water-quality practices consistent with a plan approved according to chapter 103B,
47.23 103C, or 103D. The board must establish costs eligible for financial and technical assistance
47.24 under this section.
- 47.25 (b) The board may enter into agreements with local units of government receiving
47.26 financial assistance under this subdivision.
- 47.27 (c) Financial assistance under this subdivision must give priority to multiyear contracts
47.28 and to leveraging contributions from nonstate sources.

- 47.29 (d) Financial assistance under this subdivision must give priority to multiyear contracts
47.30 that prioritize long-term soil health practices, including but not limited to no-till, field
47.31 borders, prairie strips, and other practices sanctioned by the board or the United States
48.1 Department of Agriculture's Natural Resources Conservation Service, that, separately or
48.2 together with other conservation practices, provide durable soil health and related benefits.
- 48.3 Subd. 4. **Technical assistance; review.** (a) The board may employ or contract with
48.4 experts to implement the soil health program under this section.
- 48.5 (b) When implementing the soil health program, the board must:
- 48.6 (1) assist local units of government in achieving the objectives of the program;
- 48.7 (2) review and assess practice standards; and
- 48.8 (3) evaluate the effectiveness of completed practices.
- 48.9 Subd. 5. **Federal aid availability.** The board must regularly complete an analysis of the
48.10 availability of federal funds and programs to supplement or complement state and local
48.11 efforts consistent with the purposes of this section.
- 48.12 Sec. 39. **[103G.134] ORDERS AND INVESTIGATIONS.**
- 48.13 (a) The commissioner has the following powers and duties when acting pursuant to the
48.14 enforcement provisions of this chapter:
- 48.15 (1) to adopt, issue, reissue, modify, deny, revoke, enter into, or enforce reasonable orders,
48.16 schedules of compliance, and stipulation agreements;
- 48.17 (2) to issue notices of violation;
- 48.18 (3) to require a person holding a permit issued under this chapter or otherwise impacting
48.19 the public waters of the state without a permit issued under this chapter to:
- 48.20 (i) make reports;
- 48.21 (ii) install, use, and maintain monitoring equipment or methods;
- 48.22 (iii) perform tests according to methods, at locations, at intervals, and in a manner as
48.23 the commissioner prescribes; and
- 48.24 (iv) provide other information as the commissioner may reasonably require; and
- 48.25 (4) to conduct investigations; issue notices, public and otherwise; and order hearings as
48.26 the commissioner deems necessary or advisable to discharge duties under this chapter,
48.27 including but not limited to issuing permits and authorizing an employee or agent appointed
48.28 by the commissioner to conduct the investigations and other authorities cited in this section.

49.1 Sec. 40. [103G.146] DUTY OF CANDOR.

49.2 (a) A person must not knowingly:

49.3 (1) make a false statement of fact or fail to correct a false statement of material fact
49.4 regarding any matter pertaining to this chapter;

49.5 (2) fail to disclose information that the person knows is necessary for the commissioner
49.6 to make an informed decision under this chapter; or

49.7 (3) offer information that the person knows to be false.

49.8 (b) If a person has offered material information to the commissioner and the person
49.9 comes to know the information is false, the person must take reasonable remedial measures
49.10 to provide the accurate information.

49.11 Sec. 41. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision
49.12 to read:

49.13 Subd. 2a. **Public meeting.** Before issuing a water-use permit or a plan for consumptive
49.14 use of more than 100,000,000 gallons per year average, the commissioner must hold a public
49.15 meeting. The meeting may be held in the county affected most by the potential impact to
49.16 the public groundwater resource or by using interactive technology that allows members of
49.17 the public to participate from a remote location, including providing public comments during
49.18 the public comment period of the meeting. At least 21 days before the public meeting, the
49.19 commissioner must publish notice of the meeting in a newspaper of general circulation in
49.20 the county and must mail the notice to persons who have registered their names with the
49.21 commissioner for this purpose.

50.1 Sec. 43. Minnesota Statutes 2020, section 103G.299, subdivision 1, is amended to read:

50.2 Subdivision 1. **Authority to issue administrative penalty orders.** (a) As provided in
50.3 paragraph (b), the commissioner may issue an order requiring violations to be corrected
50.4 and administratively assessing monetary penalties for violations of sections 103G.271 and
50.5 103G.275, and any rules adopted under those sections.

50.6 (b) An order under this section may be issued to a person for water appropriation activities
50.7 without a required permit or for violating the terms of a required permit.

50.8 (c) The order must be issued as provided in this section and in accordance with the plan
50.9 prepared under subdivision 12.

50.10 Sec. 44. Minnesota Statutes 2020, section 103G.299, subdivision 2, is amended to read:

50.11 Subd. 2. **Amount of penalty; considerations.** (a) The commissioner may issue orders
50.12 assessing administrative penalties ~~based on potential for harm and deviation from compliance.~~
50.13 ~~For a violation that presents:~~ up to \$40,000.

- 50.14 ~~(1) a minor potential for harm and deviation from compliance, the penalty will be no~~
50.15 ~~more than \$1,000;~~
- 50.16 ~~(2) a moderate potential for harm and deviation from compliance, the penalty will be~~
50.17 ~~no more than \$10,000; and~~
- 50.18 ~~(3) a severe potential for harm and deviation from compliance, the penalty will be no~~
50.19 ~~more than \$20,000.~~
- 50.20 (b) In determining the amount of a penalty the commissioner may consider:
- 50.21 (1) the gravity of the violation, including potential for, or real, damage to the public
50.22 interest or natural resources of the state;
- 50.23 (2) the history of past violations;
- 50.24 (3) the number of violations;
- 50.25 (4) the economic benefit gained by the person by allowing or committing the violation
50.26 based on data from local or state bureaus or educational institutions; and
- 50.27 (5) other factors as justice may require, if the commissioner specifically identifies the
50.28 additional factors in the commissioner's order.
- 50.29 (c) For a violation after an initial violation, including a continuation of the initial violation,
50.30 the commissioner must, in determining the amount of a penalty, consider the factors in
50.31 paragraph (b) and the:
- 51.1 (1) similarity of the most recent previous violation and the violation to be penalized;
- 51.2 (2) time elapsed since the last violation;
- 51.3 (3) number of previous violations; and
- 51.4 (4) response of the person to the most recent previous violation identified.
- 51.5 Sec. 45. Minnesota Statutes 2020, section 103G.299, subdivision 5, is amended to read:
- 51.6 Subd. 5. **Penalty.** (a) Except as provided in paragraph (b), if the commissioner determines
51.7 that the violation has been corrected or appropriate steps have been taken to correct the
51.8 action, the penalty must be forgiven. Unless the person requests review of the order under
51.9 subdivision 6 or 7 before the penalty is due, the penalty in the order is due and payable:
- 51.10 (1) on the 31st day after the order was received, if the person subject to the order fails
51.11 to provide information to the commissioner showing that the violation has been corrected
51.12 or that appropriate steps have been taken toward correcting the violation; or
- 51.13 (2) on the 20th day after the person receives the commissioner's determination under
51.14 subdivision 4, paragraph (c), if the person subject to the order has provided information to
51.15 the commissioner that the commissioner determines is not sufficient to show that the violation
51.16 has been corrected or that appropriate steps have been taken toward correcting the violation.

51.17 (b) For repeated or serious violations, the commissioner may issue an order with a penalty
51.18 that is not forgiven after the corrective action is taken. The penalty is due by 31 days after
51.19 the order ~~was~~ is received, unless review of the order under subdivision 6 or 7 ~~has been~~ is
51.20 sought.

51.21 (c) Interest at the rate established in section 549.09 begins to accrue on penalties under
51.22 this subdivision on the 31st day after the order with the penalty ~~was~~ is received.

51.23 Sec. 46. Minnesota Statutes 2020, section 103G.299, subdivision 10, is amended to read:

51.24 Subd. 10. **Cumulative remedy.** The authority of the commissioner to issue a corrective
51.25 order assessing penalties is in addition to other remedies available under statutory or common
51.26 law, ~~except that the state may not seek civil penalties under any other provision of law for~~
51.27 ~~the violations covered by the administrative penalty order.~~ The payment of a penalty does
51.28 not preclude the use of other enforcement provisions, ~~under which penalties are not assessed,~~
51.29 in connection with the violation for which the penalty was assessed.

52.1 Sec. 47. **[103G.299] PENALTIES; ENFORCEMENT.**

52.2 Subdivision 1. Civil penalties. (a) The commissioner, according to section 103G.134,
52.3 may issue a notice to a person who violates:

52.4 (1) this chapter;

52.5 (2) a permit issued under this chapter or a term or condition of a permit issued under
52.6 this chapter;

52.7 (3) a duty under this chapter to permit an inspection, entry, or monitoring activity or a
52.8 duty under this chapter to carry out an inspection or monitoring activity;

52.9 (4) a rule adopted under this chapter;

52.10 (5) a stipulation agreement, variance, or schedule of compliance entered into under this
52.11 chapter; or

52.12 (6) an order issued by the commissioner under this chapter.

52.13 (b) A person issued a notice forfeits and must pay to the state a penalty, in an amount
52.14 to be determined by the district court, of not more than \$10,000 per day of violation.

52.15 (c) In the discretion of the district court, a defendant under this section may be required
52.16 to:

52.17 (1) forfeit and pay to the state a sum that adequately compensates the state for the
52.18 reasonable value of restoration, monitoring, and other expenses directly resulting from the
52.19 unauthorized use of or damage to natural resources of the state; and

- 52.20 (2) forfeit and pay to the state an additional sum to constitute just compensation for any
52.21 damage, loss, or destruction of the state's natural resources and for other actual damages to
52.22 the state caused by an unauthorized use of natural resources of the state.
- 52.23 (d) As a defense to damages assessed under paragraph (c), a defendant may prove that
52.24 the violation was caused solely by:
- 52.25 (1) an act of God;
52.26 (2) an act of war;
52.27 (3) negligence on the part of the state;
52.28 (4) an act or failure to act that constitutes sabotage or vandalism; or
52.29 (5) any combination of clauses (1) to (5).
- 53.1 (e) The civil penalties and damages provided for in this subdivision may be recovered
53.2 by a civil action brought by the attorney general in the name of the state in Ramsey County
53.3 District Court. Civil penalties and damages provided for in this subdivision may be resolved
53.4 by the commissioner through a negotiated stipulation agreement according to the authority
53.5 granted to the commissioner in section 103G.134.
- 53.6 Subd. 2. **Enforcement.** This chapter and rules, standards, orders, stipulation agreements,
53.7 schedules of compliance, and permits adopted or issued by the commissioner under this
53.8 chapter or any other law for preventing, controlling, or abating damage to natural resources
53.9 may be enforced by one or more of the following:
- 53.10 (1) criminal prosecution;
53.11 (2) action to recover civil penalties;
53.12 (3) injunction;
53.13 (4) action to compel performance; or
53.14 (5) other appropriate action according to this chapter.
- 53.15 Subd. 3. **Injunctions.** A violation of this chapter or rules, standards, orders, stipulation
53.16 agreements, variances, schedules of compliance, and permits adopted or issued under this
53.17 chapter constitutes a public nuisance and may be enjoined as provided by law in an action,
53.18 in the name of the state, brought by the attorney general.
- 53.19 Subd. 4. **Actions to compel performance.** (a) In an action to compel performance of
53.20 an order issued by the commissioner for any purpose related to preventing, controlling, or
53.21 abating damage to natural resources under this chapter, the court may require a defendant
53.22 adjudged responsible to do and perform any and all acts and things within the defendant's
53.23 power that are reasonably necessary to accomplish the purposes of the order.

- 53.24 (b) In case a municipality or its governing or managing body or any of its officers is a
53.25 defendant, the court may require the municipality to exercise its powers, without regard to
53.26 any limitation of a requirement for an election or referendum imposed thereon by law and
53.27 without restricting the powers of the commissioner, to do any or all of the following, without
53.28 limiting the generality hereof:
- 53.29 (1) levy taxes or special assessments;
53.30 (2) prescribe service or use charges;
53.31 (3) borrow money;
53.32 (4) issue bonds;
54.1 (5) employ assistance;
54.2 (6) acquire real or personal property;
54.3 (7) let contracts;
54.4 (8) otherwise provide for doing work or constructing, installing, maintaining, or operating
54.5 facilities; and
54.6 (9) do all other acts and things reasonably necessary to accomplish the purposes of the
54.7 order.
- 54.8 (c) The court must grant a municipality under paragraph (b) the opportunity to determine
54.9 the appropriate financial alternatives to be used to comply with the court-imposed
54.10 requirements.
- 54.11 (d) An action brought under this subdivision must be venued in Ramsey County District
54.12 Court.
- 54.13 Sec. 48. Minnesota Statutes 2020, section 115.061, is amended to read:
- 54.14 **115.061 DUTY TO NOTIFY; AVOIDING WATER POLLUTION.**
- 54.15 (a) Except as provided in paragraph (b), it is the duty of every person to notify the agency
54.16 immediately of the discharge, accidental or otherwise, of any substance or material under
54.17 its control which, if not recovered, may cause pollution of waters of the state, and the
54.18 responsible person shall recover as rapidly and as thoroughly as possible such substance or
54.19 material and take immediately such other action as may be reasonably possible to minimize
54.20 or abate pollution of waters of the state caused thereby.
- 54.21 (b) Notification is not required under paragraph (a) for a discharge of five gallons or
54.22 less of petroleum, as defined in section 115C.02, subdivision 10. This paragraph does not
54.23 affect the other requirements of paragraph (a).
- 54.24 (c) Promptly after notifying the agency of a discharge under paragraph (a), a publicly
54.25 owned treatment works or a publicly or privately owned domestic sewer system owner must

54.26 provide notice to the potentially impacted public and to any downstream drinking water
54.27 facility that may be impacted by the discharge. Notice to the public and to any drinking
54.28 water facility must be made using the most efficient communications system available to
54.29 the facility owner such as in person, phone call, radio, social media, web page, or another
54.30 expedited form. In addition, signs in sufficient number to alert the public must be posted at
54.31 all impacted public use areas within the same jurisdiction or notice must be provided to the
54.32 entity that has jurisdiction over any impacted public use areas. A notice under this paragraph
55.1 must include the date and time of the discharge, a description of the material released, a
55.2 warning of the potential public health risk, and the permittee's contact information. The
55.3 agency must provide guidance that includes but is not limited to methods and protocols for
55.4 providing timely notice under this section.

55.5 Sec. 49. Minnesota Statutes 2020, section 115.071, is amended by adding a subdivision
55.6 to read:

55.7 Subd. 3a. **Public informational meeting.** (a) The commissioner, before finalizing a
55.8 stipulation agreement or consent decree with a facility in which the agency is seeking a
55.9 settlement amount greater than \$25,000, must hold a public informational meeting at a
55.10 convenient time at a location near the facility to:

55.11 (1) notwithstanding section 13.39, subdivision 2, describe the amount, frequency,
55.12 duration, and chemical nature of the pollution released or emitted by the facility and the
55.13 risks to public health and the environment from that exposure; and

55.14 (2) allow members of the public, including those persons potentially exposed to pollution
55.15 released or emitted from the facility, to make the agency aware of:

55.16 (i) interactions between the facility and the public regarding the facility's operations;
55.17 (ii) operational problems or incidents that have occurred at the facility; and
55.18 (iii) suggestions regarding supplemental environmental projects that the public may
55.19 prefer as part of a stipulation agreement or consent decree between the facility and the
55.20 agency.

55.21 (b) For the purposes of this section, "supplemental environmental project" means a
55.22 project that benefits the environment or public health and that a regulated facility agrees to
55.23 undertake as part of a settlement with respect to an enforcement action taken by the agency
55.24 to resolve noncompliance.

55.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

55.26 Sec. 50. **[115A.5591] COMPOSTING; MULTIFAMILY BUILDINGS;**
55.27 **COMPETITIVE GRANT PROGRAM.**

55.28 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
55.29 the meanings given.

- 55.30 (b) "Common interest community" has the meaning given in section 515B.1-103, clause
55.31 (10).
- 56.1 (c) "Composting" means the controlled biological decomposition of source-separated
56.2 food wastes through an aerobic method of accelerating natural decomposition that takes
56.3 place at a site separate from the residence or location of any generator of source-separated
56.4 food wastes.
- 56.5 (d) "Homeowners association" means an association of residential unit owners that is
56.6 organized to govern and administer a common interest community, regardless of whether
56.7 the common interest community is subject to chapter 515B.
- 56.8 (e) "Minnesota Tribal government" has the meaning given in section 10.65, subdivision
56.9 2, paragraph (a), clause (4).
- 56.10 (f) "Multifamily building" means an apartment facility containing four or more dwelling
56.11 units, each to be rented by a person or family for use as a residence.
- 56.12 (g) "Source-separated food wastes" means food wastes that are separated at the source
56.13 by waste generators for the purpose of preparing them for composting.
- 56.14 **Subd. 2. Grant program established.** The commissioner must establish a competitive
56.15 grant program to provide financial assistance to develop and implement pilot projects that
56.16 encourage and increase composting by residents of multifamily buildings in areas where
56.17 compost is not collected at curbside. Each grant must include an educational component on
56.18 the methods and benefits of composting.
- 56.19 **Subd. 3. Eligible applicants.** A grant may be awarded under this section to:
- 56.20 (1) a political subdivision;
- 56.21 (2) an owner of a multifamily building;
- 56.22 (3) an organization that is exempt from taxation under section 501(c)(3) of the Internal
56.23 Revenue Code;
- 56.24 (4) a Minnesota Tribal government; or
- 56.25 (5) a homeowners association.
- 56.26 **Subd. 4. Application.** The commissioner must develop forms and procedures for
56.27 soliciting and reviewing applications for grants under this section.
- 56.28 **Subd. 5. Eligible expenditures.** Appropriations made for the grant program under this
56.29 section may be used only to:
- 56.30 (1) provide grants as specified in this section; and

- 57.1 (2) reimburse the reasonable expenses of the Pollution Control Agency in administering
57.2 the grant program.
- 57.3 Subd. 6. **Grant awards.** In awarding grants under this section, the commissioner shall
57.4 give priority to applications filed by applicants who meet the conditions of subdivision 3,
57.5 clause (3).
- 57.6 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 57.7 Sec. 51. **[115A.561] ZERO-WASTE GRANT PROGRAM.**
- 57.8 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following definitions
57.9 apply.
- 57.10 (b) "Adaptive management practices" means the integration of project design,
57.11 management, and monitoring to identify project impacts and outcomes as they arise and
57.12 adjust behaviors to improve outcomes.
- 57.13 (c) "Eligible entity" means a nonprofit or unit of government.
- 57.14 (d) "Embodied energy" means energy that was used to create a product or material.
- 57.15 (e) "Living wage" means the minimum income necessary to allow a person working 40
57.16 hours per week to afford the cost of housing, food, and other material necessities.
- 57.17 (f) "Organics recycling" means the biological processes by which organics streams are
57.18 converted to compost that is not harmful to humans, plants, or animals.
- 57.19 (g) "Recycling" means the mechanical processing of materials that have reached the end
57.20 of their current use into materials to be used in the production of new products. Recycling
57.21 does not include incineration or any energy recovery process or depolymerization or a
57.22 similar process.
- 57.23 (h) "Reuse" does not mean incineration, but does mean:
- 57.24 (1) using a product, packaging, or resource more than once for the same or a new function
57.25 with little or no processing; or
- 57.26 (2) repairing a product so it can be used longer, sharing or renting it, or selling or donating
57.27 it to another party.
- 57.28 (i) "Source reduction" does not mean incineration, but does mean:
- 57.29 (1) activities that reduce consumption of products or services that create physical outputs,
57.30 such as packaging, that are secondary to the intended use of the item being consumed;
- 58.1 (2) measures or techniques that reduce the amount of waste generated during production
58.2 processes; and

- 58.3 (3) reducing or eliminating use of materials that are not able to be recycled without
58.4 degrading the quality of the material.
- 58.5 (j) "Source-separated" means the separation of a stream of recyclable materials at the
58.6 point of waste creation before materials are collected and centralized. Source-separated
58.7 does not include technologies that sort mixed municipal solid waste into recyclable and
58.8 nonrecyclable materials.
- 58.9 (k) "Waste prevention" means reuse, recycling, and other methods to reduce the amount
58.10 of materials disposed of in landfills or incinerated.
- 58.11 (l) "Zero waste" means conservation of all resources by means of responsible production,
58.12 consumption, reuse, and recovery of products, packaging, and materials without burning
58.13 or otherwise destroying embodied energy, with no discharges to land, water, or air that
58.14 threaten the environment or human health.
- 58.15 (m) "Zero-waste practice" means a practice used to help achieve zero waste, including
58.16 source reduction and waste prevention.
- 58.17 Subd. 2. **Establishment.** The commissioner must establish a competitive grant program
58.18 for eligible entities to pursue projects that are consistent with zero-waste practices, including
58.19 projects in the following four categories:
- 58.20 (1) electronic waste reuse and recycling under subdivision 3;
- 58.21 (2) source reduction under subdivision 4;
- 58.22 (3) market development under subdivision 5; and
- 58.23 (4) organics recycling infrastructure under subdivision 6.
- 58.24 Subd. 3. **Electronic waste reuse and recycling.** Projects under this subdivision must
58.25 relate to electronic waste reuse and recycling and must be carried out by an organization
58.26 certified in sustainable electronic waste standards by an organization accredited by the
58.27 National Accreditation Board of the American National Standards Institute and the American
58.28 Society for Quality, or another accrediting body as determined by the commissioner. Grant
58.29 funds for the projects may be used for infrastructure, technology, research and development,
58.30 and product refurbishment. Projects must not include an electronic waste buy-back program
58.31 that provides compensation for used electronics as a credit toward the purchase of additional
58.32 electronics.
- 59.1 Subd. 4. **Source reduction.** Projects under this subdivision must relate to source
59.2 reduction. Grants for the projects may be used for educational programming and outreach
59.3 activities to encourage consumer behavior change or for product or manufacturing redesign
59.4 or redevelopment to reduce by-products, packaging, and other outputs. For projects involving
59.5 product or manufacturing redesign or redevelopment, the applicable manufacturer must pay
59.6 a living wage and the redevelopment or redesign must not result in higher toxicity or more

59.7 complicated recyclability of the product or by-products or increased volume of the
59.8 by-products.

59.9 Subd. 5. **Market development.** Projects under this subdivision must relate to market
59.10 development with respect to source reduction or waste prevention, including creating demand
59.11 for sorted recyclable commodities and refurbished goods. The projects must target easily
59.12 or commonly recycled materials that are disproportionately disposed of in landfills or
59.13 incinerated and must reduce the volume, weight, or toxicity of waste and waste by-products.
59.14 Projects must not conflict with other laws or requirements as identified by the commissioner.

59.15 Subd. 6. **Organics recycling infrastructure.** Projects under this subdivision must relate
59.16 to organics recycling infrastructure. Grants for the projects may be used for facilities,
59.17 machinery, equipment, and other physical necessities required for organics collection or
59.18 processing on a city- or county-wide scale. Projects under this subdivision must result in
59.19 increased capacity for residential and commercial source-separated organics streams and
59.20 generate a usable product that has demonstrable environmental benefits when compared to
59.21 the input materials, such as compost with added nutritional content. Projects may not include
59.22 mixed-waste composting.

59.23 Subd. 7. **Grant process.** (a) The commissioner must award grants to eligible entities
59.24 through a competitive grant process.

59.25 (b) To receive a grant, an eligible entity must submit a written application to the
59.26 commissioner using the form developed by the commissioner and including any information
59.27 requested by the commissioner.

59.28 (c) The application must demonstrate that the eligible entity has set specific source
59.29 reduction or waste prevention targets and that the project will take place in a community in
59.30 the 80th percentile or higher for one or more pollutants as noted in the EJScreen tool, or
59.31 any successor system, of the federal Environmental Protection Agency.

59.32 Subd. 8. **Award criteria.** In awarding grants under this section, the commissioner must
59.33 give priority to eligible entities with projects that:

60.1 (1) could lead to the creation of new jobs that pay a living wage, with additional
60.2 preference for jobs for individuals with barriers to employment;

60.3 (2) achieve source reduction or waste prevention in schools;

60.4 (3) employ adaptive management practices to identify, prevent, or address any negative
60.5 environmental consequences of the proposed project;

60.6 (4) demonstrate need for additional investment in infrastructure and projects to achieve
60.7 source reduction and waste prevention targets set by the local unit of government responsible
60.8 for waste and recycling projects in the geographic area;

- 60.9 (5) will develop innovative or new technologies or strategies for source reduction and
60.10 waste prevention;
- 60.11 (6) will encourage further investment in source reduction and waste prevention projects;
60.12 or
- 60.13 (7) will incorporate multistakeholder involvement, including nonprofit, commercial,
60.14 and public sector partners.
- 60.15 Subd. 9. **Report to the legislature.** By January 15, 2024, the commissioner must submit
60.16 a report as required under section 3.195 that details the use of grant money. A copy of this
60.17 report must also be sent to the chairs and ranking minority members of the legislative
60.18 committees with jurisdiction over economic development and environment.
- 60.19 Sec. 52. **[115A.993] PROHIBITED DISPOSAL METHODS.**
- 60.20 A person must not dispose of seed treated with neonicotinoid pesticide in a manner
60.21 inconsistent with the product label, where applicable, or by:
- 60.22 (1) burying near a drinking water source or any creek, stream, river, lake, or other surface
60.23 water;
- 60.24 (2) composting; or
- 60.25 (3) incinerating within a home or other dwelling.
- 60.26 Sec. 53. Minnesota Statutes 2020, section 115B.17, subdivision 14, is amended to read:
- 60.27 Subd. 14. **Requests for review, investigation, and oversight.** (a) The commissioner
60.28 may, upon request, assist a person in determining whether real property has been the site
60.29 of a release or threatened release of a hazardous substance, pollutant, or contaminant. The
60.30 commissioner may also assist in, or supervise, the development and implementation of
61.1 reasonable and necessary response actions. Assistance may include review of agency records
61.2 and files, and review and approval of a requester's investigation plans and reports and
61.3 response action plans and implementation.
- 61.4 (b) Except as otherwise provided in this paragraph, the person requesting assistance
61.5 under this subdivision shall pay the agency for the agency's cost, as determined by the
61.6 commissioner, of providing assistance. A state agency, political subdivision, or other public
61.7 entity is not required to pay for the agency's cost to review agency records and files. ~~Money~~
61.8 ~~received by the agency for assistance under this section~~ The first \$350,000 received annually
61.9 by the agency for assistance under this subdivision from persons who are not otherwise
61.10 responsible under sections 115B.01 to 115B.18 must be deposited in the remediation fund
61.11 and is exempt from section 16A.1285. Money received after the first \$350,000 must be
61.12 deposited in the state treasury and credited to an account in the special revenue fund. Money
61.13 in the account is annually appropriated to the commissioner for the purposes of administering
61.14 this subdivision.

61.15 (c) When a person investigates a release or threatened release in accordance with an
61.16 investigation plan approved by the commissioner under this subdivision, the investigation
61.17 does not associate that person with the release or threatened release for the purpose of section
61.18 115B.03, subdivision 3, paragraph (a), clause (4).

61.19 Sec. 54. Minnesota Statutes 2020, section 115B.171, is amended to read:

61.20 **115B.171 TESTING FOR PRIVATE WELLS; EAST METROPOLITAN AREA.**

61.21 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
61.22 the meanings given.

61.23 (b) "East metropolitan area" means:

61.24 (1) the cities of Afton, Cottage Grove, Lake Elmo, Maplewood, Newport, Oakdale, St.
61.25 Paul Park, and Woodbury;

61.26 (2) the townships of Denmark, Grey Cloud Island, and West Lakeland; and

61.27 (3) other areas added by the commissioner that have a potential for significant
61.28 groundwater pollution from ~~PFCs~~ PFAS.

61.29 (c) "~~PFCs~~" "PFAS" means ~~per- and poly-fluorinated chemicals~~ perfluoroalkyl and
61.30 polyfluoroalkyl substances.

62.1 Subd. 2. **Testing for private wells.** To provide results of ~~PFC~~ PFAS groundwater
62.2 monitoring to the public, the commissioner of the Pollution Control Agency must develop
62.3 a web page that may include, but is not limited to, the following:

62.4 (1) the process for private and public well ~~PFC~~ PFAS sampling in the east metropolitan
62.5 area;

62.6 (2) an interactive map system that allows the public to view locations of the Department
62.7 of Health well advisories and areas projected to be sampled for ~~PFCs~~ PFAS; and

62.8 (3) how to contact the Pollution Control Agency or Department of Health staff to answer
62.9 questions on sampling of private wells.

62.10 Subd. 3. **Test reporting.** (a) By ~~January~~ February 15 each year, the commissioner of
62.11 the Pollution Control Agency must report to each community in the east metropolitan area
62.12 a summary of the results of the testing for private wells in the community. The report must
62.13 include information on the number of wells tested and trends of ~~PFC~~ PFAS contamination
62.14 in private wells in the community. Reports to communities under this section must also be
62.15 published on the Pollution Control Agency's website.

62.16 (b) By ~~January~~ February 15 each year, the commissioner of the Pollution Control Agency
62.17 must report to the legislature, as provided in section 3.195, on the testing for private wells
62.18 conducted in the east metropolitan area, including copies of the community reports required

- 62.19 in paragraph (a), the number of requests for well testing in each community, and the total
62.20 amount spent for testing private wells in each community.
- 63.5 Sec. 56. Minnesota Statutes 2020, section 116.06, subdivision 1, is amended to read:
- 63.6 Subdivision 1. **Applicability.** The definitions given in this section shall obtain for the
63.7 purposes of sections 116.01 to ~~116.075~~ 116.076 except as otherwise expressly provided or
63.8 indicated by the context.
- 63.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 63.10 Sec. 57. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
63.11 read:
- 63.12 Subd. 6a. **Commissioner.** "Commissioner" means the commissioner of the Pollution
63.13 Control Agency.
- 63.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 63.15 Sec. 58. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
63.16 read:
- 63.17 Subd. 10a. **Environmental justice.** "Environmental justice" means that:
- 63.18 (1) communities of color, Indigenous communities, and low-income communities have
63.19 a healthy environment and are treated fairly when environmental statutes, rules, and policies
63.20 are developed, adopted, implemented, and enforced; and
- 63.21 (2) in all decisions that have the potential to affect the environment of an environmental
63.22 justice area or the public health of its residents, due consideration is given to the history of
63.23 the area's and its residents' cumulative exposure to pollutants and to any current
63.24 socioeconomic conditions that increase the physical sensitivity of those residents to additional
63.25 exposure to pollutants.
- 63.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 63.27 Sec. 59. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
63.28 read:
- 63.29 Subd. 10b. **Environmental justice area.** "Environmental justice area" means one or
63.30 more census tracts in the state:
- 64.1 (1) in which, based on the most recent data published by the United States Census Bureau:
- 64.2 (i) 40 percent or more of the population is nonwhite;
- 64.3 (ii) 35 percent or more of the households have an income at or below 200 percent of the
64.4 federal poverty level; or

- 64.5 (iii) 40 percent or more of the population over the age of five has limited English
64.6 proficiency; or
- 64.7 (2) that is in Indian Country, as defined in United States Code, title 18, section 1151.
- 64.8 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 64.9 Sec. 60. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
64.10 read:
- 64.11 Subd. 14a. **Microplastics.** "Microplastics" means small pieces of plastic debris in the
64.12 environment that are less than five millimeters in length and that result from the disposal
64.13 and breakdown of consumer products and industrial waste.
- 64.14 Sec. 61. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
64.15 read:
- 64.16 Subd. 14b. **Nanoplastics.** "Nanoplastics" means particles with a size ranging from one
64.17 to 1,000 nanometers that are unintentionally produced from the manufacture or degradation
64.18 of plastic objects and that exhibit a colloidal behavior.
- 64.19 Sec. 62. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to
64.20 read:
- 64.21 Subd. 17a. **Plastic.** "Plastic" means an organic or petroleum derivative synthetic or a
64.22 semisynthetic organic solid that is moldable and to which additives or other substances may
64.23 have been added. Plastic does not mean natural polymers that have not been chemically
64.24 modified.
- 64.25 Sec. 63. **[116.062] AIR TOXICS EMISSIONS REPORTING.**
- 64.26 (a) The commissioner must require each facility operating under an air quality permit
64.27 issued by the agency to annually report the facility's air toxics emissions to the agency,
64.28 including a facility not required as a condition of its air quality permit to keep records of
64.29 air toxics emissions. The commissioner must determine the method to be used by a facility
64.30 to directly measure or estimate air toxics emissions. The commissioner must incorporate
65.1 the requirement to annually report air toxics emissions into the air quality permit of each
65.2 facility subject to this section.
- 65.3 (b) For the purposes of this section, "air toxic" means a chemical compound or compound
65.4 class that is emitted into the air by a permitted facility and that is listed, reported, or identified
65.5 under any of the following categories:
- 65.6 (1) hazardous air pollutants listed under the federal Clean Air Act, United States Code,
65.7 title 42, section 7412, as amended;

65.8 (2) chemicals reported as released into the atmosphere by a facility located in the state
65.9 for the Toxic Release Inventory under the federal Emergency Planning and Community
65.10 Right-to-Know Act, United States Code, title 42, section 11023, as amended;

65.11 (3) chemicals of high concern, as listed by the Department of Health under section
65.12 116.9402;

65.13 (4) chemicals for which the Department of Health has adopted health-based values or
65.14 risk assessment advice;

65.15 (5) chemicals for which the risk to human health has been assessed by the federal
65.16 Environmental Protection Agency's Integrated Risk Information System;

65.17 (6) chemicals for which emission limits are incorporated into current facility permits;
65.18 and

65.19 (7) chemicals reported by facilities in the agency's triennial emissions inventory.

65.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.

65.21 Sec. 64. Minnesota Statutes 2020, section 116.07, subdivision 4a, is amended to read:

65.22 Subd. 4a. **Permits.** (a) The ~~Pollution Control Agency~~ commissioner may issue, continue
65.23 in effect or deny permits, under such conditions as it may prescribe for the prevention of
65.24 pollution, for the emission of air contaminants, or for the installation or operation of any
65.25 emission facility, air contaminant treatment facility, treatment facility, potential air
65.26 contaminant storage facility, or storage facility, or any part thereof, or for the sources or
65.27 emissions of noise pollution.

65.28 (b) The ~~Pollution Control Agency~~ commissioner may also issue, continue in effect or
65.29 deny permits, under such conditions as it may prescribe for the prevention of pollution, for
65.30 the storage, collection, transportation, processing, or disposal of waste, or for the installation
65.31 or operation of any system or facility, or any part thereof, related to the storage, collection,
65.32 transportation, processing, or disposal of waste.

66.1 (c) The ~~agency~~ commissioner may not issue a ~~permit~~, renew, or approve a major
66.2 amendment to a facility permit that potentially increases pollution levels or the toxicity of
66.3 emissions in an environmental justice area without analyzing and considering:

66.4 (1) the cumulative levels and effects of past and current environmental pollution from
66.5 all sources on the environment and residents of the geographic area within which the facility's
66.6 emissions are likely to be deposited, provided that the facility is located in a community in
66.7 a city of the first class in Hennepin County that meets all of the following conditions:
66.8 environmental justice area, including mobile sources and toxic chemicals contaminating
66.9 soils; and

- 66.10 (2) the demographic, social, and economic characteristics of the exposed population in
66.11 the environmental justice area that affect the population's sensitivity to exposure to additional
66.12 pollution, as required under subdivision 4m.
- 66.13 ~~(1) is within a half mile of a site designated by the federal government as an EPA~~
66.14 ~~superfund site due to residential arsenic contamination;~~
- 66.15 ~~(2) a majority of the population are low-income persons of color and American Indians;~~
- 66.16 ~~(3) a disproportionate percent of the children have childhood lead poisoning, asthma,~~
66.17 ~~or other environmentally related health problems;~~
- 66.18 ~~(4) is located in a city that has experienced numerous air quality alert days of dangerous~~
66.19 ~~air quality for sensitive populations between February 2007 and February 2008; and~~
- 66.20 ~~(5) is located near the junctions of several heavily trafficked state and county highways~~
66.21 ~~and two one-way streets which carry both truck and auto traffic.~~
- 66.22 ~~(d) The Pollution Control Agency commissioner may revoke or modify any permit issued~~
66.23 ~~under this subdivision and section 116.081 whenever it is necessary, in the opinion of the~~
66.24 ~~agency commissioner, to prevent or abate pollution.~~
- 66.25 ~~(e) The Pollution Control Agency commissioner has the authority for approval over the~~
66.26 ~~siting, expansion, or operation of a solid waste facility with regard to environmental issues.~~
66.27 ~~However, the agency's issuance of a permit does not release the permittee from any liability,~~
66.28 ~~penalty, or duty imposed by any applicable county ordinances. Nothing in this chapter~~
66.29 ~~precludes, or shall be construed to preclude, a county from enforcing land use controls,~~
66.30 ~~regulations, and ordinances existing at the time of the permit application and adopted~~
66.31 ~~pursuant to sections 366.10 to 366.181, 394.21 to 394.37, or 462.351 to 462.365, with regard~~
66.32 ~~to the siting, expansion, or operation of a solid waste facility.~~
- 67.1 ~~(f) Except as prohibited by federal law, a person may commence construction,~~
67.2 ~~reconstruction, replacement, or modification of any facility prior to the issuance of a~~
67.3 ~~construction permit by the agency before the commissioner issues a construction permit.~~
- 67.4 ~~(g) A permit application must indicate whether the permit action sought is likely to~~
67.5 ~~impact the environment or the health of residents of an environmental justice area and must~~
67.6 ~~include the data used by the applicant to make the determination. If the application is filed~~
67.7 ~~before the commissioner identifies all environmental justice areas in the state under section~~
67.8 ~~116.076, the commissioner must determine whether, based on the application's projected~~
67.9 ~~impacts of issuing the permit, the area impacted qualifies as an environmental justice area~~
67.10 ~~and whether, as a result, a cumulative analysis is required.~~
- 67.11 ~~(h) The commissioner must review the applicant's determination made under paragraph~~
67.12 ~~(g), and is responsible for determining whether a proposed permit will impact the environment~~
67.13 ~~or health of an environmental justice area.~~

67.14 (i) The agency's reasonable costs of complying with this subdivision are to be reimbursed
67.15 by the permit applicant.

67.16 **EFFECTIVE DATE.** This section is effective the day following final enactment and
67.17 applies to an application for a new permit, permit renewal, or major permit amendment filed
67.18 with the commissioner on or after that date.

67.19 Sec. 65. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
67.20 read:

67.21 **Subd. 4m. Demographic analysis.** (a) A permit applicant subject to subdivision 4a,
67.22 paragraph (c), must provide the information listed in clauses (1) to (15), if available, in the
67.23 permit application. The commissioner, in collaboration with the State Demographic Center,
67.24 the Minnesota Department of Health, and other state agencies, must provide an applicant
67.25 with a list of sources for the information required in clauses (1) to (15). The information is
67.26 intended to indicate the degree of sensitivity of the exposed population to incremental
67.27 pollution emitted from a facility seeking a permit or permit amendment and the exposed
67.28 population's ability to withstand, respond to, or recover from exposure to additional pollution.
67.29 This required information includes:

67.30 (1) racial and ethnic characteristics;

67.31 (2) income and poverty levels;

67.32 (3) the age distribution;

68.1 (4) the birth rate;

68.2 (5) education levels;

68.3 (6) the incidence of and hospital admission rates for respiratory disease, pulmonary
68.4 disease, cancer, diabetes, asthma, high levels of blood lead concentrations, compromised
68.5 immune systems, and other conditions that may be exacerbated by exposure to pollution;

68.6 (7) the incidence of substandard housing conditions;

68.7 (8) the proportion of the population without access to health insurance and medical care;

68.8 (9) the proportion of the population receiving public assistance and medical assistance;

68.9 (10) the incidence of low and very low food security, as defined by the United States
68.10 Department of Agriculture publication Food Security in the U.S., Definitions of Food
68.11 Security (2006 and as subsequently amended);

68.12 (11) biomonitoring data indicating body burdens of environmental pollutants;

68.13 (12) the presence of subpopulations that may be particularly sensitive to exposure to
68.14 additional pollutants, including workers exposed to toxic chemicals in the workplace and
68.15 subsistence fishers and hunters;

- 68.16 (13) microclimate or topographical factors of the area that affect exposure levels;
- 68.17 (14) other environmental stressors, including but not limited to noise, that impact the
- 68.18 area population; and
- 68.19 (15) how the factors examined under this paragraph may interact to increase the likelihood
- 68.20 of portions of the population sustaining an adverse effect from exposure to the additional
- 68.21 pollution emitted by the permitted facility.
- 68.22 (b) A permit applicant must provide the information required under this subdivision to
- 68.23 the commissioner in a format and at a level of quality and completeness required by the
- 68.24 commissioner.
- 68.25 (c) The costs of complying with this subdivision must be paid by the permit applicant.
- 68.26 **EFFECTIVE DATE.** This section is effective the day following final enactment and
- 68.27 applies to an application for a new permit, permit renewal, or major permit amendment filed
- 68.28 with the commissioner on or after that date.
- 69.1 Sec. 66. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
- 69.2 read:
- 69.3 Subd. 4n. **Permits; environmental justice area.** (a) At a public meeting held on a permit
- 69.4 application required to undergo a cumulative analysis under subdivision 4a, paragraph (c),
- 69.5 the commissioner must ensure that an accurate and complete reporting of public comments
- 69.6 is made part of the public record on which the decision on permit issuance is based.
- 69.7 (b) Notwithstanding any other law, the commissioner must, after reviewing the permit
- 69.8 application, the analysis of cumulative pollution conducted under subdivision 4a, paragraph
- 69.9 (c), the permit applicant's demographic analysis under subdivision 4m, and any additional
- 69.10 relevant information, including testimony and written comments received at a public meeting,
- 69.11 determine whether the incremental environmental impacts that would result in an
- 69.12 environmental justice area from approving the permit will, in conjunction with the cumulative
- 69.13 pollution impacts and any heightened sensitivity to additional pollution of residents of the
- 69.14 environmental justice area, cause or contribute to increased levels of environmental or health
- 69.15 impacts compared with denying the permit.
- 69.16 (b) If the commissioner determines that approving the permit would cause or contribute
- 69.17 to increased levels of environmental or health impacts compared with denying the permit,
- 69.18 the commissioner must:
- 69.19 (1) deny the permit; or
- 69.20 (2) place conditions on the permit that eliminate any contribution to increased levels of
- 69.21 environmental or health impacts from the permitted facility in an environmental justice
- 69.22 area.

69.23 **EFFECTIVE DATE.** This section is effective the day following final enactment and
69.24 applies to an application for a new permit, permit renewal, or major permit amendment filed
69.25 with the agency on or after that date.

69.26 Sec. 67. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
69.27 read:

69.28 Subd. 7f. **Financial assurance.** (a) Before the commissioner issues or renews a permit
69.29 for a feedlot with a capacity of 1,000 or more animal units, the permit applicant must submit
69.30 to the commissioner proof of financial assurance that satisfies the requirements under this
69.31 subdivision. Financial assurance must be of an amount sufficient to pay the closure costs
69.32 determined under paragraph (c) for the feedlot and manure storage area, with all terms and
69.33 conditions of the financial assurance instrument approved by the commissioner. The
70.1 commissioner, in evaluating financial assurance, may consult individuals with documented
70.2 experience in the analysis. The applicant must pay all costs incurred by the commissioner
70.3 to obtain this analysis.

70.4 (b) A permittee must maintain sufficient financial assurance for the duration of the permit
70.5 and demonstrate to the commissioner's satisfaction that:

70.6 (1) the funds will be available and made payable to the commissioner if the commissioner
70.7 determines the permittee is not in full compliance with the closure requirements established
70.8 by the commissioner in rule for feedlots and manure storage areas;

70.9 (2) the financial assurance instrument is fully valid, binding, and enforceable under state
70.10 and federal law;

70.11 (3) the financial assurance instrument is not dischargeable through bankruptcy; and

70.12 (4) the financial assurance provider will give the commissioner at least 120 days' notice
70.13 before canceling the financial assurance instrument.

70.14 (c) The permit applicant must submit to the commissioner a documented estimate of
70.15 costs required to implement the closure requirements established by the commissioner in
70.16 rule for feedlots and manure storage areas. Cost estimates must incorporate current dollar
70.17 values at the time of estimate and any additional costs required by the commissioner to
70.18 oversee and hire a third party to implement the closure requirements. The applicant must
70.19 not incorporate the estimated salvage or market value of manure, animals, structures,
70.20 equipment, land, or other assets. The commissioner must evaluate and may modify the
70.21 applicant's cost estimates and may consult individuals with documented experience in feedlot
70.22 or manure storage area closure or remediation. The applicant must pay all costs incurred
70.23 by the commissioner to obtain this consultation.

70.24 Sec. 68. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
70.25 read:

70.26 Subd. 7g. **Abandoned manure storage areas.** At least annually, the commissioner must
70.27 compile a list of abandoned manure storage areas in this state. A list compiled under this

70.28 subdivision is not a feedlot inventory for purposes of subdivision 7b. For purposes of this
70.29 subdivision, "abandoned manure storage areas" means solid and liquid manure storage areas
70.30 that have:

70.31 (1) been previously registered with the state as a feedlot with a manure storage area; and

71.1 (2) permanently ceased operation and are subject to, but not in compliance with, the
71.2 closure requirements established by the commissioner in rule for feedlots and manure storage
71.3 areas; or

71.4 (3) been unused for at least three years.

71.5 **Sec. 69. [116.076] ENVIRONMENTAL JUSTICE AREAS; BOUNDARIES; MAPS.**

71.6 (a) No later than December 1, 2022, the commissioner must determine the boundaries
71.7 of all environmental justice areas in Minnesota. The determination of the geographic
71.8 boundaries of an environmental justice area may be appealed by filing a petition that contains
71.9 evidence to support amending the commissioner's determination. The petition must be
71.10 signed by at least 100 residents of census tracts within or adjacent to the environmental
71.11 justice area, as determined by the commissioner. The commissioner may, after reviewing
71.12 the petition, amend the boundaries of an environmental justice area.

71.13 (b) The commissioner must post updated maps of each environmental justice area in the
71.14 state on the agency website.

71.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

71.16 **Sec. 70.** Minnesota Statutes 2020, section 116C.03, subdivision 2a, is amended to read:

71.17 Subd. 2a. **Public members.** The membership terms, compensation, removal, and filling
71.18 of vacancies of public members of the board shall be as provided in section 15.0575, except
71.19 that a public member may be compensated at the rate of up to \$125 a day.

71.20 **Sec. 71.** Minnesota Statutes 2020, section 116D.04, is amended by adding a subdivision
71.21 to read:

71.22 Subd. 2c. **Demographic analysis.** An environmental assessment worksheet and
71.23 environmental impact statement that indicate that a proposed project increases pollution
71.24 levels or the toxicity of emissions in an environmental justice area, as defined under section
71.25 116.06, must contain a demographic analysis of the population exposed to the proposed
71.26 project's impacts as required under section 116.07, subdivision 4m.

71.27 **EFFECTIVE DATE.** This section is effective the day following final enactment and
71.28 applies to an environmental assessment worksheet that has been determined by a responsible
71.29 governmental unit to be complete on or after that date and to an environmental impact
71.30 statement determined by a responsible governmental unit to be adequate on or after that
71.31 date.

- 72.1 Sec. 72. Minnesota Statutes 2020, section 116P.05, subdivision 1, is amended to read:
- 72.2 Subdivision 1. **Membership.** (a) A Legislative-Citizen Commission on Minnesota
72.3 Resources of 17 members is created in the legislative branch, consisting of the chairs of the
72.4 house of representatives and senate committees on environment and natural resources finance
72.5 or designees appointed for the terms of the chairs, four members of the senate appointed
72.6 by the Subcommittee on Committees of the Committee on Rules and Administration, and
72.7 four members of the house of representatives appointed by the speaker.
- 72.8 (b) At least two members from the senate and two members from the house of
72.9 representatives must be from the minority caucus. Members are entitled to reimbursement
72.10 for per diem expenses plus travel expenses incurred in the services of the commission.
- 72.11 (c) Seven citizens are members of the commission, five appointed by the governor, one
72.12 appointed by the Senate Subcommittee on Committees of the Committee on Rules and
72.13 Administration, and one appointed by the speaker of the house. The citizen members are
72.14 selected and recommended to the appointing authorities according to subdivision 1a and
72.15 must:
- 72.16 (1) have experience or expertise in the science, policy, or practice of the protection,
72.17 conservation, preservation, and enhancement of the state's air, water, land, fish, wildlife,
72.18 and other natural resources;
- 72.19 (2) have strong knowledge in the state's environment and natural resource issues around
72.20 the state; and
- 72.21 (3) have demonstrated ability to work in a collaborative environment.
- 72.22 (d) Members shall develop procedures to elect a chair that rotates between legislative
72.23 and citizen members each meeting. A citizen member, a senate member, and a house of
72.24 representatives member shall serve as chairs. The citizen members, senate members, and
72.25 house of representatives members must select their respective chairs. The chair shall preside
72.26 and convene meetings as often as necessary to conduct duties prescribed by this chapter.
- 72.27 (e) Appointed legislative members shall serve on the commission for two-year terms,
72.28 beginning in January of each odd-numbered year and continuing through the end of December
72.29 of the next even-numbered year. Appointed citizen members shall serve four-year terms,
72.30 beginning in January of the first year and continuing through the end of December of the
72.31 final year. Citizen and legislative members continue to serve until their successors are
72.32 appointed.
- 73.1 (f) A citizen member may be removed by an appointing authority for cause. Vacancies
73.2 occurring on the commission shall not affect the authority of the remaining members of the
73.3 commission to carry out their duties, and vacancies shall be filled for the remainder of the
73.4 term in the same manner under paragraphs (a) to (c).

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

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

75.20 Sec. 75. Minnesota Statutes 2020, section 171.07, is amended by adding a subdivision to
75.21 read:

75.22 Subd. 20. **Watercraft operator's permit.** (a) The department must maintain in its
75.23 records information transmitted electronically from the commissioner of natural resources
75.24 identifying each person to whom the commissioner of natural resources has issued a
75.25 watercraft operator's permit. The records transmitted from the Department of Natural
75.26 Resources must contain the full name and date of birth as required for the driver's license
75.27 or identification card. Records that are not matched to a driver's license or identification
75.28 card record may be deleted after seven years.

75.29 (b) After receiving information under paragraph (a) that a person has received a watercraft
75.30 operator's permit, the department must include on all drivers' licenses or Minnesota
75.31 identification cards subsequently issued to the person a graphic or written indication that
75.32 the person has received the permit.

76.1 (c) If a person who has received a watercraft operator's permit applies for a driver's
76.2 license or Minnesota identification card before that information has been transmitted to the
76.3 department, the department may accept a copy of the certificate as proof of its issuance and
76.4 must then follow the procedures in paragraph (b).

76.5 **EFFECTIVE DATE.** This section is effective July 1, 2024.

80.14 Sec. 78. **[325E.3892] LEAD AND CADMIUM IN CONSUMER PRODUCTS;**
80.15 **PROHIBITION.**

80.16 Subdivision 1. **Definitions.** For purposes of this section, "covered product" means any
80.17 of the following products or product components:

80.18 (1) jewelry;

80.19 (2) toys;

80.20 (3) cosmetics and personal care products;

80.21 (4) puzzles, board games, card games, and similar games;

80.22 (5) play sets and play structures;

80.23 (6) outdoor games;

80.24 (7) school supplies;

- 80.25 (8) pots and pans;
- 80.26 (9) cups, bowls, and other food containers;
- 80.27 (10) craft supplies and jewelry-making supplies;
- 80.28 (11) chalk, crayons, paints, and other art supplies;
- 80.29 (12) fidget spinners;
- 80.30 (13) costumes, costume accessories, and children's and seasonal party supplies;
- 81.1 (14) keys, key chains, and key rings; and
- 81.2 (15) clothing, footwear, headwear, and accessories.
- 81.3 Subd. 2. **Prohibition.** (a) A person must not import, manufacture, sell, hold for sale, or
- 81.4 distribute or offer for use in this state any covered product containing:
- 81.5 (1) lead at more than 0.009 percent by total weight (90 parts per million); or
- 81.6 (2) cadmium at more than 0.0075 percent by total weight (75 parts per million).
- 81.7 (b) This section does not apply to covered products containing lead or cadmium, or both,
- 81.8 when regulation is preempted by federal law.
- 81.9 Subd. 3. **Enforcement.** The commissioners of the Pollution Control Agency, commerce,
- 81.10 and health may coordinate in enforcing this section. The commissioner of the Pollution
- 81.11 Control Agency or commerce may, with the attorney general, enforce any federal restrictions
- 81.12 on the sale of products containing lead or cadmium, or both, as allowed under federal law.
- 81.13 The commissioner of the Pollution Control Agency may enforce this section under sections
- 81.14 115.071 and 116.072. The commissioner of commerce may enforce this section under
- 81.15 section 45.027, subdivisions 1 to 6, 325F.10 to 325F.12, and 325F.14 to 325F.16. The
- 81.16 attorney general may enforce this section under section 8.31.
- 81.17 **EFFECTIVE DATE.** This section is effective July 1, 2023.
- 81.18 Sec. 79. Minnesota Statutes 2020, section 394.36, subdivision 4, is amended to read:
- 81.19 Subd. 4. **Nonconformities; certain classes of property.** This subdivision applies to
- 81.20 homestead and nonhomestead residential real estate and seasonal residential real estate
- 81.21 occupied for recreational purposes. Except as otherwise provided by law, a nonconformity,
- 81.22 including the lawful use or occupation of land or premises existing at the time of the adoption
- 81.23 of an official control under this chapter, may be continued, including through repair,
- 81.24 replacement, restoration, maintenance, or improvement, but not including expansion. If the
- 81.25 nonconformity or occupancy is discontinued for a period of more than one year, or any
- 81.26 nonconforming building or structure is destroyed by fire or other peril to the extent of greater
- 81.27 than 50 percent of its estimated market value, as indicated in the records of the county
- 81.28 assessor at the time of damage, and no building permit has been applied for within 180 days
- 81.29 of when the property is damaged, any subsequent use or occupancy of the land or premises

- 81.30 must be a conforming use or occupancy. If a nonconforming building or structure is destroyed
81.31 by fire or other peril to the extent of greater than 50 percent of its estimated market value,
81.32 as indicated in the records of the county assessor at the time of damage, the board may
81.33 impose reasonable conditions upon a zoning or building permit in order to mitigate any
82.1 newly created impact on adjacent property or water body. When a nonconforming structure
82.2 in the shoreland district with less than 50 percent of the required setback from the water is
82.3 destroyed by fire or other peril to greater than 50 percent of its estimated market value, as
82.4 indicated in the records of the county assessor at the time of damage, the structure setback
82.5 may be increased if practicable and reasonable conditions are placed upon a zoning or
82.6 building permit to mitigate created impacts on the adjacent property or water body. A county
82.7 may, by ordinance, permit an expansion or impose upon nonconformities reasonable
82.8 regulations to prevent and abate nuisances and to protect the public health, welfare, or safety.
- 82.9 Sec. 80. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision
82.10 to read:
- 82.11 Subd. 37. **Community water system.** "Community water system" has the meaning
82.12 given in United States Code, title 42, section 300f(15).
- 82.13 Sec. 81. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision
82.14 to read:
- 82.15 Subd. 38. **Lead service line.** "Lead service line" means a water supply connection that
82.16 is made of or lined with a material consisting of lead and that connects a water main to a
82.17 building. A lead pigtail, lead gooseneck, or other lead fitting is considered a lead service
82.18 line, regardless of the composition of the service line or other portions of piping to which
82.19 the piece is attached. A galvanized service line is considered a lead service line.
- 82.20 Sec. 82. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision
82.21 to read:
- 82.22 Subd. 39. **Service line.** "Service line" means any piping, tubing, or fitting connecting a
82.23 water main to a building. Service line includes the property owner side and the system side
82.24 of a service line.
- 82.25 Sec. 83. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision
82.26 to read:
- 82.27 Subd. 40. **System side.** "System side" means the portion of a service line that is owned
82.28 by a community water system.
- 83.8 Sec. 85. **COMMUNITY AIR MONITORING SYSTEM PILOT GRANT PROGRAM.**
- 83.9 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
83.10 the meanings given.
- 83.11 (b) "Agency" means the Minnesota Pollution Control Agency.

- 83.12 (c) "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.
- 83.13 (d) "Community air monitoring system" means a system of devices monitoring ambient
83.14 air quality at many locations within a small geographic area that is subject to air pollution
83.15 from a variety of stationary and mobile sources in order to obtain frequent measurements
83.16 of pollution levels, to detect differences in exposure to pollution over distances no larger
83.17 than a city block, and to identify areas where pollution levels are inordinately elevated.
- 83.18 (e) "Environmental justice area" has the meaning given in Minnesota Statutes, section
83.19 116.06, subdivision 10b.
- 83.20 (f) "Nonprofit organization" means an organization that is exempt from taxation under
83.21 section 501(c)(3) of the Internal revenue Code.
- 83.22 **Subd. 2. Establishment of program.** A community air monitoring system pilot grant
83.23 program is established in the Pollution Control Agency to measure air pollution levels at
83.24 many locations within an environmental justice area in Minneapolis.
- 83.25 **Subd. 3. Eligible applicants.** Grants under this section may be awarded to applicants
83.26 consisting of a partnership between a nonprofit organization located in an environmental
83.27 justice area in which the community air monitoring system is to be deployed and an entity
83.28 that has experience deploying, operating, and interpreting data from air monitoring systems.
- 83.29 **Subd. 4. Eligible projects.** Grants may be awarded under this section to applicants
83.30 whose proposals:
- 84.1 (1) use a variety of air monitoring technologies approved for use by the commissioner,
84.2 including but not limited to stationary monitors, sensor-based handheld devices, and mobile
84.3 devices that can be attached to vehicles or drones to measure air pollution levels;
- 84.4 (2) obtain data at fixed locations and from handheld monitoring devices that are carried
84.5 by residents of the community on designated walking routes in the targeted community and
84.6 that can provide high-frequency measurements; and
- 84.7 (3) use the monitoring data to generate maps of pollution levels throughout the monitored
84.8 area.
- 84.9 **Subd. 5. Eligible expenditures.** Grants may be used only for the following activities:
- 84.10 (1) planning the configuration and deployment of the community air monitoring system;
- 84.11 (2) purchasing and installing air monitoring devices as part of the community air
84.12 monitoring system;
- 84.13 (3) training and paying persons who operate stationary, handheld, and mobile devices
84.14 to measure air pollution;

- 84.15 (4) developing data and mapping systems to analyze, organize, and present the air
84.16 monitoring data collected; and
- 84.17 (5) writing a final report on the project according to subdivision 9.
- 84.18 Subd. 6. **Air monitoring technologies; commissioner approval.** The commissioner
84.19 must approve air monitoring technologies proposed to be used in a project awarded a grant
84.20 under this section. Approved air monitoring technologies must meet a reasonable level of
84.21 accuracy and consistency.
- 84.22 Subd. 7. **Application and grant award process.** An eligible applicant must submit an
84.23 application to the commissioner on a form prescribed by the commissioner. The
84.24 commissioner must develop administrative procedures governing the application and grant
84.25 award process. The commissioner must act as fiscal agent for the grant program and is
84.26 responsible for receiving and reviewing grant applications and awarding grants under this
84.27 section.
- 84.28 Subd. 8. **Grant awards; priorities.** In awarding grants under this section, the
84.29 commissioner must give priority to proposed projects that:
- 84.30 (1) take place in areas with high rates of illness associated with exposure to air pollution,
84.31 including asthma, chronic obstructive pulmonary disease, heart disease, chronic bronchitis,
84.32 and cancer;
- 85.1 (2) promote public access to and transparency of air monitoring data developed through
85.2 the project; and
- 85.3 (3) conduct outreach activities to promote community awareness of and engagement
85.4 with the project.
- 85.5 Subd. 9. **Report to agency.** No later than 90 days after a project ends, the grantee must
85.6 submit a written report to the commissioner describing the project's findings and results,
85.7 and any recommendations for agency actions, programs, or activities to reduce levels of air
85.8 pollution measured by the community air monitoring system. The grantee must also forward
85.9 to the commissioner all air monitoring data developed by the project.
- 85.10 Subd. 10. **Report to legislature.** No later than January 15, 2024, the commissioner must
85.11 submit a report to the chairs and ranking minority members of the legislative committees
85.12 with primary jurisdiction over environment policy and finance on the results of the grant
85.13 program, including:
- 85.14 (1) any changes in the agency's air monitoring network that will occur as a result of data
85.15 developed under the program;
- 85.16 (2) any actions the agency has taken or proposes to take to reduce levels of pollution
85.17 that impact the environmental justice areas that received grants under the program; and

- 85.18 (3) any recommendations for legislation, including whether the program should be
85.19 extended or expanded.
- 85.20 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 85.21 Sec. 86. **RULEMAKING; AIR TOXICS EMISSIONS.**
- 85.22 **Subdivision 1. Definitions.** For the purposes of this section:
- 85.23 (1) "agency" means the Minnesota Pollution Control Agency;
- 85.24 (2) "air toxic" has the meaning given under section 116.062;
- 85.25 (3) "commissioner" has the meaning given in Minnesota Statutes, section 116.06,
85.26 subdivision 6a;
- 85.27 (4) "continuous emission monitoring system" has the meaning given in Minnesota Rules,
85.28 part 7017.1002, subpart 4;
- 85.29 (5) "environmental justice area" has the meaning given in Minnesota Statutes, section
85.30 116.06, subdivision 10b;
- 86.1 (6) "performance test" has the meaning given in Minnesota Rules, part 7017.2005,
86.2 subpart 4; and
- 86.3 (7) "volatile organic compound" means any compound of carbon that participates in
86.4 atmospheric photochemical reactions, except for carbon monoxide, carbon dioxide, carbonic
86.5 acid, metallic carbides or carbonates, and ammonium carbonate.
- 86.6 **Subd. 2. Rulemaking required.** No later than January 15, 2023, the commissioner of
86.7 the Pollution Control Agency must initiate rulemaking under Minnesota Statutes, chapter
86.8 14, to regulate air toxics emissions by providing notice of a rulemaking hearing according
86.9 to Minnesota Statutes, section 14.14, subdivision 1a.
- 86.10 **Subd. 3. Content of rules.** (a) The rules required under subdivision 2 must address, at
86.11 a minimum, the following issues:
- 86.12 (1) the specific air toxics to be regulated, including, at a minimum, those defined in
86.13 section 116.062;
- 86.14 (2) the types of facilities to be regulated, including, at a minimum, facilities that have
86.15 been issued an air quality permit by the commissioner and:
- 86.16 (i) emit air toxics, whether or not the emissions are limited in a permit; or
- 86.17 (ii) purchase or use material containing volatile organic compounds;
- 86.18 (3) performance tests conducted by facilities to measure the volume of air toxics emissions
86.19 and testing methods, procedures, protocols, and frequency;

- 86.20 (4) required air monitoring, including using continuous emission monitoring systems
86.21 for certain facilities;
- 86.22 (5) requirements for reporting information to the agency to assist the agency in
86.23 determining the volume of the facility's air toxics emissions and the facility's compliance
86.24 with emission limits in the facility's permit;
- 86.25 (6) record keeping related to air toxics emissions; and
- 86.26 (7) frequency of facility inspections and inspection activities that provide information
86.27 about air toxics emissions.
- 86.28 (b) In developing rules, the commissioner must establish testing, monitoring, reporting,
86.29 record-keeping, and inspection requirements for facilities that reflect:
- 86.30 (1) the different risks to human health and the environment posed by the specific air
86.31 toxics and volumes emitted by a facility, such that facilities posing greater risks are required
87.1 to more frequently conduct performance tests and air monitoring, receive inspections, and
87.2 report to the agency;
- 87.3 (2) the facility's record of compliance with air toxics emission limits and other permit
87.4 conditions; and
- 87.5 (3) any exposure of residents of an environmental justice area to the facility's air toxics
87.6 emissions.
- 87.7 (c) The rules developed under this section must specify that the commissioner, in
87.8 developing air toxics emission limits for a specific facility, must consider the additive nature
87.9 of risk posed by exposure to all the air toxics emitted by the facility.
- 87.10 Subd. 4. **Modifying permits.** After adopting the rules required in subdivision 2, the
87.11 commissioner must incorporate air toxics emission limits to conform with the rule changes
87.12 in existing air quality permits that:
- 87.13 (1) contain emission limits for air toxics; or
- 87.14 (2) do not contain emission limits for air toxics but are held by facilities that emit air
87.15 toxics.
- 87.16 Subd. 5. **Relation to federal law.** The commissioner must implement this section
87.17 consistent with federal law and to the fullest extent allowed by federal law. Nothing in this
87.18 section may be construed to conflict with federal law.
- 87.19 Subd. 6. **Rulemaking cost.** The commissioner must collect the agency's costs to adopt
87.20 rules required under this section and to conduct regulatory activities required as a result of
87.21 the adopted rules through the annual fee paid by owners or operators of facilities required
87.22 to obtain air quality permits from the agency, as required under Minnesota Statutes, section
87.23 116.07, subdivision 4d, paragraph (b).

- 87.24 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 87.25 Sec. 87. **PIG'S EYE AREA TASK FORCE.**
- 87.26 Subdivision 1. **Pig's Eye Area Task Force.** The commissioner of the Pollution Control
- 87.27 Agency must establish a Pig's Eye Area Task Force to coordinate efforts to remediate and
- 87.28 restore the Pig's Eye Landfill Superfund site, including adjacent contaminated sites, to
- 87.29 address contaminated groundwater, surface water, and sediments. Contaminants to evaluate
- 87.30 include but are not limited to perfluoroalkyl and polyfluoroalkyl substances (PFAS) within
- 87.31 Battle Creek, Pig's Eye Lake, and nearby groundwater. The task force is subject to Minnesota
- 87.32 Statutes, section 15.059, subdivision 6.
- 88.1 Subd. 2. **Membership.** The task force must consist of:
- 88.2 (1) the commissioner of the Pollution Control Agency or a designee;
- 88.3 (2) the commissioner of natural resources or a designee;
- 88.4 (3) the commissioner of health or a designee;
- 88.5 (4) a representative from the Metropolitan Council;
- 88.6 (5) a representative from the United States Army Corps of Engineers;
- 88.7 (6) a representative from the United States Coast Guard;
- 88.8 (7) a representative from the federal Environmental Protection Agency;
- 88.9 (8) a representative from the National Park Service;
- 88.10 (9) a representative from the United States Fish and Wildlife Service;
- 88.11 (10) a representative from the Ramsey-Washington Metro Watershed District;
- 88.12 (11) one representative from each of the following local governments:
- 88.13 (i) Newport;
- 88.14 (ii) St. Paul;
- 88.15 (iii) South St. Paul;
- 88.16 (iv) Dakota County;
- 88.17 (v) Ramsey County; and
- 88.18 (vi) Washington County; and
- 88.19 (12) three members of the public.
- 88.20 Subd. 3. **Organization.** (a) By January 15, 2023, the commissioner or the commissioner's
- 88.21 designee must convene the first meeting of the task force.

- 88.22 (b) The task force must meet monthly or as determined by the chair. Meetings of the
88.23 task force must be open to the public.
- 88.24 (c) The members of the task force must annually elect a chair, vice chair, and other
88.25 officers as the members deem necessary.
- 88.26 Subd. 4. **Staff.** The commissioner of the Pollution Control Agency must provide support
88.27 staff, office space, and administrative services for the task force.
- 89.1 Subd. 5. **Reports.** Beginning in 2024, by February 15 each year, the commissioner of
89.2 the Pollution Control Agency must submit an annual report to the chairs and ranking minority
89.3 members of the legislative committees and divisions with jurisdiction over the environment
89.4 and natural resources on the status of the task force's work. The final report, due February
89.5 15, 2026, must:
- 89.6 (1) summarize the history of the Pig's Eye Landfill, including cleanup efforts and impacts;
89.7 (2) include a coordinated plan to:
- 89.8 (i) clean up and remediate the contamination;
89.9 (ii) restore and enhance wildlife habitat;
89.10 (iii) prevent future water contamination; and
89.11 (iv) address existing water quality issues;
89.12 (3) identify infrastructure needs;
89.13 (4) identify potential funding sources; and
89.14 (5) include any recommendations for legislative action.
- 89.15 Subd. 6. **Sunset.** The task force expires June 30, 2026.
- 89.16 **Sec. 88. TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**
- 89.17 The commissioner of natural resources must not renew or transfer a turtle seller's license
89.18 after the effective date of this section.
- 89.19 **Sec. 89. SEED DISPOSAL RULEMAKING REQUIRED.**
- 89.20 The commissioner of the Pollution Control Agency, in consultation with the commissioner
89.21 of agriculture and the University of Minnesota, must adopt rules under Minnesota Statutes,
89.22 chapter 14, providing for the safe and lawful disposal of unwanted or unused seed treated
89.23 with neonicotinoid pesticide. The rules must clearly identify the regulatory jurisdiction of
89.24 state agencies and local governments with regard to such seed.

89.25 Sec. 90. **DESIGNATED SWAN RESTING AREAS.**

89.26 Subdivision 1. **Swan resting areas.** The commissioner of natural resources may designate
89.27 waters within Minnesota's swan migration corridor as swan resting areas.

90.1 Subd. 2. **Public notice and meeting.** (a) Before the commissioner designates or removes
90.2 a designation of a swan resting area, public comment must be received and a public meeting
90.3 must be held in the county where the largest portion of the water is located.

90.4 (b) At least 90 days before the public meeting, notice of the proposed designation or
90.5 removal of the designation must be posted at publicly maintained access points on the water.

90.6 (c) Before the public meeting, notice of the meeting must be published in a news release
90.7 issued by the commissioner and in a newspaper of general circulation in the area where the
90.8 proposed swan resting area is located. The notice must be published at least once between
90.9 30 and 60 days before the meeting and at least once between seven and 30 days before the
90.10 meeting.

90.11 (d) The notices required in this subdivision must summarize the proposed action, invite
90.12 public comment, and specify a deadline for receiving public comments. The commissioner
90.13 must send each required notice to persons who have registered their names with the
90.14 commissioner for this purpose. The commissioner must consider any public comments
90.15 received in making a final decision.

90.16 Subd. 3. **Using lead sinkers.** A person may not use lead sinkers on a water designated
90.17 by the commissioner as a swan resting area under subdivision 1. The commissioner must
90.18 maintain a list of swan resting areas and information on the lead sinker restrictions on the
90.19 department's website and in any summary of fishing regulations required under Minnesota
90.20 Statutes, section 97A.051.

90.21 Subd. 4. **Report.** By January 15, 2025, the commissioner of natural resources must
90.22 submit a report to the chairs and ranking minority members of the legislative committees
90.23 and divisions with jurisdiction over the environment and natural resources on the
90.24 implementation of this section and any recommendations.

90.25 Subd. 5. **Sunset.** This section expires January 1, 2026.

90.26 Sec. 91. **SWAN RESTITUTION VALUES; RULE AMENDMENTS.**

90.27 (a) The commissioner of natural resources must amend Minnesota Rules, part 6133.0030,
90.28 to increase the restitution value of a tundra swan from \$200 to \$1,000 and the restitution
90.29 value of a trumpeter swan from \$1,000 to \$2,500.

90.30 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
90.31 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
90.32 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section
90.33 14.388.

91.1 Sec. 92. FEEDLOT FINANCIAL ASSURANCE REQUIREMENTS COMPLIANCE
91.2 SCHEDULE.

91.3 The commissioner of the Pollution Control Agency may phase in the new financial
91.4 assurance requirements under Minnesota Statutes, section 116.07, subdivision 7f, during
91.5 the next reissuance of the National Pollutant Discharge Elimination System General Permit
91.6 for Concentrated Animal Feeding Operations, MNG440000. The commissioner of the
91.7 Pollution Control Agency must establish a schedule for permittees to come into compliance
91.8 with the requirements. The schedule must require 250 permittees per year to comply starting
91.9 with the operations with the largest number of animal units.

91.10 Sec. 93. MANURE STORAGE AREA REPORTS REQUIRED.

91.11 (a) No later than December 15, 2022, the commissioner of the Pollution Control Agency
91.12 must develop a list based on registration data for each county of potentially abandoned
91.13 manure storage areas.

91.14 (b) No later than January 15, 2024, each delegated county must report to the commissioner
91.15 of the Pollution Control Agency a list of abandoned manure storage areas located in the
91.16 county. The report must be submitted by the county feedlot officer.

91.17 (c) No later than January 15, 2024, the Pollution Control Agency regional feedlot staff
91.18 must compile a list of abandoned manure storage areas located in counties under their
91.19 regulatory jurisdiction that do not have delegation agreements with the agency.

91.20 (d) No later than February 15, 2024, the commissioner of the Pollution Control Agency
91.21 must submit a compilation report and list of abandoned manure storage areas to the legislative
91.22 committees with jurisdiction over agriculture and environment. The report must include
91.23 recommendations for remediation. The commissioner must seek advice from the Minnesota
91.24 Association of County Feedlot Officers and livestock associations for recommendations,
91.25 including existing and any proposed options for remediation.

91.26 (e) For purposes of this section, "abandoned manure storage areas" has the meaning
91.27 given in Minnesota Statutes, section 116.07, subdivision 7g.

91.28 (f) Reports and lists required under this section are not feedlot inventories for purposes
91.29 of Minnesota Statutes, section 116.07, subdivision 7b.

92.1 Sec. 94. PETROLEUM TANK RELEASE CLEANUP; REPORT TO
92.2 LEGISLATURE.

92.3 The commissioner of the Pollution Control Agency must perform the duties under clauses
92.4 (1) to (5) with respect to the petroleum tank release cleanup program governed by Minnesota
92.5 Statutes, chapter 115C, and must, no later than January 15, 2023, report the results to the
92.6 chairs and ranking minority members of the senate and house of representatives committees
92.7 with primary jurisdiction over environment policy and finance. The report must include any
92.8 recommendations for legislation. The commissioner must:

- 92.9 (1) explicitly define the conditions that must be present in order for the commissioner
92.10 to classify a site as posing a low potential risk to public health and the environment and
92.11 ensure that all agency staff use the definition in assessing potential risks. In determining
92.12 the conditions that indicate that a site poses a low risk, the commissioner must consider the
92.13 biodegradable nature of the petroleum contaminants found at the site and relevant site
92.14 conditions, including but not limited to the nature of groundwater flow, soil type, and
92.15 proximity of features at or near the site that could potentially become contaminated;
- 92.16 (2) develop guidelines to incorporate consideration of potential future uses of a
92.17 contaminated property into all agency staff decisions regarding site remediation;
- 92.18 (3) develop measurable objectives that allow the quality of the agency's performance in
92.19 remediating petroleum-contaminated properties to be evaluated and conduct such evaluations
92.20 periodically;
- 92.21 (4) in collaboration with the Petroleum Tank Release Compensation Board and the
92.22 commissioner of commerce, examine whether and how to establish technical qualifications
92.23 for consultants hired to remediate petroleum-contaminated properties as a strategy to improve
92.24 the quality of remediation work, and how agencies can share information on consultant
92.25 performance; and
- 92.26 (5) in collaboration with the commissioner of commerce, make consultants who remediate
92.27 petroleum-contaminated sites more accountable for the quality of their work by:
- 92.28 (i) developing a formal system of measures and procedures by which to evaluate the
92.29 work; and
- 92.30 (ii) sharing evaluations with the commissioner of commerce and with responsible parties.
- 92.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 93.1 **Sec. 95. CARPET STEWARDSHIP PROGRAM; REPORT.**
- 93.2 **Subdivision 1. Carpet stewardship program plan.** The commissioner of the Pollution
93.3 Control Agency must develop a plan for establishing a carpet stewardship program designed
93.4 to reduce carpet-related waste generation by promoting the collection and recycling of
93.5 discarded carpet. The plan must include:
- 93.6 (1) an organizational structure for the program, including roles for the state, carpet
93.7 producers, retailers, collection site operators, and recyclers;
- 93.8 (2) a timeline for implementing the program;
- 93.9 (3) a fee structure that ensures the costs of the program are recovered, including
93.10 recommendations for determining the amount, methods of collecting the fee, and how fee
93.11 revenues will be managed;

93.12 (4) a plan for how discarded carpet will be collected and transported to recyclers in this
93.13 state;

93.14 (5) strategies for improving education and training of retailers, carpet installers, and
93.15 collection site operators to improve the recycling rates of carpet; and

93.16 (6) draft legislation necessary for implementing the plan.

93.17 **Subd. 2. Task force; public engagement.** (a) The commissioner must convene a task
93.18 force to assist with developing the plan required under subdivision 1. The task force must
93.19 include:

93.20 (1) one representative of a statewide association representing retailers;

93.21 (2) two representatives of producers;

93.22 (3) two representatives of recyclers;

93.23 (4) one representative of statewide associations representing waste disposal companies;

93.24 (5) one representative of an environmental organization;

93.25 (6) one representative of county or municipal waste management programs;

93.26 (7) two representatives of companies that use discarded carpet to manufacture products
93.27 other than new carpet;

93.28 (8) one representative of carpet installers; and

93.29 (9) two members of the general public.

93.30 (b) Members of the task force must not be registered lobbyists.

94.1 (c) The commissioner must provide opportunities for the public to provide input on the
94.2 program.

94.3 **Subd. 3. Report.** The commissioner must submit a report with the plan required under
94.4 this section to the chairs and ranking minority members of the legislative committees and
94.5 divisions with jurisdiction over the environment by January 15, 2023.

94.14 **ARTICLE 3**

94.15 **FARMED CERVIDAE**

94.16 Section 1. Minnesota Statutes 2020, section 13.643, subdivision 6, is amended to read:

94.17 **Subd. 6. Animal premises data.** (a) Except for farmed Cervidae premises location data
94.18 collected and maintained under section 35.155, the following data collected and maintained
94.19 by the Board of Animal Health related to registration and identification of premises and
94.20 animals under chapter 35, are classified as private or nonpublic:

94.21 (1) the names and addresses;

- 94.22 (2) the location of the premises where animals are kept; and
- 94.23 (3) the identification number of the premises or the animal.
- 94.24 (b) Except as provided in section 347.58, subdivision 5, data collected and maintained
94.25 by the Board of Animal Health under sections 347.57 to 347.64 are classified as private or
94.26 nonpublic.
- 94.27 (c) The Board of Animal Health may disclose data collected under paragraph (a) or (b)
94.28 to any person, agency, or to the public if the board determines that the access will aid in the
94.29 law enforcement process or the protection of public or animal health or safety.
- 95.1 Sec. 2. Minnesota Statutes 2020, section 35.155, subdivision 1, is amended to read:
- 95.2 Subdivision 1. **Running at large prohibited.** (a) An owner may not allow farmed
95.3 Cervidae to run at large. The owner must make all reasonable efforts to return escaped
95.4 farmed Cervidae to their enclosures as soon as possible. The owner must immediately notify
95.5 the commissioner of natural resources of the escape of farmed Cervidae if the farmed
95.6 Cervidae are not returned or captured by the owner within 24 hours of their escape.
- 95.7 (b) An owner is liable for expenses of another person in capturing, caring for, and
95.8 returning farmed Cervidae that have left their enclosures if the person capturing the farmed
95.9 Cervidae contacts the owner as soon as possible.
- 95.10 (c) If an owner is unwilling or unable to capture escaped farmed Cervidae, the
95.11 commissioner of natural resources may destroy the escaped farmed Cervidae. The
95.12 commissioner of natural resources must allow the owner to attempt to capture the escaped
95.13 farmed Cervidae prior to destroying the farmed Cervidae. Farmed Cervidae that are not
95.14 captured by 24 hours after escape may be destroyed.
- 95.15 (d) A hunter licensed by the commissioner of natural resources under chapter 97A may
95.16 kill and possess escaped farmed Cervidae in a lawful manner and is not liable to the owner
95.17 for the loss of the animal.
- 95.18 (e) Escaped farmed Cervidae killed by a hunter or destroyed by the commissioner of
95.19 natural resources must be tested for chronic wasting disease at the owner's expense.
- 95.20 (f) The owner is responsible for proper disposal, as determined by the board, of farmed
95.21 Cervidae that are killed or destroyed under this subdivision and test positive for chronic
95.22 wasting disease.
- 95.23 (g) An owner is liable for any additional costs associated with escaped farmed Cervidae
95.24 that are infected with chronic wasting disease, including the cost of additional surveillance
95.25 and capture caused by the escape. This paragraph may be enforced by the attorney general
95.26 on behalf of any state agency affected.
- 95.27 **EFFECTIVE DATE.** This section is effective September 1, 2022.

95.28 Sec. 3. Minnesota Statutes 2020, section 35.155, subdivision 4, is amended to read:

95.29 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent
95.30 escape. Except as provided in subdivision 4a, all perimeter fences for farmed Cervidae must
95.31 be at least 96 inches in height and be constructed and maintained in a way that prevents the
95.32 escape of farmed Cervidae or, entry into the premises by free-roaming Cervidae, and physical
96.1 contact between farmed Cervidae and free-roaming Cervidae. After July 1, 2019, All new
96.2 fencing installed and all fencing used to repair deficiencies must be high tensile. By
96.3 December 1, 2019, All entry areas for farmed Cervidae enclosure areas must have two
96.4 redundant gates, which must be maintained to prevent the escape of animals through an
96.5 open gate. If a fence deficiency allows entry or exit by farmed or wild Cervidae, the owner
96.6 must repair the deficiency within a reasonable time, as determined by the Board of Animal
96.7 Health, not to exceed 45 14 days. If a fence deficiency is detected during an inspection, the
96.8 facility must be reinspected at least once in the subsequent three months. The farmed
96.9 Cervidae owner must pay a reinspection fee equal to one-half the applicable annual inspection
96.10 fee under subdivision 7a for each reinspection related to a fence violation. If the facility
96.11 experiences more than one escape incident in any six-month period or fails to correct a
96.12 deficiency found during an inspection, the board may revoke the facility's registration and
96.13 order the owner to remove or destroy the animals as directed by the board. If the board
96.14 revokes a facility's registration, the commissioner of natural resources may seize and destroy
96.15 animals at the facility.

96.16 **EFFECTIVE DATE.** This section is effective September 1, 2023.

96.17 Sec. 4. Minnesota Statutes 2020, section 35.155, is amended by adding a subdivision to
96.18 read:

96.19 Subd. 4a. **Fencing; commercial herds.** In addition to the requirements in subdivision
96.20 4, commercially farmed white-tailed deer must be confined by two or more perimeter fences,
96.21 with each perimeter fence at least 120 inches in height.

96.22 **EFFECTIVE DATE.** This section is effective September 1, 2023.

96.23 Sec. 5. Minnesota Statutes 2020, section 35.155, subdivision 6, is amended to read:

96.24 Subd. 6. **Identification.** (a) Farmed Cervidae must be identified by means approved by
96.25 the Board of Animal Health. The identification must include a distinct number that has not
96.26 been used during the previous three years and must be visible to the naked eye during
96.27 daylight under normal conditions at a distance of 50 yards. Within 14 days of birth,
96.28 white-tailed deer must be identified before October 31 of the year in which the animal is
96.29 born, at the time of weaning, or before movement from the premises, whichever occurs first,
96.30 with an ear tag that adheres to the National Uniform Ear-Tagging System (NUES) or the
96.31 Animal Identification Number (AIN) system. Elk and other cervids must be identified by
96.32 December 31 of the year in which the animal is born or before movement from the premises,
97.1 whichever occurs first. As coordinated by the board, the commissioner of natural resources
97.2 may destroy any animal that is not identified as required under this subdivision.

97.3 (b) The Board of Animal Health shall register farmed Cervidae. The owner must submit
97.4 the registration request on forms provided by the board. The forms must include sales
97.5 receipts or other documentation of the origin of the Cervidae. The board must provide copies
97.6 of the registration information to the commissioner of natural resources upon request. The
97.7 owner must keep written records of the acquisition and disposition of registered farmed
97.8 Cervidae.

97.9 **EFFECTIVE DATE.** This section is effective September 1, 2023.

97.10 Sec. 6. Minnesota Statutes 2020, section 35.155, subdivision 10, is amended to read:

97.11 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in
97.12 Minnesota unless the person is registered with the Board of Animal Health and meets all
97.13 the requirements for farmed Cervidae under this section. Cervidae possessed in violation
97.14 of this subdivision may be seized and destroyed by the commissioner of natural resources.

97.15 (b) A person whose registration is revoked by the board is ineligible for future registration
97.16 under this section unless the board determines that the person has undertaken measures that
97.17 make future escapes extremely unlikely.

97.18 (c) The board must not allow new registrations under this section for possessing
97.19 white-tailed deer. This paragraph does not prohibit a person holding a valid registration
97.20 under this subdivision from selling or transferring the person's registration to a family
97.21 member who resides in this state and is related to the person within the third degree of
97.22 kindred according to the rules of civil law. A valid registration may be sold or transferred
97.23 only once under this paragraph. Before the board approves a sale or transfer under this
97.24 paragraph, the board must verify that the herd is free from chronic wasting disease and the
97.25 person or eligible family member must pay a onetime transfer fee of \$500 to the board.

97.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.

97.27 Sec. 7. Minnesota Statutes 2021 Supplement, section 35.155, subdivision 11, is amended
97.28 to read:

97.29 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)
97.30 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
97.31 and filed with the Board of Animal Health every 12 months.

98.1 (b) Movement of farmed Cervidae from any premises to another location must be reported
98.2 to the Board of Animal Health within 14 days of the movement on forms approved by the
98.3 Board of Animal Health. A person must not move farmed white-tailed deer from any premises
98.4 to another location.

98.5 (c) All animals from farmed Cervidae herds that are over ~~12~~ six months of age that die
98.6 or are slaughtered must be tested for chronic wasting disease.

98.7 (d) The owner of a premises where chronic wasting disease is detected must:

- 98.8 (1) allow and cooperate with inspections of the premises as determined by the Board of
98.9 Animal Health and Department of Natural Resources conservation officers and wildlife
98.10 managers;
- 98.11 ~~(2)~~ (2) depopulate the premises of Cervidae after the federal indemnification process
98.12 has been completed or, if an indemnification application is not submitted, within ~~a reasonable~~
98.13 ~~time determined by the board in consultation with the commissioner of natural resources,~~
98.14 30 days;
- 98.15 ~~(3)~~ (3) maintain the fencing required under ~~subdivision~~ subdivisions 4 and 4a on the
98.16 premises for ~~five~~ ten years after the date of detection; ~~and~~
- 98.17 ~~(4)~~ (4) post the fencing on the premises with biohazard signs as directed by the board; ~~;~~
- 98.18 (5) not raise farmed Cervidae on the premises for at least ten years;
- 98.19 (6) before any sale or transfer of the premises, test the soil for evidence of chronic wasting
98.20 disease using a method approved by the board and report the results to the board; and
- 98.21 (7) record with the county recorder or registrar of titles a notice, in the form required by
98.22 the board, that includes the location and legal description of the premises, the date of
98.23 detection, the date of depopulation, the landowner requirements under this paragraph, and
98.24 any other information required by the board.
- 98.25 (e) An owner of farmed Cervidae that test positive for chronic wasting disease is
98.26 responsible for proper disposal of the animals, as determined by the board.
- 98.27 Sec. 8. Minnesota Statutes 2020, section 35.155, subdivision 12, is amended to read:
- 98.28 Subd. 12. **Importation.** (a) A person must not import live Cervidae or Cervidae semen
98.29 into the state from a herd that is:
- 98.30 (1) infected with or has been exposed to chronic wasting disease; or
- 99.1 (2) from a ~~known~~ state or province where chronic wasting disease ~~endemic area, as~~
99.2 ~~determined by the board~~ is present in farmed or wild Cervidae populations.
- 99.3 (b) A person may import live Cervidae or Cervidae semen into the state only from a
99.4 herd that:
- 99.5 (1) is not ~~in a known~~ located in a state or province where chronic wasting disease ~~endemic~~
99.6 ~~area, as determined by the board,~~ is present in farmed or wild Cervidae populations; and
99.7 ~~the herd~~
- 99.8 (2) has been subject to a ~~state or provincial approved~~ state- or provincial-approved
99.9 chronic wasting disease monitoring program for at least three years.
- 99.10 (c) Cervidae or Cervidae semen imported in violation of this section may be seized and
99.11 destroyed by the commissioner of natural resources.

99.12 **Sec. 9. WHITE-TAILED DEER TESTING REQUIRED; CHRONIC WASTING**
99.13 **DISEASE.**

99.14 **Subdivision 1. Live-animal testing.** No later than December 31, 2022, an owner of
99.15 farmed white-tailed deer registered with the Board of Animal Health under Minnesota
99.16 Statutes, section 35.155, must have each farmed white-tailed deer tested for chronic wasting
99.17 disease using a real-time quaking-induced conversion (RT-QuIC) test and report the results
99.18 to the Board of Animal Health in the form required by the board. If a white-tailed deer tests
99.19 positive, the owner must have the animal tested a second time using an RT-QuIC test.

99.20 **Subd. 2. Postmortem testing.** If a farmed white-tailed deer tests positive twice under
99.21 subdivision 1, the owner must have the animal destroyed and tested for chronic wasting
99.22 disease using a postmortem test approved by the Board of Animal Health.

99.23 **Subd. 3. Herd depopulation.** If a farmed white-tailed deer tests positive for chronic
99.24 wasting disease under subdivision 2, the owner must depopulate the premises of farmed
99.25 Cervidae as required under Minnesota Statutes, section 35.155.

99.26 **Sec. 10. TRANSFER OF DUTIES; FARMED CERVIDAE.**

99.27 **(a)** Except as provided in paragraph (b), the responsibilities for administering and
99.28 enforcing the statutes and rules listed in clauses (1) and (2) are transferred pursuant to
99.29 Minnesota Statutes, section 15.039, from the Board of Animal Health to the commissioner
99.30 of natural resources:

99.31 (1) Minnesota Statutes, sections 35.153 and 35.155; and

100.1 (2) Minnesota Rules, parts 1721.0370 to 1721.0420.

100.2 **(b)** Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, the transfer of
100.3 personnel will not take place. The commissioner of natural resources may contract with the
100.4 Board of Animal Health for any veterinary services required to administer this program.

100.5 **EFFECTIVE DATE.** This section is effective July 1, 2024.

100.6 **Sec. 11. REVISOR INSTRUCTION.**

100.7 The revisor of statutes must recodify the relevant sections in Minnesota Statutes, chapter
100.8 35, and Minnesota Rules, chapter 1721, as necessary to conform with section 10. The revisor
100.9 must also change the responsible agency, remove obsolete language, and make necessary
100.10 cross-reference changes consistent with section 10 and the renumbering.

100.11

ARTICLE 4

100.12

POLLUTION CONTROL; PFAS

100.13 Section 1. **[116.943] PFAS IN CARPETS AND TEXTILES.**

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

100.16 (1) "carpet or rug" means a fabric marketed or intended for use as a floor covering;

100.17 (2) "fabric treatment" means a substance applied to fabric to give the fabric one or more
100.18 characteristics, including but not limited to stain resistance or water resistance;

100.19 (3) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
100.20 include any member of the class of fluorinated organic chemicals containing at least one
100.21 fully fluorinated carbon atom;

100.22 (4) "upholstered furniture" means an article of furniture that is designed to be used for
100.23 sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling
100.24 material;

100.25 (5) "textile" means an item made in whole or part from a natural or synthetic fiber, yarn,
100.26 or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, nylon,
100.27 and polyester; and

100.28 (6) "textile furnishings" means textile goods of a type customarily used in households
100.29 and businesses, including but not limited to draperies, floor coverings, furnishings, beddings,
100.30 towels, and tablecloths.

101.1 Subd. 2. **Prohibition.** (a) A person must not manufacture, sell, offer to sell, or distribute
101.2 for sale in the state any of the following that contains perfluoroalkyl and polyfluoroalkyl
101.3 substances:

101.4 (1) a carpet or rug;

101.5 (2) a fabric treatment;

101.6 (3) upholstered furniture; or

101.7 (4) textile furnishings.

101.8 (b) This subdivision does not apply to sale or resale of used products.

101.9 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
101.10 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
101.11 with the commissioners of commerce and health in enforcing this section.

- 101.12 (b) When requested by the commissioner of the Pollution Control Agency, a person
101.13 must furnish to the commissioner any information that the person may have or may
101.14 reasonably obtain that is relevant to show compliance with this section.
- 101.15 **EFFECTIVE DATE.** This section is effective January 1, 2025.
- 101.16 Sec. 2. **[116.944] PFAS IN COOKWARE.**
- 101.17 **Subdivision 1. Definitions.** For purposes of this section, the following terms have the
101.18 meanings given:
- 101.19 (1) "cookware" means durable houseware items that are used in homes and restaurants
101.20 to prepare, dispense, or store food, foodstuffs, or beverages. Cookware includes pots, pans,
101.21 skillets, grills, baking sheets, baking molds, trays, bowls, and cooking utensils; and
- 101.22 (2) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
101.23 include any member of the class of fluorinated organic chemicals containing at least one
101.24 fully fluorinated carbon atom.
- 101.25 **Subd. 2. Prohibition.** (a) A person must not manufacture, distribute, sell, or offer for
101.26 sale in the state any cookware that contains perfluoroalkyl and polyfluoroalkyl substances.
- 101.27 (b) This subdivision does not apply to the sale or resale of used products.
- 101.28 **Subd. 3. Enforcement.** (a) The commissioner of the Pollution Control Agency may
101.29 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
101.30 with the commissioners of commerce and health in enforcing this section.
- 102.1 (b) When requested by the commissioner of the Pollution Control Agency, a person
102.2 must furnish to the commissioner any information that the person may have or may
102.3 reasonably obtain that is relevant to show compliance with this section.
- 102.4 **EFFECTIVE DATE.** This section is effective January 1, 2025.
- 102.5 Sec. 3. **[116.945] PFAS IN COSMETICS.**
- 102.6 **Subdivision 1. Definitions.** For purposes of this section, the following terms have the
102.7 meanings given:
- 102.8 (1) "cosmetic product" means an article intended to be applied to the human body for
102.9 cleansing, beautifying, promoting attractiveness, or altering appearance. Cosmetic product
102.10 does not include a product for which a prescription is required for distribution or dispensing;
102.11 and
- 102.12 (2) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
102.13 include any member of the class of fluorinated organic chemicals containing at least one
102.14 fully fluorinated carbon atom.

- 102.15 Subd. 2. **Prohibition.** A person must not manufacture, distribute, sell, or offer for sale
102.16 in the state any cosmetic product that contains perfluoroalkyl and polyfluoroalkyl substances.
- 102.17 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
102.18 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
102.19 with the commissioners of commerce and health in enforcing this section.
- 102.20 (b) When requested by the commissioner of the Pollution Control Agency, a person
102.21 must furnish to the commissioner any information that the person may have or may
102.22 reasonably obtain that is relevant to show compliance with this section.
- 102.23 **EFFECTIVE DATE.** This section is effective January 1, 2025.
- 102.24 Sec. 4. **[116.946] PFAS IN JUVENILE PRODUCTS.**
- 102.25 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
102.26 meanings given:
- 102.27 (1) "adult mattress" means a mattress other than a crib mattress or toddler mattress;
- 102.28 (2) "juvenile product" means a product designed or marketed for use by infants and
102.29 children under 12 years of age:
- 103.1 (i) including but not limited to a baby or toddler foam pillow; bassinet; bedside sleeper;
103.2 booster seat; changing pad; child restraint system for use in motor vehicles and aircraft;
103.3 co-sleeper; crib mattress; highchair; highchair pad; infant bouncer; infant carrier; infant
103.4 seat; infant sleep positioner; infant swing; infant travel bed; infant walker; nap cot; nursing
103.5 pad; nursing pillow; play mat; playpen; play yard; polyurethane foam mat, pad, or pillow;
103.6 portable foam nap mat; portable infant sleeper; portable hook-on chair; soft-sided portable
103.7 crib; stroller; and toddler mattress; and
- 103.8 (ii) not including a children's electronic product such as a personal computer, audio and
103.9 video equipment, calculator, wireless phone, game console, handheld device incorporating
103.10 a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit,
103.11 or power cord; a medical device; or an adult mattress;
- 103.12 (3) "medical device" has the meaning given "device" under United States Code, title 21,
103.13 section 321, subsection (h); and
- 103.14 (4) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
103.15 include any member of the class of fluorinated organic chemicals containing at least one
103.16 fully fluorinated carbon atom.
- 103.17 Subd. 2. **Prohibition.** (a) A person must not manufacture, sell, offer for sale, or distribute
103.18 in commerce in the state any new juvenile product that contains perfluoroalkyl and
103.19 polyfluoroalkyl substances.
- 103.20 (b) This subdivision does not apply to sale or resale of used juvenile products.

- 103.21 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
103.22 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
103.23 with the commissioners of commerce and health in enforcing this section.
- 103.24 (b) When requested by the commissioner of the Pollution Control Agency, a person
103.25 must furnish to the commissioner any information that the person may have or may
103.26 reasonably obtain that is relevant to show compliance with this section.
- 103.27 **EFFECTIVE DATE.** This section is effective January 1, 2025.
- 103.28 Sec. 5. **[116.947] PFAS IN SKI WAX.**
- 103.29 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
103.30 meanings given:
- 104.1 (1) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
104.2 include any member of the class of fluorinated organic chemicals containing at least one
104.3 fully fluorinated carbon atom; and
- 104.4 (2) "ski wax" means a lubricant applied to the bottom of snow runners, including skis
104.5 and snowboards, to improve their grip and glide properties.
- 104.6 Subd. 2. **Prohibition.** (a) A person must not manufacture, distribute, sell, or offer for
104.7 sale in the state ski wax or a related tuning product that contains perfluoroalkyl and
104.8 polyfluoroalkyl substances.
- 104.9 (b) This subdivision does not apply to the sale or resale of used products.
- 104.10 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
104.11 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
104.12 with the commissioners of commerce and health in enforcing this section.
- 104.13 (b) When requested by the commissioner of the Pollution Control Agency, a person
104.14 must furnish to the commissioner any information that the person may have or may
104.15 reasonably obtain that is relevant to show compliance with this section.
- 104.16 **EFFECTIVE DATE.** This section is effective January 1, 2025.
- 104.17 Sec. 6. **[116.948] DISCLOSURE OF PFAS IN PRODUCTS.**
- 104.18 Subdivision 1. **Definitions.** For purposes of this section, the following terms have the
104.19 meanings given:
- 104.20 (1) "commissioner" means the commissioner of the Pollution Control Agency;
- 104.21 (2) "intentionally added PFAS" means PFAS that a manufacturer intentionally adds to
104.22 a product and that have a functional or technical effect in the product, including the PFAS
104.23 components of intentionally added chemicals and PFAS that are intentional breakdown
104.24 products of an added chemical that also have a functional or technical effect in the product;

- 104.25 (3) "manufacturer" means the person that manufactures a product or whose brand name
104.26 is affixed to the product. In the case of a product imported into the United States,
104.27 manufacturer includes the importer or first domestic distributor of the product if the person
104.28 that manufactured or assembled the product or whose brand name is affixed to the product
104.29 does not have a presence in the United States;
- 104.30 (4) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that
104.31 include any member of the class of fluorinated organic chemicals containing at least one
104.32 fully fluorinated carbon atom;
- 105.1 (5) "product" means an item manufactured, assembled, packaged, or otherwise prepared
105.2 for sale to consumers, including the product components, sold or distributed for personal,
105.3 residential, commercial, or industrial use, including for use in making other products. Product
105.4 does not mean used products offered for sale or resale; and
- 105.5 (6) "product component" means an identifiable component of a product, regardless of
105.6 whether the manufacturer of the product is the manufacturer of the component.
- 105.7 Subd. 2. **Notice required.** (a) Except as provided under subdivision 3 and rules adopted
105.8 under subdivision 4, a manufacturer of a product for sale in the state that contains
105.9 intentionally added PFAS must submit to the commissioner a written notice that includes:
- 105.10 (1) a brief description of the product;
- 105.11 (2) the function served by PFAS in the product, including in any product components;
- 105.12 (3) the amount of each of the PFAS, identified by its Chemical Abstracts Service Registry
105.13 number, in the product, reported as an exact quantity determined using commercially
105.14 available analytical methods or as falling within a range approved for reporting purposes
105.15 by the commissioner;
- 105.16 (4) the name and address of the manufacturer and the name, address, and telephone
105.17 number of a contact person for the manufacturer; and
- 105.18 (5) any other information, as required by rule adopted by the commissioner, necessary
105.19 to implement this section.
- 105.20 (b) This subdivision does not apply to the sale or resale of used products.
- 105.21 (c) For products containing intentionally added PFAS that are sold, offered for sale, or
105.22 distributed in the state as of the effective date of this subdivision, a manufacturer must
105.23 submit the notice required under paragraph (a) to the commissioner before April 1, 2025.
105.24 For products containing intentionally added PFAS that are first sold, offered for sale, or
105.25 distributed in the state after the effective date of this subdivision, a manufacturer must
105.26 submit the notice required under paragraph (a) to the commissioner no later than 30 days
105.27 before the initial sale, offer for sale, or distribution of the products in the state.

- 105.28 Subd. 3. **Commissioner's authority.** (a) The commissioner may waive all or part of the
105.29 notice requirement under subdivision 2 if the commissioner determines that substantially
105.30 equivalent information is already publicly available.
- 106.1 (b) The commissioner may enter into an agreement with one or more other states or
106.2 political subdivisions of a state to collect notices and may accept notices to a shared system
106.3 as meeting the notice requirement under subdivision 2.
- 106.4 (c) The commissioner may extend the deadline for a manufacturer to submit the notice
106.5 under subdivision 2 if the commissioner determines that more time is needed by the
106.6 manufacturer to comply.
- 106.7 Subd. 4. **Rulemaking.** The commissioner must adopt rules to implement this section.
106.8 The rules:
- 106.9 (1) may prioritize products subject to subdivision 2 based on the products that, in the
106.10 commissioner's judgment, are most likely to cause contamination of the state's land or water
106.11 resources;
- 106.12 (2) may allow a manufacturer to supply the notice under subdivision 2 for a category or
106.13 type of product rather than for each individual product;
- 106.14 (3) must require a manufacturer to update and revise the information required in the
106.15 notice under subdivision 2 when there is a substantive change in the information; and
- 106.16 (4) notwithstanding section 16A.1283, may establish a fee to be paid by a manufacturer
106.17 upon submitting the notice under subdivision 2 to cover the commissioner's reasonable costs
106.18 in developing rules to implement this section. The fees may be based on the volume of
106.19 PFAS, volume of sales, or type of PFAS.
- 106.20 **EFFECTIVE DATE.** Subdivisions 1, 3, and 4 are effective the day following final
106.21 enactment. Subdivision 2 is effective January 1, 2025.
- 106.22 Sec. 7. Minnesota Statutes 2020, section 325E.046, is amended to read:
- 106.23 **325E.046 STANDARDS FOR LABELING PLASTIC BAGS, FOOD OR**
106.24 **BEVERAGE PRODUCTS, AND PACKAGING.**
- 106.25 Subdivision 1. **"Biodegradable" label.** A manufacturer, distributor, or wholesaler may
106.26 not sell or offer for sale and any other person may not knowingly sell or offer for sale in
106.27 this state a plastic bag covered product labeled "biodegradable," "degradable,"
106.28 "decomposable," or any form of those terms, or in any way imply that the bag covered
106.29 product will chemically decompose into innocuous elements in a reasonably short period
106.30 of time in a landfill, composting, or other terrestrial environment unless a scientifically
106.31 based standard for biodegradability is developed and the bags are certified as meeting the
106.32 standard. break down, fragment, degrade, biodegrade, or decompose in a landfill or other

- 107.1 environment, unless an ASTM standard specification is adopted for the term claimed and
107.2 the specification is approved by the legislature.
- 107.3 Subd. 2. **"Compostable" label.** (a) A manufacturer, distributor, or wholesaler may not
107.4 sell or offer for sale and any other person may not knowingly sell or offer for sale in this
107.5 state a ~~plastic bag~~ covered product labeled "compostable" unless, at the time of sale or offer
107.6 for sale, the ~~bag~~ covered product:
- 107.7 (1) meets the ASTM Standard Specification for ~~Compostable~~ Labeling of Plastics
107.8 Designed to be Aerobically Composted in Municipal or Industrial Facilities (D6400). ~~Each~~
107.9 ~~bag must be labeled to reflect that it meets the standard. For purposes of this subdivision,~~
107.10 "ASTM" has the meaning given in section 296A.01, subdivision 6, or its successor, or the
107.11 ASTM Standard Specification for Labeling of End Items that Incorporate Plastics and
107.12 Polymers as Coatings or Additives with Paper and Other Substrates Designed to be
107.13 Aerobically Composted in Municipal or Industrial Facilities (D6868), or its successor, and
107.14 the covered product is labeled to reflect that it meets the specification;
- 107.15 (2) is comprised of only wood without any coatings or additives; or
- 107.16 (3) is comprised of only paper without any coatings or additives.
- 107.17 (b) A covered product labeled "compostable" and meeting the criteria under paragraph
107.18 (a) must be clearly and prominently labeled on the product, or on the product's smallest unit
107.19 of sale, to reflect that it is intended for an industrial or commercial compost facility. The
107.20 label required under this paragraph must be in a legible text size and font.
- 107.21 Subd. 2a. **Certification of compostable products.** Beginning January 1, 2024, a
107.22 manufacturer, distributor, or wholesaler may not sell or offer for sale and any other person
107.23 may not knowingly sell or offer for sale in this state a covered product labeled as
107.24 "compostable" unless the covered product is certified as meeting the requirements of
107.25 subdivision 2 by an entity that:
- 107.26 (1) is a nonprofit corporation;
- 107.27 (2) as its primary focus of operation, promotes the production, use, and appropriate end
107.28 of life for materials and products that are designed to fully biodegrade in specific biologically
107.29 active environments such as industrial composting; and
- 107.30 (3) is technically capable of and willing to perform analysis necessary to determine a
107.31 product's compliance with subdivision 2.
- 107.32 Subd. 3. **Enforcement; civil penalty; injunctive relief.** (a) A ~~manufacturer, distributor,~~
107.33 ~~or wholesaler~~ person who violates subdivision 1 or 2 this section is subject to a civil or
108.1 administrative penalty of \$100 for each prepackaged saleable unit sold or offered for sale
108.2 up to a maximum of \$5,000 and may be enjoined from those violations.
- 108.3 (b) The attorney general may bring an action in the name of the state in a court of
108.4 competent jurisdiction for recovery of civil penalties or for injunctive relief as provided in

- 108.5 this subdivision. The attorney general may accept an assurance of discontinuance of acts
108.6 in violation of ~~subdivision 1 or 2~~ this section in the manner provided in section 8.31,
108.7 subdivision 2b.
- 108.8 (c) The commissioner of the Pollution Control Agency may enforce this section under
108.9 sections 115.071 and 116.072.
- 108.10 (d) When requested by the attorney general or the commissioner of the Pollution Control
108.11 Agency, a person selling or offering for sale a covered product labeled as "compostable"
108.12 must furnish to the attorney general or the commissioner any information that the person
108.13 may have or may reasonably obtain that is relevant to show compliance with this section.
- 108.14 Subd. 4. **Definitions.** For purposes of this section, the following terms have the meanings
108.15 given:
- 108.16 (1) "ASTM" has the meaning given in section 296A.01, subdivision 6;
- 108.17 (2) "covered product" means a bag, food or beverage product, or packaging;
- 108.18 (3) "food or beverage product" means a product that is used to wrap, package, contain,
108.19 serve, store, prepare, or consume a food or beverage, such as plates, bowls, cups, lids, trays,
108.20 straws, utensils, and hinged or lidded containers; and
- 108.21 (4) "packaging" has the meaning given in section 115A.03, subdivision 22b.
- 108.22 **EFFECTIVE DATE.** This section is effective January 1, 2024.
- 108.23 Sec. 8. Minnesota Statutes 2020, section 325F.072, subdivision 1, is amended to read:
- 108.24 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following terms have
108.25 the meanings given.
- 108.26 (b) "Class B firefighting foam" means foam designed for flammable liquid fires to
108.27 prevent or extinguish a fire in flammable liquids, combustible liquids, petroleum greases,
108.28 tars, oils, oil-based paints, solvents, lacquers, alcohols, and flammable gases.
- 108.29 (c) "PFAS chemicals" or "perfluoroalkyl and polyfluoroalkyl substances" means, for
108.30 the purposes of firefighting agents, a class of fluorinated organic chemicals containing at
109.1 least one fully fluorinated carbon atom and designed to be fully functional in class B
109.2 firefighting foam formulations.
- 109.3 (d) "Political subdivision" means a county, city, town, or a metropolitan airports
109.4 commission organized and existing under sections 473.601 to 473.679.
- 109.5 (e) "State agency" means an agency as defined in section 16B.01, subdivision 2.
- 109.6 (f) "Testing" means calibration testing, conformance testing, and fixed system testing.

109.7 Sec. 9. Minnesota Statutes 2020, section 325F.072, subdivision 3, is amended to read:

109.8 Subd. 3. **Prohibition of testing and training.** (a) ~~Beginning July 1, 2020,~~ No person,
109.9 political subdivision, or state agency shall ~~discharge class B firefighting foam that contains~~
109.10 ~~intentionally added~~ manufacture or knowingly sell, offer for sale, distribute for sale, or
109.11 distribute for use in this state, and no person shall use in this state, class B firefighting foam
109.12 containing PFAS chemicals.

109.13 (1) ~~for testing purposes, unless the testing facility has implemented appropriate~~
109.14 ~~containment, treatment, and disposal measures to prevent releases of foam to the environment;~~
109.15 ~~or~~

109.16 (2) ~~for training purposes, unless otherwise required by law, and with the condition that~~
109.17 ~~the training event has implemented appropriate containment, treatment, and disposal measures~~
109.18 ~~to prevent releases of foam to the environment. For training purposes, class B foam that~~
109.19 ~~contains intentionally added PFAS chemicals shall not be used.~~

109.20 (b) ~~This section does not restrict:~~

109.21 (1) ~~the manufacture, sale, or distribution of class B firefighting foam that contains~~
109.22 ~~intentionally added PFAS chemicals; or~~

109.23 (2) ~~the discharge or other use of class B firefighting foams that contain intentionally~~
109.24 ~~added PFAS chemicals in emergency firefighting or fire prevention operations.~~

109.25 (b) This subdivision does not apply to the manufacture, sale, distribution, or use of class
109.26 B firefighting foam for which the inclusion of PFAS chemicals is required by federal law,
109.27 including but not limited to Code of Federal Regulations, title 14, section 139.317. If a
109.28 federal requirement to include PFAS chemicals in class B firefighting foam is revoked after
109.29 January 1, 2023, class B firefighting foam subject to the revoked requirements is no longer
109.30 exempt under this paragraph effective one year following the day of revocation.

109.31 **EFFECTIVE DATE.** This section is effective January 1, 2023.

110.1 Sec. 10. **PFAS WATER QUALITY STANDARDS.**

110.2 The commissioner of the Pollution Control Agency must adopt rules establishing water
110.3 quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid
110.4 (PFOS). The commissioner must adopt the rules establishing the PFOA and PFOS water
110.5 quality standards by July 1, 2025, and Minnesota Statutes, section 14.125, does not apply.

110.6 Sec. 11. **HEALTH RISK LIMIT; PERFLUOROCTANE SULFONATE.**

110.7 By July 1, 2024, the commissioner of health must amend the health risk limit for
110.8 perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that
110.9 the health risk limit does not exceed 0.015 parts per billion. In amending the health risk
110.10 limit for PFOS, the commissioner must comply with Minnesota Statutes, section 144.0751,

- 110.11 requiring a reasonable margin of safety to adequately protect the health of infants, children,
- 110.12 and adults.