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37.19 **ENVIRONMENT AND NATURAL RESOURCES POLICY**

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STATE LANDS

37.20 Section 1. **[11A.236] ACCOUNT TO INVEST FINANCIAL ASSURANCE MONEY**

37.21 **FROM PERMITS TO MINE.**

37.22 Subdivision 1. **Establishment; appropriation.** (a) The State Board of Investment, when
37.23 requested by the commissioner of natural resources, may invest money collected by the
37.24 commissioner as part of financial assurance provided under a permit to mine issued under
37.25 chapter 93. The State Board of Investment may establish one or more accounts into which
37.26 money may be deposited for the purposes of this section, subject to the policies and
37.27 procedures of the State Board of Investment. Use of any money in the account is restricted
37.28 to the financial assurance purposes identified in sections 93.46 to 93.51 and rules adopted
37.29 thereunder and as authorized under any trust fund agreements or other conditions established
37.30 under a permit to mine.

38.1 (b) Money in an account established under paragraph (a) is appropriated to the
38.2 commissioner for the purposes for which the account is established under this section.

38.3 Subd. 2. **Account maintenance and investment.** The commissioner of natural resources
38.4 may deposit money in the appropriate account and may withdraw money from the appropriate
38.5 account for the financial assurance purposes identified in sections 93.46 to 93.51 and rules
38.6 adopted thereunder and as authorized under any trust fund agreements or other conditions
38.7 established under the permit to mine for which the financial assurance is provided, subject
38.8 to the policies and procedures of the State Board of Investment. Investment strategies related
38.9 to an account established under this section must be determined jointly by the commissioner
38.10 of natural resources and the executive director of the State Board of Investment. The
38.11 authorized investments for an account are the investments authorized under section 11A.24
38.12 that are made available for investment by the State Board of Investment. Investment
38.13 transactions must be at a time and in a manner determined by the executive director of the
38.14 State Board of Investment. Decisions to withdraw money from the account must be
38.15 determined by the commissioner of natural resources, subject to the policies and procedures
38.16 of the State Board of Investment. Investment earnings must be credited to the appropriate
38.17 account for financial assurance under the identified permit to mine. An account may be

38.18 terminated by the commissioner of natural resources at any time, so long as the termination
38.19 is in accordance with applicable statutes, rules, trust fund agreements, or other conditions
38.20 established under the permit to mine, subject to the policies and procedures of the State
38.21 Board of Investment.

132.9 Section 1. Minnesota Statutes 2020, section 16A.151, subdivision 2, is amended to read:

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

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

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

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

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

132.29 (f) Any money received by the state resulting from a settlement agreement or an assurance
132.30 of discontinuance entered into by the attorney general of the state, or a court order in litigation
132.31 brought by the attorney general of the state, on behalf of the state or a state agency, against
132.32 one or more opioid manufacturers or opioid wholesale drug distributors related to alleged
133.1 violations of consumer fraud laws in the marketing, sale, or distribution of opioids in this
133.2 state or other alleged illegal actions that contributed to the excessive use of opioids, must
133.3 be deposited in a separate account in the state treasury and the commissioner shall notify
133.4 the chairs and ranking minority members of the Finance Committee in the senate and the
133.5 Ways and Means Committee in the house of representatives that an account has been created.
133.6 This paragraph does not apply to attorney fees and costs awarded to the state or the Attorney
133.7 General's Office, to contract attorneys hired by the state or Attorney General's Office, or to
133.8 other state agency attorneys. If the licensing fees under section 151.065, subdivision 1,
133.9 clause (16), and subdivision 3, clause (14), are reduced and the registration fee under section
133.10 151.066, subdivision 3, is repealed in accordance with section 256.043, subdivision 4, then

133.11 the commissioner shall transfer from the separate account created in this paragraph to the
133.12 opiate epidemic response fund under section 256.043 an amount that ensures that \$20,940,000
133.13 each fiscal year is available for distribution in accordance with section 256.043, subdivisions
133.14 2 and 3.

133.15 (g) If the Minnesota Pollution Control Agency recovers \$250,000 or more in litigation
133.16 or in settlement of a matter that could have resulted in litigation for a civil penalty from
133.17 violations of a permit issued by the Minnesota Pollution Control Agency, then 40 percent
133.18 of the money recovered must be distributed to the community health board, as defined in
133.19 section 145A.02, where the permitted facility is located. The commissioner of the Minnesota
133.20 Pollution Control Agency must notify the applicable community health board within 30
133.21 days of a final court order in the litigation or the effective date of the settlement agreement
133.22 that the litigation has concluded or a settlement has been reached. The commissioner of the
133.23 Minnesota Pollution Control Agency must collect the money and transfer it to the applicable
133.24 community health board. The community health board must meet directly with the residents
133.25 potentially affected by the pollution that was the subject of the litigation or settlement to
133.26 understand the residents' concerns and incorporate those concerns into a project that addresses
133.27 residents' health concerns resulting from their exposure to pollution. The project must be
133.28 implemented by the community health board and funded as directed in this paragraph. The
133.29 Department of Health shall assist the community health board with project development
133.30 and implementation, if requested by the community health board. The community health
133.31 board may use up to five percent of the funds transferred to it under this paragraph for the
133.32 reasonable direct costs it incurs to administer the provisions of this paragraph and for
133.33 assistance from the Department of Health under this paragraph. This paragraph directs the
133.34 transfer and use of money only and does not create a right of intervention in the litigation
133.35 or settlement of the enforcement action for any person or entity.

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

177.7 Section 1. Minnesota Statutes 2020, section 16B.335, subdivision 2, is amended to read:

177.8 Subd. 2. **Other projects.** All other capital projects for which a specific appropriation is
177.9 made must not proceed until the recipient undertaking the project has notified the chairs
177.10 and ranking minority members of the senate Capital Investment and Finance Committees
177.11 and the house of representatives Capital Investment and Ways and Means Committees that
177.12 the work is ready to begin. Notice is not required for:

177.13 (1) capital projects needed to comply with the Americans with Disabilities Act, for;
177.14 (2) asset preservation projects to which section 16B.307 applies, or for;
177.15 (3) projects funded by an agency's operating budget; or
177.16 (4) projects funded by a capital asset preservation and replacement account under section
177.17 16A.632, or a higher education asset preservation and replacement account under section

38.22 Sec. 2. Minnesota Statutes 2020, section 17.4982, subdivision 6, is amended to read:

38.23 **Subd. 6. Certifiable diseases.** "Certifiable diseases" includes any of the following
 38.24 expressed as clinical symptoms or based on the presence of the pathogen: channel catfish
virus, *Renibacterium salmoninarum* (bacterial kidney disease), *Aeromonas salmonicida*
(bacterial furunculosis), *Yersinia ruckeri* (enteric redmouth disease), *Edwardsiella ictaluri*
(enteric septicemia of catfish), infectious hematopoietic necrosis virus, infectious pancreatic
necrosis virus, *Myxobolus cerebralis* (whirling disease), *Tetracapsuloides bryosalmonae*
(proliferative kidney disease), viral hemorrhagic septicemia virus, epizootic epitheliotropic
virus, *Ceratomyxa shasta* (ceratomyxosis), and any emergency fish disease.

38.31 Sec. 3. Minnesota Statutes 2020, section 17.4982, subdivision 8, is amended to read:

38.32 **Subd. 8. Containment facility.** "Containment facility" means a licensed facility for
 38.33 salmonids, catfish, or species on the viral hemorrhagic septicemia (VHS) susceptible list
published by the United States Department of Agriculture, Animal and Plant Health
Inspection Services, VHS-susceptible-species list that complies with clauses (1), (3), and
 39.1 (4), or clauses (2), (3), and (4):

39.4 (1) disinfects its effluent to the standards in section 17.4991 before the effluent is
 39.5 discharged to public waters;

39.6 (2) does not discharge to public waters or to waters of the state directly connected to
 39.7 public waters;

39.8 (3) raises aquatic life that is prohibited from being released into the wild and must be
 39.9 kept in a facility approved by the commissioner unless processed for food consumption;

39.10 (4) contains aquatic life requiring a fish health inspection prior to transportation.

39.11 Sec. 4. Minnesota Statutes 2020, section 17.4982, subdivision 9, is amended to read:

39.12 **Subd. 9. Emergency fish disease.** "Emergency fish disease" means designated fish
 39.13 diseases or pathogens not already present in this state that could impact populations of
 39.14 aquatic life if inadvertently released by infected aquatic life, including channel catfish virus,
 39.15 viral hemorrhagic septicemia virus, infectious hematopoietic necrosis virus, infectious
 39.16 pancreatic necrosis virus, whirling disease, ceratomyxosis, proliferative kidney disease, and
 39.17 epizootic epitheliotropic virus disease.

39.18 Sec. 5. Minnesota Statutes 2020, section 17.4982, subdivision 12, is amended to read:

39.19 **Subd. 12. Fish health inspection.** (a) "Fish health inspection" means an on-site,
 39.20 statistically based sampling, collection, and testing of fish in accordance with processes in
 39.21 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases, published
 39.22 by the International Office of Epizootics (OIE) to test for causative pathogens. The samples

177.18 135A.046, or a natural resources asset preservation and replacement account under section
 177.19 84.946.

177.20 Sec. 2. Minnesota Statutes 2020, section 17.4982, subdivision 6, is amended to read:

177.21 **Subd. 6. Certifiable diseases.** "Certifiable diseases" includes any of the following
 177.22 expressed as clinical symptoms or based on the presence of the pathogen: channel catfish
virus, *Renibacterium salmoninarum* (bacterial kidney disease), *Aeromonas salmonicida*
(bacterial furunculosis), *Yersinia ruckeri* (enteric redmouth disease), *Edwardsiella ictaluri*
(enteric septicemia of catfish), infectious hematopoietic necrosis virus, infectious pancreatic
necrosis virus, *Myxobolus cerebralis* (whirling disease), *Tetracapsuloides bryosalmonae*
(proliferative kidney disease), viral hemorrhagic septicemia virus, epizootic epitheliotropic
virus, *Ceratomyxa shasta* (ceratomyxosis), and any emergency fish disease.

178.1 Sec. 3. Minnesota Statutes 2020, section 17.4982, subdivision 8, is amended to read:

178.2 **Subd. 8. Containment facility.** "Containment facility" means a licensed facility for
 178.3 salmonids, catfish, or species on the viral hemorrhagic septicemia (VHS) susceptible list
published by the United States Department of Agriculture, Animal and Plant Health
Inspection Services, VHS-susceptible-species list that complies with clauses (1), (3), and
 178.5 (4), or clauses (2), (3), and (4):

178.7 (1) disinfects its effluent to the standards in section 17.4991 before the effluent is
 178.8 discharged to public waters;

178.9 (2) does not discharge to public waters or to waters of the state directly connected to
 178.10 public waters;

178.11 (3) raises aquatic life that is prohibited from being released into the wild and must be
 178.12 kept in a facility approved by the commissioner unless processed for food consumption;

178.13 (4) contains aquatic life requiring a fish health inspection prior to transportation.

178.14 Sec. 4. Minnesota Statutes 2020, section 17.4982, subdivision 9, is amended to read:

178.15 **Subd. 9. Emergency fish disease.** "Emergency fish disease" means designated fish
 178.16 diseases or pathogens not already present in this state that could impact populations of
 178.17 aquatic life if inadvertently released by infected aquatic life, including channel catfish virus,
 178.18 viral hemorrhagic septicemia virus, infectious hematopoietic necrosis virus, infectious
 178.19 pancreatic necrosis virus, whirling disease, ceratomyxosis, proliferative kidney disease, and
 178.20 epizootic epitheliotropic virus disease.

178.21 Sec. 5. Minnesota Statutes 2020, section 17.4982, subdivision 12, is amended to read:

178.22 **Subd. 12. Fish health inspection.** (a) "Fish health inspection" means an on-site,
 178.23 statistically based sampling, collection, and testing of fish in accordance with processes in
 178.24 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases, published
 178.25 by the International Office of Epizootics (OIE) to test for causative pathogens. The samples

39.23 for inspection must be collected by a fish health inspector or a fish collector in cooperation
 39.24 with the producer. Testing of samples must be done by an approved laboratory.

39.25 (b) The inspection for viral hemorrhagic septicemia (VHS), infectious pancreatic necrosis
 39.26 (IPN), and infectious hematopoietic necrosis (IHN) in salmonids and for VHS in
 39.27 nonsalmonids must include at a minimum viral testing of ovarian fluids at the 95 percent
 39.28 confidence level of detecting two percent incidence of disease.

39.29 (c) The inspection for certifiable diseases and pathogens for wild fish must follow the
 39.30 guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
 39.31 Diseases.

40.1 Sec. 6. Minnesota Statutes 2020, section 17.4982, is amended by adding a subdivision to
 40.2 read:

40.3 Subd. 21a. **VHS-susceptible species.** "VHS-susceptible species" are aquatic species
 40.4 that are natural hosts for viral hemorrhagic septicemia according to the Fish Health Blue
 40.5 Book or the book's successor.

40.6 Sec. 7. Minnesota Statutes 2020, section 17.4982, is amended by adding a subdivision to
 40.7 read:

40.8 Subd. 21b. **VHS-susceptible-species list.** "VHS-susceptible-species list" is the
 40.9 VHS-susceptible species listed in the Fish Health Blue Book that are found in or that can
 40.10 survive in the Great Lakes region.

40.11 Sec. 8. Minnesota Statutes 2020, section 17.4985, subdivision 2, is amended to read:

40.12 Subd. 2. **Bill of lading.** (a) A state-issued bill of lading is required for:

40.13 (1) intrastate transportation of aquatic life other than salmonids, catfish, or species on
 40.14 the official list of viral hemorrhagic septicemia susceptible species published by the United
 40.15 States Department of Agriculture, Animal and Plant Health Inspection Services;
 40.16 VHS-susceptible-species list between licensed private fish hatcheries, aquatic farms, or
 40.17 aquarium facilities licensed for the species being transported if the aquatic life is being
 40.18 transported into a watershed where it is not currently present, if walleyes whose original
 40.19 source is south of marked State Highway 210 are being transported to a facility north of
 40.20 marked State Highway 210, or if the original source of the aquatic life is outside Minnesota
 40.21 and contiguous states; and

40.22 (2) stocking ~~of~~ waters other than public waters with aquatic life other than salmonids,
 40.23 catfish, or species on the official list of viral hemorrhagic septicemia susceptible species
 40.24 published by the United States Department of Agriculture, Animal and Plant Health
 40.25 Inspection Services VHS-susceptible-species list.

40.26 (b) When aquatic life is transported under paragraph (a), a copy of the bill of lading
 40.27 must be submitted to the regional fisheries manager at least 72 hours before the transportation.

178.26 for inspection must be collected by a fish health inspector or a fish collector in cooperation
 178.27 with the producer. Testing of samples must be done by an approved laboratory.

178.28 (b) The inspection for viral hemorrhagic septicemia (VHS), infectious pancreatic necrosis
 178.29 (IPN), and infectious hematopoietic necrosis (IHN) in salmonids and for VHS in
 178.30 nonsalmonids must include at a minimum viral testing of ovarian fluids at the 95 percent
 178.31 confidence level of detecting two percent incidence of disease.

179.1 (c) The inspection for certifiable diseases and pathogens for wild fish must follow the
 179.2 guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
 179.3 Diseases.

179.4 Sec. 6. Minnesota Statutes 2020, section 17.4982, is amended by adding a subdivision to
 179.5 read:

179.6 Subd. 21a. **VHS-susceptible species.** "VHS-susceptible species" are aquatic species
 179.7 that are natural hosts for viral hemorrhagic septicemia according to the Fish Health Blue
 179.8 Book or the book's successor.

179.9 Sec. 7. Minnesota Statutes 2020, section 17.4982, is amended by adding a subdivision to
 179.10 read:

179.11 Subd. 21b. **VHS-susceptible-species list.** "VHS-susceptible-species list" is the
 179.12 VHS-susceptible species listed in the Fish Health Blue Book that are found in or that can
 179.13 survive in the Great Lakes region.

179.14 Sec. 8. Minnesota Statutes 2020, section 17.4985, subdivision 2, is amended to read:

179.15 Subd. 2. **Bill of lading.** (a) A state-issued bill of lading is required for:

179.16 (1) intrastate transportation of aquatic life other than salmonids, catfish, or species on
 179.17 the official list of viral hemorrhagic septicemia susceptible species published by the United
 179.18 States Department of Agriculture, Animal and Plant Health Inspection Services;
 179.19 VHS-susceptible-species list between licensed private fish hatcheries, aquatic farms, or
 179.20 aquarium facilities licensed for the species being transported if the aquatic life is being
 179.21 transported into a watershed where it is not currently present, if walleyes whose original
 179.22 source is south of marked State Highway 210 are being transported to a facility north of
 179.23 marked State Highway 210, or if the original source of the aquatic life is outside Minnesota
 179.24 and contiguous states; and

179.25 (2) stocking ~~of~~ waters other than public waters with aquatic life other than salmonids,
 179.26 catfish, or species on the official list of viral hemorrhagic septicemia susceptible species
 179.27 published by the United States Department of Agriculture, Animal and Plant Health
 179.28 Inspection Services VHS-susceptible-species list.

179.29 (b) When aquatic life is transported under paragraph (a), a copy of the bill of lading
 179.30 must be submitted to the regional fisheries manager at least 72 hours before the transportation.

- 40.28 (c) For transportation and stocking of waters that are not public waters:
- 40.29 (1) a bill of lading must be submitted to the regional fisheries manager 72 hours before
40.30 transporting fish for stocking;
- 41.1 (2) a bill of lading must be submitted to the regional fisheries manager within five days
41.2 after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to
41.3 stocking by the regional fisheries office not to be public waters; or
- 41.4 (3) a completed bill of lading may be submitted to the regional fisheries office by telecopy
41.5 prior to transporting fish for stocking. Confirmation that the waters to be stocked are not
41.6 public waters may be made by returning the bill of lading by telecopy or in writing, in which
41.7 cases additional copies need not be submitted to the Department of Natural Resources.
- 41.8 (d) Bill of lading forms may only be issued by the Department of Natural Resources in
41.9 St. Paul, and new bill of lading forms may not be issued until all previously issued forms
41.10 have been returned.
- 41.11 Sec. 9. Minnesota Statutes 2020, section 17.4985, subdivision 3, is amended to read:
- 41.12 **Subd. 3. Exemptions for transportation permits and bills of lading.** (a) A state-issued
41.13 bill of lading or transportation permit is not required by an aquatic farm licensee for
41.14 ~~importation of importing animals not on the official list of viral hemorrhagic septicemia~~
41.15 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
41.16 ~~Plant Health Inspection Services; transportation of VHS-susceptible-species list, transporting~~
41.17 ~~animals not on the official list of viral hemorrhagic septicemia susceptible species published~~
41.18 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services;~~
41.19 ~~or export for VHS-susceptible-species list, or exporting the following:~~
- 41.20 (1) minnows taken under an aquatic farm license in this state and transported intrastate;
- 41.21 (2) aquarium or ornamental fish including goldfish and tropical, subtropical, and saltwater
41.22 species that cannot survive in the waters of the state, which may be imported or transported
41.23 if accompanied by shipping documents;
- 41.24 (3) fish or fish eggs that have been processed for use as food, bait, or other purposes
41.25 unrelated to fish propagation;
- 41.26 (4) live fish from a licensed aquatic farm, which may be transported directly to an outlet
41.27 for processing or for other food purposes if accompanied by shipping documents;
- 41.28 (5) fish being exported if accompanied by shipping documents;
- 41.29 (6) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation
41.30 or feeding of cultural aquatic life, except that if either species becomes listed on the ~~official~~
41.31 ~~list of viral hemorrhagic septicemia susceptible species published by the United States~~
42.1 ~~Department of Agriculture, Animal and Plant Health Inspection Services~~
42.2 ~~VHS-susceptible-species list~~, then a transportation permit is required;
- 179.31 (c) For transportation and stocking of waters that are not public waters:
- 180.1 (1) a bill of lading must be submitted to the regional fisheries manager 72 hours before
180.2 transporting fish for stocking;
- 180.3 (2) a bill of lading must be submitted to the regional fisheries manager within five days
180.4 after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to
180.5 stocking by the regional fisheries office not to be public waters; or
- 180.6 (3) a completed bill of lading may be submitted to the regional fisheries office by telecopy
180.7 prior to transporting fish for stocking. Confirmation that the waters to be stocked are not
180.8 public waters may be made by returning the bill of lading by telecopy or in writing, in which
180.9 cases additional copies need not be submitted to the Department of Natural Resources.
- 180.10 (d) Bill of lading forms may only be issued by the Department of Natural Resources in
180.11 St. Paul, and new bill of lading forms may not be issued until all previously issued forms
180.12 have been returned.
- 180.13 Sec. 9. Minnesota Statutes 2020, section 17.4985, subdivision 3, is amended to read:
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180.15 bill of lading or transportation permit is not required by an aquatic farm licensee for
180.16 ~~importation of importing animals not on the official list of viral hemorrhagic septicemia~~
180.17 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
180.18 ~~Plant Health Inspection Services; transportation of VHS-susceptible-species list, transporting~~
180.19 ~~animals not on the official list of viral hemorrhagic septicemia susceptible species published~~
180.20 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services;~~
180.21 ~~or export for VHS-susceptible-species list, or exporting the following:~~
- 180.22 (1) minnows taken under an aquatic farm license in this state and transported intrastate;
- 180.23 (2) aquarium or ornamental fish including goldfish and tropical, subtropical, and saltwater
180.24 species that cannot survive in the waters of the state, which may be imported or transported
180.25 if accompanied by shipping documents;
- 180.26 (3) fish or fish eggs that have been processed for use as food, bait, or other purposes
180.27 unrelated to fish propagation;
- 180.28 (4) live fish from a licensed aquatic farm, which may be transported directly to an outlet
180.29 for processing or for other food purposes if accompanied by shipping documents;
- 180.30 (5) fish being exported if accompanied by shipping documents;
- 180.31 (6) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation
180.32 or feeding of cultural aquatic life, except that if either species becomes listed on the ~~official~~
181.1 ~~list of viral hemorrhagic septicemia susceptible species published by the United States~~
181.2 ~~Department of Agriculture, Animal and Plant Health Inspection Services~~
181.3 ~~VHS-susceptible-species list~~, then a transportation permit is required;

42.3 (7) species of fish that are found within the state used in connection with public shows,
42.4 exhibits, demonstrations, or fishing pools for periods not exceeding 14 days;

42.5 (8) fish being transported through the state if accompanied by shipping documents; or

42.6 (9) intrastate transportation of aquatic life between or within licensed private fish
42.7 hatcheries, aquatic farms, or aquarium facilities licensed for the species being transported,
42.8 except where required in subdivision 2 and except that salmonids, catfish, or species on the
42.9 ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
42.10 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
42.11 ~~VHS-susceptible-species list~~ may only be transferred or transported intrastate without a
42.12 transportation permit if they had no record of bacterial kidney disease or viral hemorrhagic
42.13 septicemia at the time they were imported into the state and if they have had a fish health
42.14 inspection within the preceding year that has shown no certifiable diseases to be present.

42.15 Aquatic life being transferred between licensed private fish hatcheries, aquatic farms,
42.16 or aquarium facilities must be accompanied by shipping documents and salmonids, catfish,
42.17 or species on the ~~official list of viral hemorrhagic septicemia susceptible species published~~
42.18 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
42.19 ~~VHS-susceptible-species list~~ being transferred or transported intrastate without a
42.20 transportation permit must be accompanied by a copy of their most recent fish health
42.21 inspection.

42.22 (b) Shipping documents required under paragraph (a) must show the place of origin,
42.23 owner or consignee, destination, number, and species.

42.24 Sec. 10. Minnesota Statutes 2020, section 17.4985, subdivision 5, is amended to read:

42.25 **Subd. 5. Permit application.** An application for a transportation permit must be made
42.26 on forms provided by the commissioner. An incomplete application must be rejected. An
42.27 application for a transportation permit for salmonids, catfish, or species on the ~~official list~~
42.28 ~~of viral hemorrhagic septicemia susceptible species published by the United States~~
42.29 ~~Department of Agriculture, Animal and Plant Health Inspection Services,~~
42.30 ~~VHS-susceptible-species list; their eggs; or their sperm~~ must be accompanied by certification
42.31 that the source of the eggs or sperm are free of certifiable diseases, except that eggs with
42.32 enteric redmouth, whirling disease, or furunculosis may be imported, transported, or stocked
42.33 following treatment approved by the commissioner, and fish with bacterial kidney disease
43.1 or viral hemorrhagic septicemia may be imported, transported, or stocked into areas where
43.2 the disease has been identified as being present. A copy of the transportation permit showing
43.3 the date of certification inspection must accompany the shipment of fish while in transit
43.4 and must be available for inspection by the commissioner. By 14 days after a completed
43.5 application is received, the commissioner must approve or deny the importation permits as
43.6 provided in this section.

181.4 (7) species of fish that are found within the state used in connection with public shows,
181.5 exhibits, demonstrations, or fishing pools for periods not exceeding 14 days;

181.6 (8) fish being transported through the state if accompanied by shipping documents; or

181.7 (9) intrastate transportation of aquatic life between or within licensed private fish
181.8 hatcheries, aquatic farms, or aquarium facilities licensed for the species being transported,
181.9 except where required in subdivision 2 and except that salmonids, catfish, or species on the
181.10 ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
181.11 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
181.12 ~~VHS-susceptible-species list~~ may only be transferred or transported intrastate without a
181.13 transportation permit if they had no record of bacterial kidney disease or viral hemorrhagic
181.14 septicemia at the time they were imported into the state and if they have had a fish health
181.15 inspection within the preceding year that has shown no certifiable diseases to be present.

181.16 Aquatic life being transferred between licensed private fish hatcheries, aquatic farms,
181.17 or aquarium facilities must be accompanied by shipping documents and salmonids, catfish,
181.18 or species on the ~~official list of viral hemorrhagic septicemia susceptible species published~~
181.19 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
181.20 ~~VHS-susceptible-species list~~ being transferred or transported intrastate without a
181.21 transportation permit must be accompanied by a copy of their most recent fish health
181.22 inspection.

181.23 (b) Shipping documents required under paragraph (a) must show the place of origin,
181.24 owner or consignee, destination, number, and species.

181.25 Sec. 10. Minnesota Statutes 2020, section 17.4985, subdivision 5, is amended to read:

181.26 **Subd. 5. Permit application.** An application for a transportation permit must be made
181.27 on forms provided by the commissioner. An incomplete application must be rejected. An
181.28 application for a transportation permit for salmonids, catfish, or species on the ~~official list~~
181.29 ~~of viral hemorrhagic septicemia susceptible species published by the United States~~
181.30 ~~Department of Agriculture, Animal and Plant Health Inspection Services,~~
181.31 ~~VHS-susceptible-species list; their eggs; or their sperm~~ must be accompanied by certification
181.32 that the source of the eggs or sperm are free of certifiable diseases, except that eggs with
181.33 enteric redmouth, whirling disease, or furunculosis may be imported, transported, or stocked
182.1 following treatment approved by the commissioner, and fish with bacterial kidney disease
182.2 or viral hemorrhagic septicemia may be imported, transported, or stocked into areas where
182.3 the disease has been identified as being present. A copy of the transportation permit showing
182.4 the date of certification inspection must accompany the shipment of fish while in transit
182.5 and must be available for inspection by the commissioner. By 14 days after a completed
182.6 application is received, the commissioner must approve or deny the importation permits as
182.7 provided in this section.

43.7 Sec. 11. Minnesota Statutes 2020, section 17.4986, subdivision 2, is amended to read:

43.8 Subd. 2. **Licensed facilities.** (a) The commissioner shall issue transportation permits to
43.9 import:

43.10 (1) indigenous and naturalized species except trout, salmon, catfish, or species on the
43.11 ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
43.12 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
43.13 ~~VHS-susceptible-species list and sperm from any source to a standard facility;~~

43.14 (2) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia~~
43.15 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
43.16 ~~Plant Health Inspection Services, VHS-susceptible-species list~~ from a nonemergency enzootic
43.17 disease area to a containment facility if the fish are certified within the previous year to be
43.18 free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or
43.19 furunculosis may be imported following treatment approved by the commissioner, and fish
43.20 with bacterial kidney disease or viral hemorrhagic septicemia may be imported into areas
43.21 where the disease has been identified as being present; and

43.22 (3) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia~~
43.23 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
43.24 ~~Plant Health Inspection Services, VHS-susceptible-species list~~ from a facility in a
43.25 nonemergency enzootic disease area with a disease-free history of three years or more to a
43.26 standard facility, except that eggs with enteric redmouth, whirling disease, or furunculosis
43.27 may be imported following treatment approved by the commissioner, and fish with bacterial
43.28 kidney disease or viral hemorrhagic septicemia may be imported into areas where the disease
43.29 has been identified as being present.

43.30 (b) If a source facility in a nonemergency enzootic disease area cannot demonstrate a
43.31 history free from disease, aquatic life may only be imported into a quarantine facility.

44.1 Sec. 12. Minnesota Statutes 2020, section 17.4986, subdivision 4, is amended to read:

44.2 Subd. 4. **Disease-free history.** Disease-free histories required under this section must
44.3 include the results of a fish health inspection. When disease-free histories of more than one
44.4 year are required for importing salmonids, catfish, or species on the ~~official list of viral~~
44.5 ~~hemorrhagic septicemia susceptible species published by the United States Department of~~
44.6 ~~Agriculture, Animal and Plant Health Inspection Services, VHS-susceptible-species list~~, the
44.7 disease history must be of consecutive years that include the year previous to, or the year
44.8 of, the transportation request.

44.9 Sec. 13. Minnesota Statutes 2020, section 17.4991, subdivision 3, is amended to read:

44.10 Subd. 3. **Fish health inspection.** (a) An aquatic farm propagating salmonids, catfish,
44.11 or species on the ~~viral hemorrhagic septicemia (VHS) susceptible list published by the~~
44.12 ~~United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
44.13 ~~VHS-susceptible-species list and having an effluent discharge from the aquatic farm into~~

182.8 Sec. 11. Minnesota Statutes 2020, section 17.4986, subdivision 2, is amended to read:

182.9 Subd. 2. **Licensed facilities.** (a) The commissioner shall issue transportation permits to
182.10 import:

182.11 (1) indigenous and naturalized species except trout, salmon, catfish, or species on the
182.12 ~~official list of viral hemorrhagic septicemia susceptible species published by the United~~
182.13 ~~States Department of Agriculture, Animal and Plant Health Inspection Services,~~
182.14 ~~VHS-susceptible-species list and sperm from any source to a standard facility;~~

182.15 (2) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia~~
182.16 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
182.17 ~~Plant Health Inspection Services, VHS-susceptible-species list~~ from a nonemergency enzootic
182.18 disease area to a containment facility if the fish are certified within the previous year to be
182.19 free of certifiable diseases, except that eggs with enteric redmouth, whirling disease, or
182.20 furunculosis may be imported following treatment approved by the commissioner, and fish
182.21 with bacterial kidney disease or viral hemorrhagic septicemia may be imported into areas
182.22 where the disease has been identified as being present; and

182.23 (3) trout, salmon, catfish, or species on the ~~official list of viral hemorrhagic septicemia~~
182.24 ~~susceptible species published by the United States Department of Agriculture, Animal and~~
182.25 ~~Plant Health Inspection Services, VHS-susceptible-species list~~ from a facility in a
182.26 nonemergency enzootic disease area with a disease-free history of three years or more to a
182.27 standard facility, except that eggs with enteric redmouth, whirling disease, or furunculosis
182.28 may be imported following treatment approved by the commissioner, and fish with bacterial
182.29 kidney disease or viral hemorrhagic septicemia may be imported into areas where the disease
182.30 has been identified as being present.

182.31 (b) If a source facility in a nonemergency enzootic disease area cannot demonstrate a
182.32 history free from disease, aquatic life may only be imported into a quarantine facility.

183.1 Sec. 12. Minnesota Statutes 2020, section 17.4986, subdivision 4, is amended to read:

183.2 Subd. 4. **Disease-free history.** Disease-free histories required under this section must
183.3 include the results of a fish health inspection. When disease-free histories of more than one
183.4 year are required for importing salmonids, catfish, or species on the ~~official list of viral~~
183.5 ~~hemorrhagic septicemia susceptible species published by the United States Department of~~
183.6 ~~Agriculture, Animal and Plant Health Inspection Services, VHS-susceptible-species list~~, the
183.7 disease history must be of consecutive years that include the year previous to, or the year
183.8 of, the transportation request.

183.9 Sec. 13. Minnesota Statutes 2020, section 17.4991, subdivision 3, is amended to read:

183.10 Subd. 3. **Fish health inspection.** (a) An aquatic farm propagating salmonids, catfish,
183.11 or species on the ~~viral hemorrhagic septicemia (VHS) susceptible list published by the~~
183.12 ~~United States Department of Agriculture, Animal and Plant Health Inspection Services,~~
183.13 ~~VHS-susceptible-species list and having an effluent discharge from the aquatic farm into~~

44.14 public waters must have a fish health inspection conducted at least once every 12 months
44.15 by a certified fish health inspector. Testing must be conducted according to laboratory
44.16 methods of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
44.17 Diseases, published by the International Office of Epizootics (OIE).

44.18 (b) An aquatic farm propagating any species on the VHS susceptible list and having an
44.19 effluent discharge from the aquatic farm into public waters must test for VHS virus using
44.20 the guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
44.21 Diseases. The commissioner may, by written order published in the State Register, prescribe
44.22 alternative testing time periods and methods from those prescribed in the Fish Health Blue
44.23 Book or the OIE Diagnostic Manual if the commissioner determines that biosecurity measures
44.24 will not be compromised. These alternatives are not subject to the rulemaking provisions
44.25 of chapter 14 and section 14.386 does not apply. The commissioner must provide reasonable
44.26 notice to affected parties of any changes in testing requirements.

44.27 (c) Results of fish health inspections must be provided to the commissioner for all fish
44.28 that remain in the state. All data used to prepare and issue a fish health certificate must be
44.29 maintained for three years by the issuing fish health inspector, approved laboratory, or
44.30 accredited veterinarian.

44.31 (d) A health inspection fee must be charged based on each lot of fish sampled. The fee
44.32 by check or money order payable to the Department of Natural Resources must be prepaid
44.33 or paid at the time a bill or notice is received from the commissioner that the inspection and
44.34 processing of samples is completed.

45.1 (e) Upon receipt of payment and completion of inspection, the commissioner shall notify
45.2 the operator and issue a fish health certificate. The certification must be made according to
45.3 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases by a
45.4 person certified as a fish health inspector.

45.5 (f) All aquatic life in transit or held at transfer stations within the state may be inspected
45.6 by the commissioner. This inspection may include the collection of stock for purposes of
45.7 pathological analysis. Sample size necessary for analysis will follow guidelines listed in
45.8 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases.

45.9 (g) Salmonids, catfish, or species on the VHS susceptible list must have a fish health
45.10 inspection before being transported from a containment facility, unless the fish are being
45.11 transported directly to an outlet for processing or other food purposes or unless the
45.12 commissioner determines that an inspection is not needed. A fish health inspection conducted
45.13 for this purpose need only be done on the lot or lots of fish that will be transported. The
45.14 commissioner must conduct a fish health inspection requested for this purpose within five
45.15 working days of receiving written notice. Salmonids and catfish may be immediately
45.16 transported from a containment facility to another containment facility once a sample has
45.17 been obtained for a health inspection or once the five-day notice period has expired.

183.14 public waters must have a fish health inspection conducted at least once every 12 months
183.15 by a certified fish health inspector. Testing must be conducted according to laboratory
183.16 methods of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
183.17 Diseases, published by the International Office of Epizootics (OIE).

183.18 (b) An aquatic farm propagating any species on the VHS susceptible list and having an
183.19 effluent discharge from the aquatic farm into public waters must test for VHS virus using
183.20 the guidelines of the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal
183.21 Diseases. The commissioner may, by written order published in the State Register, prescribe
183.22 alternative testing time periods and methods from those prescribed in the Fish Health Blue
183.23 Book or the OIE Diagnostic Manual if the commissioner determines that biosecurity measures
183.24 will not be compromised. These alternatives are not subject to the rulemaking provisions
183.25 of chapter 14 and section 14.386 does not apply. The commissioner must provide reasonable
183.26 notice to affected parties of any changes in testing requirements.

183.27 (c) Results of fish health inspections must be provided to the commissioner for all fish
183.28 that remain in the state. All data used to prepare and issue a fish health certificate must be
183.29 maintained for three years by the issuing fish health inspector, approved laboratory, or
183.30 accredited veterinarian.

183.31 (d) A health inspection fee must be charged based on each lot of fish sampled. The fee
183.32 by check or money order payable to the Department of Natural Resources must be prepaid
183.33 or paid at the time a bill or notice is received from the commissioner that the inspection and
183.34 processing of samples is completed.

184.1 (e) Upon receipt of payment and completion of inspection, the commissioner shall notify
184.2 the operator and issue a fish health certificate. The certification must be made according to
184.3 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases by a
184.4 person certified as a fish health inspector.

184.5 (f) All aquatic life in transit or held at transfer stations within the state may be inspected
184.6 by the commissioner. This inspection may include the collection of stock for purposes of
184.7 pathological analysis. Sample size necessary for analysis will follow guidelines listed in
184.8 the Fish Health Blue Book or the Diagnostic Manual for Aquatic Animal Diseases.

184.9 (g) Salmonids, catfish, or species on the VHS susceptible list must have a fish health
184.10 inspection before being transported from a containment facility, unless the fish are being
184.11 transported directly to an outlet for processing or other food purposes or unless the
184.12 commissioner determines that an inspection is not needed. A fish health inspection conducted
184.13 for this purpose need only be done on the lot or lots of fish that will be transported. The
184.14 commissioner must conduct a fish health inspection requested for this purpose within five
184.15 working days of receiving written notice. Salmonids and catfish may be immediately
184.16 transported from a containment facility to another containment facility once a sample has
184.17 been obtained for a health inspection or once the five-day notice period has expired.

45.18 Sec. 14. Minnesota Statutes 2020, section 17.4992, subdivision 2, is amended to read:

45.19 Subd. 2. **Restriction on the sale of fish.** (a) Except as provided in paragraph (b), species
45.20 on the official list of viral hemorrhagic septicemia susceptible species published by the
45.21 United States Department of Agriculture, Animal and Plant Health Inspection Services,
45.22 VHS-susceptible-species list must be free of viral hemorrhagic septicemia and species of
45.23 the family salmonidae or ictaluridae, except bullheads, must be free of certifiable diseases
45.24 if sold for stocking or transfer to another aquatic farm.

45.25 (b) The following exceptions apply to paragraph (a):

45.26 (1) eggs with enteric redmouth, whirling disease, or furunculosis may be transferred
45.27 between licensed facilities or stocked following treatment approved by the commissioner;

45.28 (2) fish with bacterial kidney disease or viral hemorrhagic septicemia may be transferred
45.29 between licensed facilities or stocked in areas where the disease has been identified as being
45.30 present; and

45.31 (3) the commissioner may allow transfer between licensed facilities or stocking of fish
45.32 with enteric redmouth or furunculosis when the commissioner determines that doing so
45.33 would pose no threat to the state's aquatic resources.

46.1 Sec. 15. Minnesota Statutes 2020, section 17.4993, subdivision 1, is amended to read:

46.2 Subdivision 1. **Taking from public waters.** (a) Under an aquatic farm license, a licensee
46.3 may take only minnow sperm, minnow eggs, and live minnows for aquatic farm purposes
46.4 from public waters that have a water body if:

46.5 (1) the water body has been tested for viral hemorrhagic septicemia when and the testing
46.6 indicates the disease is not present; or

46.7 (2) the water body is located within a viral-hemorrhagic-septicemia-free zone posted on
46.8 the Department of Natural Resources website.

46.9 (b) A licensee may take sucker eggs and sperm only in approved waters with a sucker
46.10 egg license endorsement as provided by section 17.4994.

184.18 Sec. 14. Minnesota Statutes 2020, section 17.4992, subdivision 2, is amended to read:

184.19 Subd. 2. **Restriction on the sale of fish.** (a) Except as provided in paragraph (b), species
184.20 on the official list of viral hemorrhagic septicemia susceptible species published by the
184.21 United States Department of Agriculture, Animal and Plant Health Inspection Services,
184.22 VHS-susceptible-species list must be free of viral hemorrhagic septicemia and species of
184.23 the family salmonidae or ictaluridae, except bullheads, must be free of certifiable diseases
184.24 if sold for stocking or transfer to another aquatic farm.

184.25 (b) The following exceptions apply to paragraph (a):

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184.27 between licensed facilities or stocked following treatment approved by the commissioner;

184.28 (2) fish with bacterial kidney disease or viral hemorrhagic septicemia may be transferred
184.29 between licensed facilities or stocked in areas where the disease has been identified as being
184.30 present; and

184.31 (3) the commissioner may allow transfer between licensed facilities or stocking of fish
184.32 with enteric redmouth or furunculosis when the commissioner determines that doing so
184.33 would pose no threat to the state's aquatic resources.

185.1 Sec. 15. Minnesota Statutes 2020, section 17.4993, subdivision 1, is amended to read:

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185.3 may only take minnow sperm, minnow eggs, and live minnows for aquatic farm purposes
185.4 from public waters that have a water body if:

185.5 (1) the water body has been tested for viral hemorrhagic septicemia when and the testing
185.6 indicates the disease is not present; or

185.7 (2) the water body is located within a viral hemorrhagic-septicemia-free zone posted on
185.8 the Department of Natural Resources website.

185.9 (b) A licensee may take sucker eggs and sperm only in approved waters with a sucker
185.10 egg license endorsement as provided by section 17.4994.

185.11 Sec. 16. Minnesota Statutes 2020, section 18B.09, subdivision 2, is amended to read:

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

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

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

46.11 Sec. 16. Minnesota Statutes 2020, section 84.027, subdivision 13a, is amended to read:

46.12 Subd. 13a. **Game and fish** **Natural resources expedited permanent rules.** (a) In
46.13 addition to the authority granted in subdivision 13, the commissioner of natural resources
46.14 may adopt rules under section 14.389 that are authorized under:

46.15 (1) chapters 97A, 97B, and 97C to describe zone or permit area boundaries, to designate
46.16 fish spawning beds or fish preserves, to select hunters or anglers for areas, to provide for
46.17 registration of game or fish, to prevent or control wildlife disease, or to correct errors or
46.18 omissions in rules that do not have a substantive effect on the intent or application of the
46.19 original rule; ~~or~~

46.20 (2) section 84D.12 to designate prohibited invasive species, regulated invasive species,
46.21 and unregulated nonnative species; or

46.22 (3) section 116G.15 to change the placement and boundaries of land use districts
46.23 established in the Mississippi River Corridor Critical Area.

185.18 (b) Statutory and home rule charter cities may not enact an ordinance ~~that contains more~~
185.19 ~~restrictive pesticide application warning information than is contained~~ ~~that which is provided~~
185.20 ~~in subdivision subdivisions 3 and 4.~~

185.21 Sec. 17. Minnesota Statutes 2020, section 18B.09, is amended by adding a subdivision to
185.22 read:

185.23 Subd. 4. **Application of certain pesticides prohibited.** (a) A person may not apply or
185.24 use a pollinator-lethal pesticide within the geographic boundaries of a city that has enacted
185.25 an ordinance under subdivision 2 prohibiting such use.

185.26 (b) For purposes of this subdivision, "pollinator-lethal pesticide" means a pesticide that
185.27 has a pollinator protection box on the label or labeling or a pollinator, bee, or honey bee
185.28 precautionary statement in the environmental hazards section of the label or labeling.

185.29 (c) This subdivision does not apply to:

186.1 (1) pet care products used to mitigate fleas, mites, ticks, heartworms, or other animals
186.2 that are harmful to the health of a domesticated animal;

186.3 (2) personal care products used to mitigate lice and bedbugs;

186.4 (3) indoor pest control products used to mitigate insects indoors, including ant bait;

186.5 (4) a pesticide as used or applied by the Metropolitan Mosquito Control District for
186.6 public health protection if the pesticide has a vector disease control label; and

186.7 (5) a pesticide-treated wood product.

186.8 (d) The commissioner must maintain a list of pollinator-lethal pesticides on the
186.9 department's website.

186.10 Sec. 18. Minnesota Statutes 2020, section 84.027, subdivision 13a, is amended to read:

186.11 Subd. 13a. **Game and fish** **Natural resources expedited permanent rules.** (a) In
186.12 addition to the authority granted in subdivision 13, the commissioner of natural resources
186.13 may adopt rules under section 14.389 that are authorized under:

186.14 (1) chapters 97A, 97B, and 97C to describe zone or permit area boundaries, to designate
186.15 fish spawning beds or fish preserves, to select hunters or anglers for areas, to provide for
186.16 registration of game or fish, to prevent or control wildlife disease, or to correct errors or
186.17 omissions in rules that do not have a substantive effect on the intent or application of the
186.18 original rule; ~~or~~

186.19 (2) section 84D.12 to designate prohibited invasive species, regulated invasive species,
186.20 and unregulated nonnative species; or

186.21 (3) section 116G.15 to change the placement and boundaries of land use districts
186.22 established in the Mississippi River Corridor Critical Area.

46.24 (b) The commissioner of natural resources may adopt rules under section 14.389 that
46.25 are authorized under chapters 97A, 97B, and 97C, for purposes in addition to those listed
46.26 in paragraph (a), clause (1), subject to the notice and public hearing provisions of section
46.27 14.389, subdivision 5.

46.28 Sec. 17. Minnesota Statutes 2020, section 84.027, is amended by adding a subdivision to
46.29 read:

46.30 **Subd. 14c. Unadopted rules.** The commissioner of natural resources must not enforce
46.31 or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule"
47.1 means a guideline, bulletin, criterion, manual standard, interpretive statement, policy plan,
47.2 or similar pronouncement if the guideline, bulletin, criterion, manual standard, interpretive
47.3 statement, policy plan, or similar pronouncement has not been adopted according to the
47.4 rulemaking process provided under chapter 14. If an unadopted rule is challenged under
47.5 section 14.381, the commissioner must cease enforcement of the unadopted rule and
47.6 overcome a presumption that the unadopted rule must be adopted according to the rulemaking
47.7 process provided under chapter 14.

47.8 Sec. 18. Minnesota Statutes 2020, section 84.027, subdivision 18, is amended to read:

47.9 **Subd. 18. Permanent school fund authority; reporting.** (a) The commissioner of
47.10 natural resources has the authority and responsibility to administer school trust lands under
47.11 sections 92.122 and 127A.31. The commissioner shall biennially biennially report to the
47.12 Legislative Permanent School Fund Commission and the legislature on the management of
47.13 the school trust lands that shows how the commissioner has and will continue to achieve
47.14 the following goals:

- 47.15 (1) manage the school trust lands efficiently and in a manner that reflects the undivided
47.16 loyalty to the beneficiaries consistent with the commissioner's fiduciary duties;
- 47.17 (2) reduce the management expenditures of school trust lands and maximize the revenues
47.18 deposited in the permanent school trust fund;
- 47.19 (3) manage the sale, exchange, and commercial leasing of school trust lands, requiring
47.20 returns of not less than fair market value, to maximize the revenues deposited in the
47.21 permanent school trust fund and retain the value from the long-term appreciation of the
47.22 school trust lands;
- 47.23 (4) manage the school trust lands to maximize the long-term economic return for the
47.24 permanent school trust fund while maintaining sound natural resource conservation and
47.25 management principles;
- 47.26 (5) optimize school trust land revenues and maximize the value of the trust consistent
47.27 with balancing short-term and long-term interests, so that long-term benefits are not lost in
47.28 an effort to maximize short-term gains; and
- 47.29 (6) maintain the integrity of the trust and prevent the misapplication of its lands and its
47.30 revenues.

186.23 (b) The commissioner of natural resources may adopt rules under section 14.389 that
186.24 are authorized under chapters 97A, 97B, and 97C, for purposes in addition to those listed
186.25 in paragraph (a), clause (1), subject to the notice and public hearing provisions of section
186.26 14.389, subdivision 5.

186.27 Sec. 19. Minnesota Statutes 2020, section 84.027, subdivision 18, is amended to read:

186.28 **Subd. 18. Permanent school fund authority; reporting.** (a) The commissioner of
186.29 natural resources has the authority and responsibility to administer school trust lands under
186.30 sections 92.122 and 127A.31. The commissioner shall biennially biennially report to the
186.31 Legislative Permanent School Fund Commission and the legislature on the management of
187.1 the school trust lands that shows how the commissioner has and will continue to achieve
187.2 the following goals:

- 187.3 (1) manage the school trust lands efficiently and in a manner that reflects the undivided
187.4 loyalty to the beneficiaries consistent with the commissioner's fiduciary duties;
- 187.5 (2) reduce the management expenditures of school trust lands and maximize the revenues
187.6 deposited in the permanent school trust fund;
- 187.7 (3) manage the sale, exchange, and commercial leasing of school trust lands, requiring
187.8 returns of not less than fair market value, to maximize the revenues deposited in the
187.9 permanent school trust fund and retain the value from the long-term appreciation of the
187.10 school trust lands;
- 187.11 (4) manage the school trust lands to maximize the long-term economic return for the
187.12 permanent school trust fund while maintaining sound natural resource conservation and
187.13 management principles;
- 187.14 (5) optimize school trust land revenues and maximize the value of the trust consistent
187.15 with balancing short-term and long-term interests, so that long-term benefits are not lost in
187.16 an effort to maximize short-term gains; and
- 187.17 (6) maintain the integrity of the trust and prevent the misapplication of its lands and its
187.18 revenues.

47.31 (b) When the commissioner finds an irresolvable conflict between maximizing the
47.32 long-term economic return and protecting natural resources and recreational values on
47.33 school trust lands, the commissioner shall give precedence to the long-term economic return
48.1 in managing school trust lands. By July 1, 2018, the permanent school fund must be
48.2 compensated for all school trust lands included under a designation or policy provision that
48.3 prohibits long-term economic return. The commissioner shall submit recommendations to
48.4 the appropriate legislative committees and divisions on methods of funding for the
48.5 compensation required under this paragraph, including recommendations for appropriations
48.6 from the general fund, nongeneral funds, and the state bond fund. Any uncompensated
48.7 designation or policy provision restrictions on the long-term economic return on school
48.8 trust lands remaining after July 1, 2018, must be compiled and submitted to the Legislative
48.9 Permanent School Fund Commission for review.

48.10 (c) By December 31, 2013, the report required under paragraph (a) must provide an
48.11 inventory and identification of all school trust lands that are included under a designation
48.12 or policy provision that prohibits long-term economic return. The report must include a plan
48.13 to compensate the permanent school fund through the purchase or exchange of the lands or
48.14 a plan to manage the school trust land to generate long-term economic return to the permanent
48.15 school fund. Subsequent reports under paragraph (a) must include a status report of the
48.16 commissioner's progress in maximizing the long-term economic return on lands identified
48.17 in the 2013 report.

48.18 (d) When management practices, policies, or designations by the commissioner diminish
48.19 or prohibit the long-term economic return on school trust land, the conflict must be resolved
48.20 as provided in section 92.122.

48.21 Sec. 19. **[84.1511] WILD RICE STEWARDSHIP COUNCIL.**

48.22 Subdivision 1. **Council created.** (a) The Wild Rice Stewardship Council is established
48.23 to foster leadership, collaboration, coordination, and communication among state and Tribal
48.24 government bodies and wild rice stakeholders. Members of the council must represent a
48.25 wide range of interests and perspectives and be able to make interdisciplinary
48.26 recommendations on managing, monitoring, providing outreach for, researching, and
48.27 regulating wild rice.

48.28 (b) The governor must appoint council members who represent a wide range of interests
48.29 and perspectives and include representatives of state government; Tribal government; wild
48.30 rice resource users; national pollutant discharge elimination system permittees;
48.31 nongovernmental organizations; research scientists and wild rice managers with expertise
48.32 in wild rice biology, ecology, and management; and impacted local governments and
48.33 communities.

49.1 (c) The council must review and consider the recommendations of the governor's task
49.2 force on wild rice regarding the council's work, including the recommendation to use a

187.19 (b) When the commissioner finds an irresolvable conflict between maximizing the
187.20 long-term economic return and protecting natural resources and recreational values on
187.21 school trust lands, the commissioner shall give precedence to the long-term economic return
187.22 in managing school trust lands. By July 1, 2018, the permanent school fund must be
187.23 compensated for all school trust lands included under a designation or policy provision that
187.24 prohibits long-term economic return. The commissioner shall submit recommendations to
187.25 the appropriate legislative committees and divisions on methods of funding for the
187.26 compensation required under this paragraph, including recommendations for appropriations
187.27 from the general fund, nongeneral funds, and the state bond fund. Any uncompensated
187.28 designation or policy provision restrictions on the long-term economic return on school
187.29 trust lands remaining after July 1, 2018, must be compiled and submitted to the Legislative
187.30 Permanent School Fund Commission for review.

187.31 (c) By December 31, 2013, the report required under paragraph (a) must provide an
187.32 inventory and identification of all school trust lands that are included under a designation
187.33 or policy provision that prohibits long-term economic return. The report must include a plan
188.1 to compensate the permanent school fund through the purchase or exchange of the lands or
188.2 a plan to manage the school trust land to generate long-term economic return to the permanent
188.3 school fund. Subsequent reports under paragraph (a) must include a status report of the
188.4 commissioner's progress in maximizing the long-term economic return on lands identified
188.5 in the 2013 report.

188.6 (d) When management practices, policies, or designations by the commissioner diminish
188.7 or prohibit the long-term economic return on school trust land, the conflict must be resolved
188.8 as provided in section 92.122.

49.3 committee structure that includes council members and nonmembers with relevant subject
49.4 matter expertise for technical work related to management plans, monitoring, and research.

49.5 Subd. 2. **Council responsibilities.** (a) The council must provide the governor, chief
49.6 executives of Minnesota's 11 Indian Tribes, and the legislature a biennial report on the health
49.7 of wild rice and policy and funding recommendations to ensure that wild rice thrives in
49.8 Minnesota.

49.9 (b) The council must recommend to the commissioners of natural resources and the
49.10 Pollution Control Agency a shared monitoring protocol that includes biological, chemical,
49.11 and hydrological factors affecting wild rice to assess the health of wild rice populations
49.12 over time. The protocol must draw on existing resources such as the monitoring protocol
49.13 for wild rice developed by Minnesota Sea Grant, the lake survey and vegetation mapping
49.14 methodologies of the Department of Natural Resources, and the monitoring methodologies
49.15 of the 1854 Treaty Authority. The council must include recommendations on implementing
49.16 the protocol and must regularly prepare a report on protocol implementation.

49.17 (c) The council must recommend to the commissioner of natural resources a
49.18 comprehensive, statewide management plan for wild rice. The plan must include clear goals
49.19 and indicators, activities, time frames, organizational responsibilities, and performance
49.20 measures. Indicators of wild rice health must have the ability to be tracked over time to
49.21 facilitate a better understanding of the impact of various stressors versus the natural variability
49.22 of wild rice. The council must work with Tribes to develop an understanding of natural wild
49.23 rice variability through traditional ecological knowledge and lake histories. Biological,
49.24 chemical, and hydrological factors must be considered.

49.25 (d) The council must identify and recommend research priorities and required funding
49.26 levels. Prioritization should be given to needs identified through the monitoring protocol
49.27 and management plans recommended by the council. Topics of research may include:

49.28 (1) assessment of diverse factors impacting wild rice health and interaction among these
49.29 factors;

49.30 (2) criteria and methodology for restoring wild rice within its historic range;

49.31 (3) seed development;

49.32 (4) impact of climate change;

49.33 (5) effective methods of controlling waterfowl predation; and

50.1 (6) roles of root plaques, hydrology, landscape context, and other related factors.

50.2 (e) The council must provide a forum for scientists and managers to convene and explore
50.3 research needs, approaches, and outcomes for building a shared understanding of the threats
50.4 to and opportunities for fostering wild rice health and to fill data gaps.

50.5 Subd. 3. **Outreach and education.** (a) The council must advise state agencies and the
50.6 legislature on statewide outreach and education on wild rice. Activities may include:

50.7 (1) developing a statewide education and promotion campaign to raise awareness about
50.8 the ecological, nutritional, and cultural value of wild rice;

50.9 (2) coordinating an annual Wild Rice Week in which Tribal chief executives and the
50.10 governor declare the first week of September Wild Rice Week; and

50.11 (3) recommending actions to raise awareness and increase enforcement of natural wild
50.12 rice labeling laws, including those that require specified labeling for natural wild rice.

50.13 (b) The council must develop and recommend to the commissioner of the Pollution
50.14 Control Agency a road map for protecting wild rice from harmful levels of pollutants and
50.15 other stressors through a holistic approach that addresses the water quality standard for
50.16 sulfate in conjunction with enhanced monitoring, management, and education efforts and
50.17 that leads to protecting wild rice and strategically using state and community resources.

50.18 (c) The council must develop and recommend to the commissioner of the Pollution
50.19 Control Agency a structured approach to listing wild rice waters and potential implementation
50.20 of a water quality standard for sulfate to maximize protection of wild rice while limiting
50.21 the scope and extent of burdens to Minnesota communities caused by the difficulty of
50.22 treating sulfate.

50.23 Sec. 20. Minnesota Statutes 2020, section 84.415, is amended by adding a subdivision to
50.24 read:

50.25 Subd. 8. **Reimbursing costs.** In addition to fees specified in this section or in rules
50.26 adopted by the commissioner, the applicant must reimburse the state for costs incurred for
50.27 cultural resources review, monitoring, or other services provided by the Minnesota Historical
50.28 Society under contract with the commissioner of natural resources or the State Historic
50.29 Preservation Office of the Department of Administration in connection with the license
50.30 application, preparing the license terms, or constructing the utility line.

51.1 Sec. 21. **[84.625] CONVEYANCE OF CONSERVATION EASEMENTS.**

51.2 Notwithstanding any law to the contrary, the commissioner of natural resources may,
51.3 on state-owned lands administered by the commissioner and on behalf of the state, convey
51.4 conservation easements as defined in section 84C.01, upon such terms and conditions,
51.5 including reversion in the event of nonuse, as the commissioner may determine. Any terms
51.6 and conditions obligating the state to incur costs related to monitoring or maintaining a
51.7 conservation easement must acknowledge the state is liable for the costs only to the extent
51.8 of an available appropriation according to section 16A.138.

243.3 Section 1. Minnesota Statutes 2020, section 84.415, is amended by adding a subdivision
243.4 to read:

243.5 Subd. 8. **Reimbursing costs.** In addition to fees specified in this section or in rules
243.6 adopted by the commissioner, the applicant must reimburse the state for costs incurred for
243.7 cultural resources review, monitoring, or other services provided by the Minnesota Historical
243.8 Society under contract with the commissioner of natural resources or the State Historic
243.9 Preservation Office of the Department of Administration in connection with the license
243.10 application, preparing the license terms, or constructing the utility line.

51.9 Sec. 22. Minnesota Statutes 2020, section 84.63, is amended to read:

**51.10 84.63 CONVEYANCE OF INTERESTS IN LANDS TO STATE AND, FEDERAL,
51.11 AND TRIBAL GOVERNMENTS.**

51.12 (a) Notwithstanding any existing law to the contrary, the commissioner of natural
51.13 resources is hereby authorized on behalf of the state to convey to the United States, to a
51.14 federally recognized Indian Tribe, or to the state of Minnesota or any of its subdivisions,
51.15 upon state-owned lands under the administration of the commissioner of natural resources,
51.16 permanent or temporary easements for specified periods or otherwise for trails, highways,
51.17 roads including limitation of right of access from the lands to adjacent highways and roads,
51.18 flowage for development of fish and game resources, stream protection, flood control, and
51.19 necessary appurtenances thereto, such conveyances to be made upon such terms and
51.20 conditions including provision for reversion in the event of non-user as the commissioner
51.21 of natural resources may determine.

51.22 (b) In addition to the fee for the market value of the easement, the commissioner of
51.23 natural resources shall assess the applicant the following fees:

51.24 (1) an application fee of \$2,000 to cover reasonable costs for reviewing the application
51.25 and preparing the easement; and

51.26 (2) a monitoring fee to cover the projected reasonable costs for monitoring the
51.27 construction of the improvement for which the easement was conveyed and preparing special
51.28 terms and conditions for the easement. The commissioner must give the applicant an estimate
51.29 of the monitoring fee before the applicant submits the fee.

51.30 (c) The applicant shall pay these fees to the commissioner of natural resources. The
51.31 commissioner shall not issue the easement until the applicant has paid in full the application
51.32 fee, the monitoring fee, and the market value payment for the easement.

52.1 (d) Upon completion of construction of the improvement for which the easement was
52.2 conveyed, the commissioner shall refund the unobligated balance from the monitoring fee
52.3 revenue. The commissioner shall not return the application fee, even if the application is
52.4 withdrawn or denied.

52.5 (e) Money received under paragraph (b) must be deposited in the land management
52.6 account in the natural resources fund and is appropriated to the commissioner of natural
52.7 resources to cover the reasonable costs incurred for issuing and monitoring easements.

52.8 (f) A county or joint county regional railroad authority is exempt from all fees specified
52.9 under this section for trail easements on state-owned land.

52.10 (g) In addition to fees specified in this section, the applicant must reimburse the state
52.11 for costs incurred for cultural resources review, monitoring, or other services provided by
52.12 the Minnesota Historical Society under contract with the commissioner of natural resources
52.13 or the State Historic Preservation Office of the Department of Administration in connection

243.11 Sec. 2. Minnesota Statutes 2020, section 84.63, is amended to read:

**243.12 84.63 CONVEYANCE OF INTERESTS IN LANDS TO STATE AND, FEDERAL,
243.13 AND TRIBAL GOVERNMENTS.**

243.14 (a) Notwithstanding any existing law to the contrary, the commissioner of natural
243.15 resources is hereby authorized on behalf of the state to convey to the United States, to a
243.16 federally recognized Indian Tribe, or to the state of Minnesota or any of its subdivisions,
243.17 upon state-owned lands under the administration of the commissioner of natural resources,
243.18 permanent or temporary easements for specified periods or otherwise for trails, highways,
243.19 roads including limitation of right of access from the lands to adjacent highways and roads,
243.20 flowage for development of fish and game resources, stream protection, flood control, and
243.21 necessary appurtenances thereto, such conveyances to be made upon such terms and
243.22 conditions including provision for reversion in the event of non-user as the commissioner
243.23 of natural resources may determine.

243.24 (b) In addition to the fee for the market value of the easement, the commissioner of
243.25 natural resources shall assess the applicant the following fees:

243.26 (1) an application fee of \$2,000 to cover reasonable costs for reviewing the application
243.27 and preparing the easement; and

243.28 (2) a monitoring fee to cover the projected reasonable costs for monitoring the
243.29 construction of the improvement for which the easement was conveyed and preparing special
243.30 terms and conditions for the easement. The commissioner must give the applicant an estimate
243.31 of the monitoring fee before the applicant submits the fee.

244.1 (c) The applicant shall pay these fees to the commissioner of natural resources. The
244.2 commissioner shall not issue the easement until the applicant has paid in full the application
244.3 fee, the monitoring fee, and the market value payment for the easement.

244.4 (d) Upon completion of construction of the improvement for which the easement was
244.5 conveyed, the commissioner shall refund the unobligated balance from the monitoring fee
244.6 revenue. The commissioner shall not return the application fee, even if the application is
244.7 withdrawn or denied.

244.8 (e) Money received under paragraph (b) must be deposited in the land management
244.9 account in the natural resources fund and is appropriated to the commissioner of natural
244.10 resources to cover the reasonable costs incurred for issuing and monitoring easements.

244.11 (f) A county or joint county regional railroad authority is exempt from all fees specified
244.12 under this section for trail easements on state-owned land.

244.13 (g) In addition to fees specified in this section, the applicant must reimburse the state
244.14 for costs incurred for cultural resources review, monitoring, or other services provided by
244.15 the Minnesota Historical Society under contract with the commissioner of natural resources
244.16 or the State Historic Preservation Office of the Department of Administration in connection

52.14 with the easement application, preparing the easement terms, or constructing the trail,
52.15 highway, road, or other improvements.

52.16 **EFFECTIVE DATE.** This section is effective the day following final enactment, except
52.17 that paragraph (g) is effective July 1, 2021.

52.18 Sec. 23. Minnesota Statutes 2020, section 84.631, is amended to read:

52.19 **84.631 ROAD EASEMENTS ACROSS STATE LANDS.**

52.20 (a) Except as provided in section 85.015, subdivision 1b, the commissioner of natural
52.21 resources, on behalf of the state, may convey a road easement across state land under the
52.22 commissioner's jurisdiction to a private person requesting an easement for access to property
52.23 owned by the person only if the following requirements are met: (1) there are no reasonable
52.24 alternatives to obtain access to the property; and (2) the exercise of the easement will not
52.25 cause significant adverse environmental or natural resource management impacts.

52.26 (b) The commissioner shall:

- 52.27 (1) require the applicant to pay the market value of the easement;
52.28 (2) limit the easement term to 50 years if the road easement is across school trust land;
52.29 (3) provide that the easement reverts to the state in the event of nonuse; and
52.30 (4) impose other terms and conditions of use as necessary and appropriate under the
52.31 circumstances.

53.1 (c) An applicant shall submit an application fee of \$2,000 with each application for a
53.2 road easement across state land. The application fee is nonrefundable, even if the application
53.3 is withdrawn or denied.

53.4 (d) In addition to the payment for the market value of the easement and the application
53.5 fee, the commissioner of natural resources shall assess the applicant a monitoring fee to
53.6 cover the projected reasonable costs for monitoring the construction of the road and preparing
53.7 special terms and conditions for the easement. The commissioner must give the applicant
53.8 an estimate of the monitoring fee before the applicant submits the fee. The applicant shall
53.9 pay the application and monitoring fees to the commissioner of natural resources. The
53.10 commissioner shall not issue the easement until the applicant has paid in full the application
53.11 fee, the monitoring fee, and the market value payment for the easement.

53.12 (e) Upon completion of construction of the road, the commissioner shall refund the
53.13 unobligated balance from the monitoring fee revenue.

53.14 (f) Fees collected under paragraphs (c) and (d) must be credited to the land management
53.15 account in the natural resources fund and are appropriated to the commissioner of natural
53.16 resources to cover the reasonable costs incurred under this section.

244.17 with the easement application, preparing the easement terms, or constructing the trail,
244.18 highway, road, or other improvements.

244.19 **EFFECTIVE DATE.** This section is effective the day following final enactment, except
244.20 that paragraph (g) is effective July 1, 2021.

244.21 Sec. 3. Minnesota Statutes 2020, section 84.631, is amended to read:

244.22 **84.631 ROAD EASEMENTS ACROSS STATE LANDS.**

244.23 (a) Except as provided in section 85.015, subdivision 1b, the commissioner of natural
244.24 resources, on behalf of the state, may convey a road easement across state land under the
244.25 commissioner's jurisdiction to a private person requesting an easement for access to property
244.26 owned by the person only if the following requirements are met: (1) there are no reasonable
244.27 alternatives to obtain access to the property; and (2) the exercise of the easement will not
244.28 cause significant adverse environmental or natural resource management impacts.

244.29 (b) The commissioner shall:

- 244.30 (1) require the applicant to pay the market value of the easement;
244.31 (2) limit the easement term to 50 years if the road easement is across school trust land;
244.32 (3) provide that the easement reverts to the state in the event of nonuse; and
245.1 (4) impose other terms and conditions of use as necessary and appropriate under the
245.2 circumstances.

245.3 (c) An applicant shall submit an application fee of \$2,000 with each application for a
245.4 road easement across state land. The application fee is nonrefundable, even if the application
245.5 is withdrawn or denied.

245.6 (d) In addition to the payment for the market value of the easement and the application
245.7 fee, the commissioner of natural resources shall assess the applicant a monitoring fee to
245.8 cover the projected reasonable costs for monitoring the construction of the road and preparing
245.9 special terms and conditions for the easement. The commissioner must give the applicant
245.10 an estimate of the monitoring fee before the applicant submits the fee. The applicant shall
245.11 pay the application and monitoring fees to the commissioner of natural resources. The
245.12 commissioner shall not issue the easement until the applicant has paid in full the application
245.13 fee, the monitoring fee, and the market value payment for the easement.

245.14 (e) Upon completion of construction of the road, the commissioner shall refund the
245.15 unobligated balance from the monitoring fee revenue.

245.16 (f) Fees collected under paragraphs (c) and (d) must be credited to the land management
245.17 account in the natural resources fund and are appropriated to the commissioner of natural
245.18 resources to cover the reasonable costs incurred under this section.

53.17 (g) In addition to fees specified in this section, the applicant must reimburse the state
 53.18 for costs incurred for cultural resources review, monitoring, or other services provided by
 53.19 the Minnesota Historical Society under contract with the commissioner of natural resources
 53.20 or the State Historic Preservation Office of the Department of Administration in connection
 53.21 with the easement application, preparing the easement terms, or constructing the road.

245.19 (g) In addition to fees specified in this section, the applicant must reimburse the state
 245.20 for costs incurred for cultural resources review, monitoring, or other services provided by
 245.21 the Minnesota Historical Society under contract with the commissioner of natural resources
 245.22 or the State Historic Preservation Office of the Department of Administration in connection
 245.23 with the easement application, preparing the easement terms, or constructing the road.

53.22 Sec. 24. Minnesota Statutes 2020, section 84.82, subdivision 1a, is amended to read:

53.23 Subd. 1a. **General requirements.** A person may not operate ~~or transport~~ a snowmobile
 53.24 unless the snowmobile has been registered under this section. A person may not sell a
 53.25 snowmobile without furnishing the buyer a bill of sale on a form prescribed by the
 53.26 commissioner.

53.27 Sec. 25. Minnesota Statutes 2020, section 84.82, subdivision 7a, is amended to read:

53.28 Subd. 7a. **Collector snowmobiles; limited use.** The commissioner may issue a special
 53.29 permit to a person or organization to operate ~~or transport~~ a collector snowmobile without
 53.30 registration in parades or organized group outings, such as races, rallies, and other
 53.31 promotional events and for up to ten days each year for personal transportation. The
 54.1 commissioner may impose a reasonable restriction on a permittee and may revoke, amend,
 54.2 suspend, or modify a permit for cause.

54.3 Sec. 26. Minnesota Statutes 2020, section 84.92, subdivision 8, is amended to read:

54.4 Subd. 8. **All-terrain vehicle or vehicle.** "All-terrain vehicle" or "vehicle" means a
 54.5 motorized vehicle with: (1) not less than three, but not more than six ~~low pressure or~~
 54.6 ~~non-pneumatic~~ tires; (2) a total dry weight of ~~2,000~~ 3,000 pounds or less; and (3) a total width

188.9 Sec. 20. Minnesota Statutes 2020, section 84.66, subdivision 1, is amended to read:

188.10 Subdivision 1. **Purpose.** The Minnesota forests for the future program identifies and
 188.11 protects private, working forest lands for their timber, scenic, recreational, fish and wildlife
 188.12 habitat, threatened and endangered species, natural carbon sequestration, and other cultural
 188.13 and environmental values.

188.14 Sec. 21. Minnesota Statutes 2020, section 84.66, subdivision 3, is amended to read:

188.15 Subd. 3. **Establishment.** The commissioner of natural resources shall establish and
 188.16 administer a Minnesota forests for the future program. Land selected for inclusion in the
 188.17 program shall be evaluated on the land's potential for:

188.18 (1) producing timber and other forest products;

188.19 (2) maintaining forest landscapes;

188.20 (3) providing public recreation; and

188.21 (4) providing ecological, fish and wildlife habitat, natural carbon sequestration, and
 188.22 other cultural and environmental values and values consistent with working forest lands.

188.23 Sec. 22. Minnesota Statutes 2020, section 84.82, subdivision 1a, is amended to read:

188.24 Subd. 1a. **General requirements.** A person may not operate ~~or transport~~ a snowmobile
 188.25 unless the snowmobile has been registered under this section. A person may not sell a
 188.26 snowmobile without furnishing the buyer a bill of sale on a form prescribed by the
 188.27 commissioner.

188.28 Sec. 23. Minnesota Statutes 2020, section 84.82, subdivision 7a, is amended to read:

188.29 Subd. 7a. **Collector snowmobiles; limited use.** The commissioner may issue a special
 188.30 permit to a person or organization to operate ~~or transport~~ a collector snowmobile without
 189.1 registration in parades or organized group outings, such as races, rallies, and other
 189.2 promotional events and for up to ten days each year for personal transportation. The
 189.3 commissioner may impose a reasonable restriction on a permittee and may revoke, amend,
 189.4 suspend, or modify a permit for cause.

189.5 Sec. 24. Minnesota Statutes 2020, section 84.92, subdivision 8, is amended to read:

189.6 Subd. 8. **All-terrain vehicle or vehicle.** "All-terrain vehicle" or "vehicle" means a
 189.7 motorized vehicle with: (1) not less than three, but not more than six ~~low pressure or~~
 189.8 ~~non-pneumatic~~ tires; (2) a total dry weight of ~~2,000~~ 3,000 pounds or less; and (3) a total width

54.7 width from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain
 54.8 vehicle includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. All-terrain vehicle
 54.9 does not include a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and
 54.10 used specifically for lawn maintenance, agriculture, logging, or mining purposes.

54.11 Sec. 27. Minnesota Statutes 2020, section 84.943, subdivision 3, is amended to read:

54.12 **Subd. 3. Appropriations matched by private funds or state bond fund**
appropriations. (a) Appropriations transferred to the critical habitat private sector matching
 54.13 account and money credited to the account under section 168.1296, subdivision 5, may be
 54.14 expended only to the extent that they are matched **equally** with contributions from private
 54.15 sources **or** by funds contributed to the nongame wildlife management account; **or by**
 54.16 **appropriations from the bond proceeds fund for projects that benefit critical natural habitat.**
 54.17 The private contributions may be made in cash, property, land, or interests in land.
 54.18 Appropriations transferred to the account that are not matched within three years from the
 54.19 date of the appropriation shall cancel to the source of the appropriation. For the purposes
 54.20 of this section, the private contributions of property, land, or interests in land that are retained
 54.21 by the commissioner shall be valued in accordance with their appraised value.

54.22 (b) For every dollar used as a match under paragraph (a), the commissioner may expend
 54.23 up to two dollars from the account for the purposes described in subdivision 5.

54.25 Sec. 28. Minnesota Statutes 2020, section 84.943, subdivision 5, is amended to read:

54.26 **Subd. 5. Pledges and contributions.** (a) The commissioner of natural resources may
 54.27 accept contributions and pledges to the critical habitat private sector matching account. A
 54.28 pledge that is made contingent on an appropriation is acceptable and shall be reported with
 54.29 other pledges as required in this section. The commissioner may agree to match a contribution
 54.30 contingent on a future appropriation. In the budget request for each biennium, the
 54.31 commissioner shall report the balance of contributions in the account and the amount that
 54.32 has been pledged for payment in the succeeding two calendar years.

54.33 (b) Money in the account is appropriated to the commissioner of natural resources only
 54.34 for the direct acquisition, restoration, or improvement enhancement of land or interests in
 54.35 land as provided in section 84.944. To the extent of available appropriations other than bond
 54.36 proceeds, the money matched to the nongame wildlife management account may be used
 54.37 for the management of nongame wildlife projects as specified in section 290.431. Acquisition
 54.38 includes:

54.39 (1) purchase of land or an interest in land by the commissioner; or

189.9 from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle
 189.10 includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle. All-terrain vehicle does
 189.11 not include a golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed and used
 189.12 specifically for lawn maintenance, agriculture, logging, or mining purposes.

189.13 Sec. 25. Minnesota Statutes 2020, section 84.943, subdivision 3, is amended to read:

189.14 **Subd. 3. Appropriations matched by private funds.** (a) Appropriations transferred to
 189.15 the critical habitat private sector matching account and money credited to the account under
 189.16 section 168.1296, subdivision 5, may be expended only to the extent that they are matched
 189.17 **equally** with contributions from private sources **or** by funds contributed to the nongame
 189.18 wildlife management account. The private contributions may be made in cash, property,
 189.19 land, or interests in land. Appropriations transferred to the account that are not matched
 189.20 within three years from the date of the appropriation shall cancel to the source of the
 189.21 appropriation. For the purposes of this section, the private contributions of property, land,
 189.22 or interests in land that are retained by the commissioner shall be valued in accordance with
 189.23 their appraised value.

189.24 (b) Except as provided under paragraph (c), for every dollar used as a match under
 189.25 paragraph (a), the commissioner may expend up to \$2 from the account for the purposes
 189.26 described in subdivision 6.

189.27 (c) The commissioner may spend up to \$2.50 from the account for every dollar used as
 189.28 a match under paragraph (a) for nongame purposes under subdivision 6, clause (2).

189.29 Sec. 26. Minnesota Statutes 2020, section 84.943, subdivision 5, is amended to read:

189.30 **Subd. 5. Pledges and contributions.** (a) The commissioner of natural resources may
 189.31 accept contributions and pledges to the critical habitat private sector matching account. A
 189.32 pledge that is made contingent on an appropriation is acceptable and shall be reported with
 190.1 other pledges as required in this section. The commissioner may agree to match a contribution
 190.2 contingent on a future appropriation. In the budget request for each biennium, the
 190.3 commissioner shall report the balance of contributions in the account and the amount that
 190.4 has been pledged for payment in the succeeding two calendar years.

190.5 (b) Money in the account is appropriated to the commissioner of natural resources only
 190.6 for the direct acquisition or improvement of land or interests in land as provided in section
 190.7 84.944. To the extent of available appropriations other than bond proceeds, the money
 190.8 matched to the nongame wildlife management account may be used for the management
 190.9 of nongame wildlife projects as specified in section 290.431. Acquisition includes:

190.10 (1) purchase of land or an interest in land by the commissioner; or

55.8 (2) acceptance by the commissioner of gifts of land or interests in land as program
 55.9 projects.

55.10 (c) To the extent of available appropriations other than bond proceeds, the money matched
 55.11 to the nongame wildlife management account may be used for:

55.12 (1) the management of nongame wildlife projects as specified in section 290.431;

55.13 (2) restoration and enhancement activities for critical natural habitat; or

55.14 (3) monitoring and evaluation activities for rare resources and native plant communities
 55.15 that inform the management of critical natural habitat.

55.16 No more than 30 percent of the nongame wildlife management account appropriations each
 55.17 fiscal year may be used to match money from the critical habitat private sector matching
 55.18 account for monitoring and evaluation activities.

190.11 (2) acceptance by the commissioner of gifts of land or interests in land as program
 190.12 projects.

190.13 Sec. 27. Minnesota Statutes 2020, section 84.943, is amended by adding a subdivision to
 190.14 read:

190.15 Subd. 6. **Expenditures.** Money in the account is appropriated to the commissioner and
 190.16 may be expended only as follows:

190.17 (1) revenue from license plates depicting big game, turkey, or pheasant or license plates
 190.18 not otherwise specified under this subdivision must be used to:

190.19 (i) purchase land or an interest in land;

190.20 (ii) inventory and monitor lands acquired under this section; or

190.21 (iii) accept gifts of land or interests in land as program projects;

190.22 (2) revenue from license plates depicting a loon, chickadee, or lady slipper must be used
 190.23 in addition to appropriations from the nongame wildlife management account for the purposes
 190.24 specified in section 290.431;

190.25 (3) revenue from license plates depicting anglers or fish must be used for aquatic
 190.26 management area purposes under section 86A.05, subdivision 14, including acquisition,
 190.27 development, and restoration;

190.28 (4) revenue from license plates depicting bees or other pollinators must be transferred
 190.29 to the Board of Water and Soil Resources for grants or payments under section 103B.104;
 190.30 and

191.1 (5) private contributions and other revenue must be used for the purposes under clause
 191.2 (1), unless specified for another purpose under this subdivision by the donor.

55.19 Sec. 29. Minnesota Statutes 2020, section 84.944, subdivision 1, is amended to read:

55.20 Subdivision 1. **Acquisition, restoration, and enhancement considerations.** (a) In
 55.21 determining what critical natural habitat shall be acquired or improved, restored, or enhanced,
 55.22 the commissioner shall consider:

55.23 (1) the significance of the land or water as existing or potential habitat for fish and
 55.24 wildlife and providing fish and wildlife oriented recreation;

55.25 (2) the significance of the land, water, or habitat improvement to maintain or enhance
 55.26 native plant, fish, or wildlife species designated as endangered or threatened under section
 55.27 84.0895;

55.28 (3) the presence of native ecological communities that are now uncommon or diminishing;
 55.29 and

55.30 (4) the significance of the land, water or habitat improvement to protect or enhance
 55.31 natural features within or contiguous to natural areas including fish spawning areas, wildlife
 56.1 management areas, scientific and natural areas, riparian habitat and fish and wildlife
 56.2 management projects.

56.3 (b) Based on the above clauses, the commissioner by rule must establish a process to
 56.4 prioritize what critical habitat shall be acquired or improved.

56.5 Sec. 30. Minnesota Statutes 2020, section 84.946, subdivision 4, is amended to read:

56.6 Subd. 4. **Priorities; report.** The commissioner of natural resources must establish
 56.7 priorities for natural resource asset preservation and replacement projects. By January 15
 56.8 March 1 each year, the commissioner must submit to the commissioner of management and
 56.9 budget a list of the projects that have been paid for with money from a natural resource
 56.10 asset preservation and replacement appropriation during the preceding calendar year.

191.3 Sec. 28. Minnesota Statutes 2020, section 84.943, is amended by adding a subdivision to
 191.4 read:

191.5 Subd. 7. **Report.** By January 15, 2024, and every two years thereafter, the commissioner
 191.6 must submit a report to the chairs and ranking minority members of the house of
 191.7 representatives and senate committees and divisions with jurisdiction over the environment
 191.8 and natural resources on the expenditure of money from the critical habitat private sector
 191.9 matching account and the nongame wildlife management account during the previous
 191.10 biennium.

191.11 Sec. 29. Minnesota Statutes 2020, section 84.946, subdivision 4, is amended to read:

191.12 Subd. 4. **Priorities; report.** The commissioner of natural resources must establish
 191.13 priorities for natural resource asset preservation and replacement projects. By January 15
 191.14 March 1 each year, the commissioner must submit to the commissioner of management and
 191.15 budget a list of the projects that have been paid for with money from a natural resource
 191.16 asset preservation and replacement appropriation during the preceding calendar year.

191.17 Sec. 30. **[84.9735] INSECTICIDES ON STATE LANDS.**

191.18 A person may not use a pesticide containing an insecticide in a wildlife management
 191.19 area, state park, state forest, aquatic management area, or scientific and natural area if the
 191.20 insecticide is from the neonicotinoid class of insecticides or contains chlorpyrifos.

56.11 Sec. 31. Minnesota Statutes 2020, section 84D.02, subdivision 3, is amended to read:

56.12 Subd. 3. **Management plan.** By December 31, 2021, and every ten years thereafter, the
 56.13 commissioner shall must prepare and maintain a long-term plan, which may include specific
 56.14 plans for individual species and actions, for the statewide management of invasive species
 56.15 of aquatic plants and wild animals. The plan must address:

56.16 (1) coordinated detection and prevention of accidental introductions;

56.17 (2) coordinated dissemination of information about invasive species of aquatic plants
 56.18 and wild animals among resource management agencies and organizations;

56.19 (3) a coordinated public education and awareness campaign;

56.20 (4) coordinated control of selected invasive species of aquatic plants and wild animals
 56.21 on lands and public waters;

56.22 (5) participation by lake associations, local citizen groups, and local units of government
 56.23 in the development and implementation of local management efforts;

56.24 (6) a reasonable and workable inspection requirement for watercraft and equipment
 56.25 including those participating in organized events on the waters of the state;

56.26 (7) the closing of points of access to infested waters, if the commissioner determines it
 56.27 is necessary, for a total of not more than seven days during the open water season for control
 56.28 or eradication purposes;

56.29 (8) maintaining public accesses on infested waters to be reasonably free of aquatic
 56.30 macrophytes; and

57.1 (9) notice to travelers of the penalties for violation of laws relating to invasive species
 57.2 of aquatic plants and wild animals.;

191.21 Sec. 31. **[84.9765] OUTDOOR ENGAGEMENT GRANT ACCOUNT.**

191.22 Subdivision 1. **Establishment.** The outdoor engagement grant account is established as
 191.23 an account in the natural resources fund. The purpose of the account is to provide funding
 191.24 from private sources to support the no child left inside grant program under section 84.976.

191.25 Subd. 2. **Funding sources.** Appropriations, gifts, grants, and other contributions to the
 191.26 outdoor engagement grant account must be credited to the account. All interest and other
 191.27 earnings on money in the account must be credited to the account.

191.28 Subd. 3. **Appropriation; expenditures.** Money in the account is appropriated to the
 191.29 commissioner of natural resources and may be used only for grants under section 84.976.

192.1 Sec. 32. Minnesota Statutes 2020, section 84D.02, subdivision 3, is amended to read:

192.2 Subd. 3. **Management plan.** By December 31, 2021, and every five years thereafter,
 192.3 the commissioner shall must prepare and maintain a long-term plan, which may include
 192.4 specific plans for individual species and actions, for the statewide management of invasive
 192.5 species of aquatic plants and wild animals. The plan must address:

192.6 (1) coordinated detection and prevention of accidental introductions;

192.7 (2) coordinated dissemination of information about invasive species of aquatic plants
 192.8 and wild animals among resource management agencies and organizations;

192.9 (3) a coordinated public education and awareness campaign;

192.10 (4) coordinated control of selected invasive species of aquatic plants and wild animals
 192.11 on lands and public waters;

192.12 (5) participation by lake associations, local citizen groups, and local units of government
 192.13 in the development and implementation of local management efforts;

192.14 (6) a reasonable and workable inspection requirement for watercraft and equipment
 192.15 including those participating in organized events on the waters of the state;

192.16 (7) the closing of points of access to infested waters, if the commissioner determines it
 192.17 is necessary, for a total of not more than seven days during the open water season for control
 192.18 or eradication purposes;

192.19 (8) maintaining public accesses on infested waters to be reasonably free of aquatic
 192.20 macrophytes; and

192.21 (9) notice to travelers of the penalties for violation of laws relating to invasive species
 192.22 of aquatic plants and wild animals; and

192.23 (10) the impacts of climate change on invasive species management.

57.3 Sec. 32. Minnesota Statutes 2020, section 84D.11, subdivision 1a, is amended to read:

57.4 Subd. 1a. **Permit for invasive carp.** The commissioner may issue a permit to
 57.5 departmental divisions for tagging bighead, black, grass, or silver carp for research or
 57.6 control. Under the permit, the carp may be released into the water body from which the carp
 57.7 was captured. This subdivision expires December 31, 2021.

192.24 Sec. 33. Minnesota Statutes 2020, section 84D.11, subdivision 1a, is amended to read:

192.25 Subd. 1a. **Permit for invasive carp.** The commissioner may issue a permit to
 192.26 departmental divisions for tagging bighead, black, grass, or silver carp for research or
 192.27 control. Under the permit, the carp may be released into the water body from which the carp
 192.28 was captured. This subdivision expires December 31, 2021.

193.1 Sec. 34. Minnesota Statutes 2020, section 84D.15, is amended to read:

84D.15 INVASIVE SPECIES ACCOUNT ACCOUNTS.

193.3 Subdivision 1. **Creation.** The invasive species account is and the invasive species
 193.4 research account are created in the state treasury in the natural resources fund.

193.5 Subd. 2. **Receipts.** (a) Money received from surcharges on watercraft licenses under
 193.6 section 86B.415, subdivision 7; civil penalties under section 84D.13; and service provider
 193.7 permits under section 84D.108; must be deposited in the invasive species account. Each
 193.8 year, the commissioner of management and budget must transfer from the game and fish
 193.9 fund to the invasive species account, the annual surcharge collected on nonresident fishing
 193.10 licenses under section 97A.475, subdivision 7, paragraph (b). Each fiscal year, the
 193.11 commissioner of management and budget shall transfer \$375,000 from the water recreation
 193.12 account under section 86B.706 to the invasive species account.

193.13 (b) Money received from surcharges on watercraft licenses under section 86B.415,
 193.14 subdivision 7, paragraph (a), must be deposited as follows:

193.15 (1) \$21 from each surcharge must be deposited in the invasive species account; and
 193.16 (2) \$4 from each surcharge must be deposited in the invasive species research account.
 193.17 (c) Money received from surcharges on watercraft licenses under section 86B.415,
 193.18 subdivision 7, paragraph (b), must be deposited in the invasive species research account.

193.19 Subd. 3. **Use of money in invasive species account.** Money credited to the invasive
 193.20 species account in subdivision 2 shall must be used for management of invasive species
 193.21 and implementation of this chapter as it pertains to invasive species, including control,
 193.22 public awareness, law enforcement, assessment and monitoring, management planning,
 193.23 habitat improvements, and research. Of the money credited to the account, at least \$2 from
 193.24 each surcharge on watercraft licenses under section 86B.415, subdivision 7, paragraph (a),
 193.25 must be used for grants to lake associations to manage aquatic invasive plant species.

193.26 Subd. 4. **Use of money in invasive species research account.** Money credited to the
 193.27 invasive species research account under subdivision 2, paragraph (b), must be used for
 193.28 grants to the Board of Regents of the University of Minnesota for the Minnesota Aquatic
 193.29 Invasive Species Research Center to research aquatic invasive species.

57.8 Sec. 33. Minnesota Statutes 2020, section 85.052, subdivision 1, is amended to read:
 57.9 Subdivision 1. **Authority to establish.** (a) The commissioner may establish, by written
 57.10 order, provisions for the use of state parks for the following:

193.30 Sec. 35. Minnesota Statutes 2020, section 85.015, subdivision 10, is amended to read:
 193.31 Subd. 10. **Luce Line Trail, Hennepin, McLeod, and Meeker Counties.** (a) The trail
 193.32 shall originate at Gleason Lake in Plymouth Village, Hennepin County, and shall follow
 194.1 the route of the Chicago Northwestern Railroad, and include a connection to Greenleaf Lake
 194.2 State Recreation Area.
 194.3 (b) The trail shall be developed for multiuse wherever feasible. The department shall
 194.4 cooperate in maintaining its integrity for modes of use consistent with local ordinances.
 194.5 (c) In establishing, developing, maintaining, and operating the trail, the commissioner
 194.6 shall cooperate with local units of government and private individuals and groups. Before
 194.7 acquiring any parcel of land for the trail, the commissioner of natural resources shall develop
 194.8 a management program for the parcel and conduct a public hearing on the proposed
 194.9 management program in the vicinity of the parcel to be acquired. The management program
 194.10 of the commissioner shall include but not be limited to the following: (a) fencing of portions
 194.11 of the trail where necessary to protect adjoining landowners; and (b) the maintenance of
 194.12 the trail in a litter free condition to the extent practicable.
 194.13 (d) The commissioner shall not acquire any of the right-of-way of the Chicago
 194.14 Northwestern Railway Company until the abandonment of the line described in this
 194.15 subdivision has been approved by the Surface Transportation Board or the former Interstate
 194.16 Commerce Commission. Compensation, in addition to the value of the land, shall include
 194.17 improvements made by the railroad, including but not limited to, bridges, trestles, public
 194.18 road crossings, or any portion thereof, it being the desire of the railroad that such
 194.19 improvements be included in the conveyance. The fair market value of the land and
 194.20 improvements shall be recommended by two independent appraisers mutually agreed upon
 194.21 by the parties. The fair market value thus recommended shall be reviewed by a review
 194.22 appraiser agreed to by the parties, and the fair market value thus determined, and supported
 194.23 by appraisals, may be the purchase price. The commissioner may exchange lands with
 194.24 landowners abutting the right-of-way described in this section to eliminate diagonally shaped
 194.25 separate fields.
 194.26 Sec. 36. Minnesota Statutes 2020, section 85.019, is amended by adding a subdivision to
 194.27 read:
 194.28 Subd. 6. **Administering grants.** Up to 2.5 percent of appropriations for grants under
 194.29 this section from revenue deposited in the natural resources fund under Minnesota Statutes,
 194.30 section 297A.94, paragraph (h), clause (4), may be used by the commissioner for the actual
 194.31 costs of administering the grants.

195.1 Sec. 37. Minnesota Statutes 2020, section 85.052, subdivision 1, is amended to read:
 195.2 Subdivision 1. **Authority to establish.** (a) The commissioner may establish, by written
 195.3 order, provisions for the use of state parks for the following:

57.11 (1) special parking space for automobiles or other motor-driven vehicles in a state park
 57.12 or state recreation area;

57.13 (2) special parking spurs, campgrounds for automobiles, sites for tent camping, other
 57.14 types of lodging, camping, or day use facilities, and special auto trailer coach parking spaces,
 57.15 for the use of the individual charged for the space or facility;

57.16 ~~(3) improvement and maintenance of golf courses already established in state parks, and
 57.17 charging reasonable use fees; and~~

57.18 ~~(4)~~(3) providing water, sewer, and electric service to trailer or tent campsites and charging
 57.19 a reasonable use fee; and

57.20 ~~(4) administrative penalties related to courtesy warnings and letters issued for failure to
 57.21 display a state park permit as required under section 85.053, subdivision 2.~~

57.22 (b) Provisions established under paragraph (a) are exempt from section 16A.1283 and
 57.23 the rulemaking provisions of chapter 14. Section 14.386 does not apply.

57.24 (c) For the purposes of this subdivision, "lodging" means an enclosed shelter, room, or
 57.25 building with furnishings for overnight use.

57.26 Sec. 34. Minnesota Statutes 2020, section 85.052, subdivision 2, is amended to read:

57.27 **Subd. 2. State park pageants special events.** (a) The commissioner may stage state
 57.28 park ~~pageants special events~~ in a state park, municipal park, or on other land near or adjoining
 57.29 a state park and charge an entrance or use fee for the ~~pageant special event~~. All receipts
 58.1 from the ~~pageants special events~~ must be used in the same manner as though the ~~pageants~~
 58.2 special events were conducted in a state park.

58.3 (b) The commissioner may establish, by written order, state park ~~pageant special event~~
 58.4 areas to hold historical or other ~~pageants special events~~ conducted by the commissioner of
 58.5 a state agency or other public agency. Establishment of the areas is exempt from the
 58.6 rulemaking provisions of chapter 14, and section 14.386 does not apply.

58.7 Sec. 35. Minnesota Statutes 2020, section 85.052, subdivision 6, is amended to read:

58.8 **Subd. 6. State park reservation system.** (a) The commissioner may, by written order,
 58.9 develop reasonable reservation policies for campsites and other lodging. These policies are
 58.10 exempt from rulemaking provisions under chapter 14 and section 14.386 does not apply.

58.11 (b) The revenue collected from the state park reservation fee established under subdivision
 58.12 5, including interest earned, shall be deposited in the state park account in the natural
 58.13 resources fund and is annually appropriated to the commissioner for the cost of operating
 58.14 the state park reservation and point-of-sale system.

195.4 (1) special parking space for automobiles or other motor-driven vehicles in a state park
 195.5 or state recreation area;

195.6 (2) special parking spurs, campgrounds for automobiles, sites for tent camping, other
 195.7 types of lodging, camping, or day use facilities, and special auto trailer coach parking spaces,
 195.8 for the use of the individual charged for the space or facility;

195.9 ~~(3) improvement and maintenance of golf courses already established in state parks, and
 195.10 charging reasonable use fees; and~~

195.11 ~~(4)~~(3) providing water, sewer, and electric service to trailer or tent campsites and charging
 195.12 a reasonable use fee; and

195.13 ~~(4) administrative penalties related to courtesy warnings and letters issued for failure to
 195.14 display a state park permit as required under section 85.053, subdivision 2.~~

195.15 (b) Provisions established under paragraph (a) are exempt from section 16A.1283 and
 195.16 the rulemaking provisions of chapter 14. Section 14.386 does not apply.

195.17 (c) For the purposes of this subdivision, "lodging" means an enclosed shelter, room, or
 195.18 building with furnishings for overnight use.

195.19 Sec. 38. Minnesota Statutes 2020, section 85.052, subdivision 2, is amended to read:

195.20 **Subd. 2. State park pageants special events.** (a) The commissioner may stage state
 195.21 park ~~pageants special events~~ in a state park, municipal park, or on other land near or adjoining
 195.22 a state park and charge an entrance or use fee for the ~~pageant special event~~. All receipts
 195.23 from the ~~pageants special events~~ must be used in the same manner as though the ~~pageants~~
 195.24 special events were conducted in a state park.

195.25 (b) The commissioner may establish, by written order, state park ~~pageant special event~~
 195.26 areas to hold historical or other ~~pageants special events~~ conducted by the commissioner of
 195.27 a state agency or other public agency. Establishment of the areas is exempt from the
 195.28 rulemaking provisions of chapter 14, and section 14.386 does not apply.

196.1 Sec. 39. Minnesota Statutes 2020, section 85.052, subdivision 6, is amended to read:

196.2 **Subd. 6. State park reservation system.** (a) The commissioner may, by written order,
 196.3 develop reasonable reservation policies for campsites and other lodging. These policies are
 196.4 exempt from rulemaking provisions under chapter 14 and section 14.386 does not apply.

196.5 (b) The revenue collected from the state park reservation fee established under subdivision
 196.6 5, including interest earned, shall be deposited in the state park account in the natural
 196.7 resources fund and is annually appropriated to the commissioner for the cost of operating
 196.8 the state park reservation and point-of-sale system.

58.15 Sec. 36. Minnesota Statutes 2020, section 85.053, subdivision 2, is amended to read:

58.16 Subd. 2. **Requirement.** Except as provided in section 85.054, a motor vehicle may not
 58.17 enter a state park, state recreation area, or state wayside over 50 acres in area, without a
 58.18 state park permit issued under this section or a state parks and trails plate issued under
 58.19 section 168.1295. Except for vehicles permitted under subdivisions 7, paragraph (a), clause
 58.20 (2), and 8, the state park permit must be affixed to the lower right corner windshield of the
 58.21 motor vehicle and must be completely affixed by its own adhesive to the windshield, or the
 58.22 commissioner may, by written order, provide an alternative means to display and validate
 58.23 state park permits. A motor vehicle owner or lessee is responsible for ensuring the owner's
 58.24 or lessee's vehicle has a state park permit, and the commissioner may issue warnings and
 58.25 citations under section 84.0835 to the owner or lessee of a vehicle not in compliance.

58.26 Sec. 37. Minnesota Statutes 2020, section 85.053, is amended by adding a subdivision to
 58.27 read:

58.28 Subd. 5a. **Free permit; members of federally recognized tribes.** (a) The commissioner
 58.29 must issue an annual state park permit for no charge to any member of the 11 federally
 58.30 recognized tribes in Minnesota. To qualify for a free state park permit under this subdivision,
 58.31 an individual must present a qualifying tribal identification, as determined by each of the
 58.32 tribal governments, to the park attendant on duty or other designee of the commissioner.

59.1 (b) For vehicles permitted under paragraph (a), the permit issued under this subdivision
 59.2 is valid only when displayed on a vehicle owned and occupied by the person to whom the
 59.3 permit is issued.

59.4 (c) The commissioner may issue a daily state park permit free of charge to an individual
 59.5 who qualifies under paragraph (a) and does not own or operate a motor vehicle.

59.6 **EFFECTIVE DATE.** This section is effective January 1, 2022.

59.7 Sec. 38. Minnesota Statutes 2020, section 85.054, subdivision 1, is amended to read:

59.8 Subdivision 1. **State Park Open House Days.** (a) A state park permit is not required
 59.9 for a motor vehicle to enter a state park, state monument, state recreation area, or state
 59.10 wayside, on four days each calendar year at each park, which the commissioner shall
 59.11 designate as State Park Open House Days. The commissioner may designate two consecutive
 59.12 days as State Park Open House Days, if the open house is held in conjunction with a special
 59.13 pageant event described in section 85.052, subdivision 2.

196.9 Sec. 40. Minnesota Statutes 2020, section 85.052, is amended by adding a subdivision to
 196.10 read:

196.11 Subd. 7. **Special-use permits.** The commissioner may, by written order, develop
 196.12 reasonable policies for special-use permits to use state parks, state recreation areas, and
 196.13 state waysides. These policies are exempt from rulemaking provisions under chapter 14,
 196.14 and section 14.386 does not apply.

196.15 Sec. 41. Minnesota Statutes 2020, section 85.053, subdivision 2, is amended to read:

196.16 Subd. 2. **Requirement.** Except as provided in section 85.054, a motor vehicle may not
 196.17 enter a state park, state recreation area, or state wayside over 50 acres in area, without a
 196.18 state park permit issued under this section or a state parks and trails plate issued under
 196.19 section 168.1295. Except for vehicles permitted under subdivisions 7, paragraph (a), clause
 196.20 (2), and 8, the state park permit must be affixed to the lower right corner windshield of the
 196.21 motor vehicle and must be completely affixed by its own adhesive to the windshield, or the
 196.22 commissioner may, by written order, provide an alternative means to display and validate
 196.23 state park permits. A motor vehicle owner or lessee is responsible for ensuring the owner's
 196.24 or lessee's vehicle has a state park permit, and the commissioner may issue warnings and
 196.25 citations under section 84.0835 to the owner or lessee of a vehicle not in compliance.

196.26 Sec. 42. Minnesota Statutes 2020, section 85.053, is amended by adding a subdivision to
 196.27 read:

196.28 Subd. 5a. **Free permit; members of federally recognized Tribes.** (a) The commissioner
 196.29 must issue an annual state park permit for no charge to any member of the 11 federally
 196.30 recognized Tribes in Minnesota. To qualify for a free state park permit under this subdivision,
 196.31 an individual must present a qualifying Tribal identification, as determined by each of the
 196.32 Tribal governments, to the park attendant on duty or other designee of the commissioner.

197.1 (b) For vehicles permitted under paragraph (a), the permit issued under this subdivision
 197.2 is valid only when displayed on a vehicle owned and occupied by the person to whom the
 197.3 permit is issued.

197.4 (c) The commissioner may issue a daily state park permit free of charge to an individual
 197.5 who qualifies under paragraph (a) and does not own or operate a motor vehicle.

197.6 **EFFECTIVE DATE.** This section is effective January 1, 2022.

197.7 Sec. 43. Minnesota Statutes 2020, section 85.054, subdivision 1, is amended to read:

197.8 Subdivision 1. **State Park Open House Days.** (a) A state park permit is not required
 197.9 for a motor vehicle to enter a state park, state monument, state recreation area, or state
 197.10 wayside, on four days each calendar year at each park, which the commissioner shall
 197.11 designate as State Park Open House Days. The commissioner may designate two consecutive
 197.12 days as State Park Open House Days, if the open house is held in conjunction with a special
 197.13 pageant event described in section 85.052, subdivision 2.

59.14 (b) The commissioner shall announce the date of each State Park Open House Day at
 59.15 least 30 days in advance of the date it occurs.

59.16 (c) The purpose of State Park Open House Days is to acquaint the public with state
 59.17 parks, recreation areas, and waysides.

59.18 (d) On State Park Open House Days, registered overnight guests in state parks and state
 59.19 recreation areas are exempt from the requirements for a state park permit under section
 59.20 85.053 until after the camping or lodging check-out time of the following day in the park
 59.21 where the overnight stay occurred.

197.14 (b) The commissioner shall announce the date of each State Park Open House Day at
 197.15 least 30 days in advance of the date it occurs.

197.16 (c) The purpose of State Park Open House Days is to acquaint the public with state
 197.17 parks, recreation areas, and waysides.

197.18 (d) On State Park Open House Days, registered overnight guests in state parks and state
 197.19 recreation areas are exempt from the requirements for a state park permit under section
 197.20 85.053 until after the camping or lodging check-out time of the following day in the park
 197.21 where the overnight stay occurred.

197.22 Sec. 44. Minnesota Statutes 2020, section 85.055, subdivision 1, is amended to read:

197.23 Subdivision 1. **Fees.** (a) The fee for state park permits for:

197.24 (1) an annual use of state parks is \$35 \$45;

197.25 (2) a second or subsequent vehicle state park permit is \$26 \$35;

197.26 (3) a state park permit valid for one day is \$7 \$10;

197.27 (4) a daily vehicle state park permit for groups is \$5 \$8;

197.28 (5) an annual permit for motorcycles is \$30 \$40;

197.29 (6) an employee's state park permit is without charge; and

198.1 (7) a state park permit for persons with disabilities under section 85.053, subdivision 7,
 198.2 paragraph (a), clauses (1) to (3), is \$12 \$20.

198.3 (b) The fees specified in this subdivision include any sales tax required by state law.

198.4 **EFFECTIVE DATE.** This section is effective July 1, 2022.

198.5 Sec. 45. Minnesota Statutes 2020, section 85.43, is amended to read:

198.6 **85.43 DISPOSITION OF RECEIPTS; PURPOSE.**

198.7 (a) Fees from cross-country-ski passes shall be deposited in the state treasury and credited
 198.8 to a cross-country-ski account in the natural resources fund and, except for the electronic
 198.9 licensing system commission established by the commissioner under section 84.027,
 198.10 subdivision 15, are appropriated to the commissioner of natural resources for the following
 198.11 purposes:

198.12 (1) grants-in-aid for cross-country-ski trails to:

198.13 (i) counties and municipalities for construction and maintenance of cross-country-ski
 198.14 trails; and

59.22 Sec. 39. Minnesota Statutes 2020, section 85.43, is amended to read:

59.23 **85.43 DISPOSITION OF RECEIPTS; PURPOSE.**

59.24 (a) Fees from cross-country-ski passes shall be deposited in the state treasury and credited
 59.25 to a cross-country-ski account in the natural resources fund and, except for the electronic
 59.26 licensing system commission established by the commissioner under section 84.027,
 59.27 subdivision 15, are appropriated to the commissioner of natural resources for the following
 59.28 purposes:

59.29 (1) grants-in-aid for cross-country-ski trails to:

59.30 (i) counties and municipalities for construction and maintenance of cross-country-ski
 59.31 trails; and

60.1 (ii) special park districts as provided in section 85.44 for construction and maintenance
60.2 of cross-country-ski trails; and

60.3 (2) administration of administering the cross-country-ski trail grant-in-aid program;
60.4 and

60.5 (3) developing and maintaining state cross-country-ski trails.

60.6 (b) Development and maintenance of state cross-country-ski trails are eligible for funding
60.7 from the cross country ski account if the money is appropriated by law.

60.8 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

198.15 (ii) special park districts as provided in section 85.44 for construction and maintenance
198.16 of cross-country-ski trails; and

198.17 (2) administration of administering the cross-country-ski trail grant-in-aid program;
198.18 and

198.19 (3) developing and maintaining state cross-country-ski trails.

198.20 (b) Development and maintenance of state cross-country-ski trails are eligible for funding
198.21 from the cross country ski account if the money is appropriated by law.

198.22 **EFFECTIVE DATE.** This section is effective retroactively from July 1, 2019.

198.23 Sec. 46. Minnesota Statutes 2020, section 85.47, is amended to read:

85.47 SPECIAL USE SPECIAL-USE PERMITS; FEES.

198.25 Subdivision 1. **Special-use permits.** The commissioner may, by written order, develop
198.26 reasonable policies for special-use permits to use state trails and state water access sites.
198.27 The policies are exempt from rulemaking provisions under chapter 14, and section 14.386
198.28 does not apply.

198.29 Subd. 2. **Disposition of fees.** Fees collected for special-use special-use permits to use
198.30 state trails and state water access sites not on state forest, state park, or state recreation area
199.1 lands and for use of state water access sites must be deposited in the natural resources fund
199.2 and are appropriated to the commissioner of natural resources for operating and maintaining
199.3 state trails and water access sites.

199.4 Sec. 47. Minnesota Statutes 2020, section 86B.415, subdivision 1, is amended to read:

199.5 Subdivision 1. **Watercraft 19 feet or less.** (a) Except as provided in paragraph (b) and
199.6 subdivision subdivisions 1a and 4, the fee for a watercraft license for watercraft 19 feet or
199.7 less in length is \$27 \$39.

199.8 (b) The watercraft license fee fees for the specified watercraft are as follows:

199.9 (1) for watercraft, other than personal watercraft, 19 feet in length or less that is offered
199.10 for rent or lease, the fee is \$9 \$13;

199.11 (2) for a sailboat, 19 feet in length or less, the fee is \$10.50 \$15.25;

199.12 (3) for a watercraft 19 feet in length or less used by a nonprofit corporation for teaching
199.13 boat and water safety, the fee is fees are as provided in subdivision 4;

199.14 (4) for a watercraft owned by a dealer under a dealer's license, the fee is as provided in
199.15 subdivision 5;

199.16 (5) for a personal watercraft, the fee is \$37.50 \$54.50, except for a personal watercraft
199.17 that is offered for rent or lease according to section 86B.313, subdivision 4, the fee is \$47;
199.18 and

199.19 (6) for a watercraft less than 17 feet in length, other than a watercraft listed in clauses
 199.20 (1) to (5), the fee is \$18 \$26.

199.21 Sec. 48. Minnesota Statutes 2020, section 86B.415, subdivision 1a, is amended to read:

199.22 Subd. 1a. **Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing**
 199.23 **shells.** Except as provided under subdivision 4, the fee for a watercraft license for a canoe,
 199.24 kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet in length is \$10.50
 199.25 \$15.25.

199.26 Sec. 49. Minnesota Statutes 2020, section 86B.415, subdivision 2, is amended to read:

199.27 Subd. 2. **Watercraft over 19 feet.** Except as provided in subdivisions 1a, 3, 4, and 5,
 199.28 the watercraft license fee:

199.29 (1) for a watercraft more than 19 feet but less than 26 feet in length is \$45 \$65.25;

199.30 (2) for a watercraft 26 feet but less than 40 feet in length is \$67.50 \$98; and

200.1 (3) for a watercraft 40 feet in length or longer is \$90 \$130.50.

200.2 Sec. 50. Minnesota Statutes 2020, section 86B.415, subdivision 3, is amended to read:

200.3 Subd. 3. **Watercraft over 19 feet for hire.** Except as provided under subdivision 4, the
 200.4 license fee for a watercraft more than 19 feet in length for hire with an operator is \$75
 200.5 \$108.75 each.

200.6 Sec. 51. Minnesota Statutes 2020, section 86B.415, subdivision 4, is amended to read:

200.7 Subd. 4. **Watercraft used by nonprofit corporation for teaching organization or**
 200.8 **homestead resort.** (a) The watercraft license fee for a watercraft used by a nonprofit
 200.9 organization for teaching boat and water safety is \$4.50 each.

200.10 (b) The following fees apply to watercraft owned and used by a homestead resort, as
 200.11 defined under section 273.13, subdivision 22, paragraph (c), that contains ten rental units
 200.12 or less, when the watercraft remains on a single water body:

200.13 (1) for a watercraft 40 feet in length or longer, \$90;

200.14 (2) for a watercraft 26 feet but less than 40 feet in length, \$67.50;

200.15 (3) for a watercraft more than 19 feet but less than 26 feet in length, \$45;

200.16 (4) for a watercraft more than 19 feet in length for hire with an operator, \$75;

200.17 (5) for a watercraft 17 to 19 feet in length, \$27, except as provided in clauses (6) to (10);

200.18 (6) for a watercraft, other than personal watercraft, 19 feet in length or less that is offered
 200.19 for rent or lease, \$9;

200.20 (7) for a sailboat 19 feet in length or less, \$10.50;
200.21 (8) for a personal watercraft, \$37.50;
200.22 (9) for a canoe, kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet
200.23 in length, \$10.50; and
200.24 (10) for a watercraft less than 17 feet in length, other than a watercraft listed in clauses
200.25 (6) to (9), \$18.
200.26 Sec. 52. Minnesota Statutes 2020, section 86B.415, subdivision 5, is amended to read:
200.27 Subd. 5. **Dealer's license.** There is no separate fee for watercraft owned by a dealer
200.28 under a dealer's license. The fee for a dealer's license is ~~\$67.50~~ \$98.
201.1 Sec. 53. Minnesota Statutes 2020, section 86B.415, subdivision 7, is amended to read:
201.2 Subd. 7. **Watercraft surcharge.** (a) A ~~\$10.60~~ \$25 surcharge is placed on each watercraft
201.3 licensed under subdivisions 1 to 3, and 5 for control, public awareness, law enforcement,
201.4 monitoring, and research of aquatic invasive species such as zebra mussel, purple loosestrife,
201.5 and Eurasian watermilfoil in public waters and public wetlands.
201.6 (b) A \$5 surcharge is placed on each watercraft licensed under subdivision 4 for deposit
201.7 in the invasive species research account under section 84D.15.
201.8 Sec. 54. Minnesota Statutes 2020, section 88.79, subdivision 1, is amended to read:
201.9 Subdivision 1. **Employing competent foresters; service to private owners.** The
201.10 commissioner of natural resources may employ competent foresters to furnish owners of
201.11 forest lands within the state of Minnesota who own not more than 1,000 acres of forest land,
201.12 forest management services consisting of:
201.13 (1) advice in management and protection of timber, including written stewardship and
201.14 forest management plans;
201.15 (2) selection and marking of timber to be cut;
201.16 (3) measurement of products;
201.17 (4) aid in marketing harvested products;
201.18 (5) provision of tree-planting equipment;
201.19 (6) advice in community forest management; and
201.20 (7) advice in tree selection and care for natural carbon sequestration and climate
201.21 resiliency; and
201.22 ~~(7)~~ (8) such other services as the commissioner of natural resources deems necessary or
201.23 advisable to promote maximum sustained yield of timber and other benefits upon such forest
201.24 lands.

60.9 Sec. 40. Minnesota Statutes 2020, section 89.021, is amended by adding a subdivision to
 60.10 read:

60.11 **Subd. 42a. Riverlands State Forest.**

60.12 Sec. 41. Minnesota Statutes 2020, section 89.17, is amended to read:

60.13 **89.17 LEASES AND PERMITS.**

60.14 (a) Notwithstanding the permit procedures of chapter 90, the commissioner may grant
 60.15 and execute, in the name of the state, leases and permits for the use of any forest lands under
 60.16 the authority of the commissioner for any purpose that in the commissioner's opinion is not
 60.17 inconsistent with the maintenance and management of the forest lands, on forestry principles
 60.18 for timber production. Every such lease or permit is revocable at the discretion of the
 60.19 commissioner at any time subject to such conditions as may be agreed on in the lease. The
 60.20 approval of the commissioner of administration is not required upon any such lease or
 60.21 permit. No such lease or permit for a period exceeding 21 years shall be granted except with
 60.22 the approval of the Executive Council.

60.23 (b) Public access to the leased land for outdoor recreation is the same as access would
 60.24 be under state management.

60.25 (c) Notwithstanding section 16A.125, subdivision 5, after deducting the reasonable costs
 60.26 incurred for preparing and issuing the lease, all remaining proceeds from leasing school
 60.27 trust land and university land for roads on forest lands must be deposited into the respective
 60.28 permanent fund for the lands.

60.29 (d) The commissioner may require a performance bond, security deposit, or other form
 60.30 of security for removing any improvements or personal property left on the leased premises
 60.31 by the lessee upon termination or cancellation of the lease.

61.1 (e) In addition to other payments required by this section, the applicant must reimburse
 61.2 the state for costs incurred for cultural resources review, monitoring, or other services
 61.3 provided by the Minnesota Historical Society under contract with the commissioner of
 61.4 natural resources or the State Historic Preservation Office of the Department of
 61.5 Administration in connection with reviewing the lease request, preparing the lease terms,
 61.6 or monitoring construction of improvements on the leased premises.

201.25 Sec. 55. Minnesota Statutes 2020, section 89.001, subdivision 8, is amended to read:

201.26 Subd. 8. **Forest resources.** "Forest resources" means those natural assets of forest lands,
 201.27 including timber and other forest crops; carbon sequestration for climate change mitigation;
 201.28 biological diversity; recreation; fish and wildlife habitat; wilderness; rare and distinctive
 201.29 flora and fauna; air; water; soil; climate; and educational, aesthetic, and historic values.

245.24 Sec. 4. Minnesota Statutes 2020, section 89.021, is amended by adding a subdivision to
 245.25 read:

245.26 **Subd. 42a. Riverlands State Forest.**

245.27 Sec. 5. Minnesota Statutes 2020, section 89.17, is amended to read:

245.28 **89.17 LEASES AND PERMITS.**

245.29 (a) Notwithstanding the permit procedures of chapter 90, the commissioner may grant
 245.30 and execute, in the name of the state, leases and permits for the use of any forest lands under
 245.31 the authority of the commissioner for any purpose that in the commissioner's opinion is not
 245.32 inconsistent with the maintenance and management of the forest lands, on forestry principles
 246.1 for timber production. Every such lease or permit is revocable at the discretion of the
 246.2 commissioner at any time subject to such conditions as may be agreed on in the lease. The
 246.3 approval of the commissioner of administration is not required upon any such lease or
 246.4 permit. No such lease or permit for a period exceeding 21 years shall be granted except with
 246.5 the approval of the Executive Council.

246.6 (b) Public access to the leased land for outdoor recreation is the same as access would
 246.7 be under state management.

246.8 (c) Notwithstanding section 16A.125, subdivision 5, after deducting the reasonable costs
 246.9 incurred for preparing and issuing the lease, all remaining proceeds from leasing school
 246.10 trust land and university land for roads on forest lands must be deposited into the respective
 246.11 permanent fund for the lands.

246.12 (d) The commissioner may require a performance bond, security deposit, or other form
 246.13 of security for removing any improvements or personal property left on the leased premises
 246.14 by the lessee upon termination or cancellation of the lease.

246.15 (e) In addition to other payments required by this section, the applicant must reimburse
 246.16 the state for costs incurred for cultural resources review, monitoring, or other services
 246.17 provided by the Minnesota Historical Society under contract with the commissioner of
 246.18 natural resources or the State Historic Preservation Office of the Department of
 246.19 Administration in connection with reviewing the lease request, preparing the lease terms,
 246.20 or monitoring construction of improvements on the leased premises.

202.1 Sec. 56. Minnesota Statutes 2020, section 89.35, subdivision 2, is amended to read:

202.2 Subd. 2. **Purpose of planting.** The purposes for which trees may be produced, procured,
202.3 distributed, and planted under sections 89.35 to 89.39 shall include auxiliary forests,
202.4 woodlots, windbreaks, shelterbelts, erosion control, soil conservation, water conservation,
202.5 provision of permanent food and cover for wild life, environmental education, natural carbon
202.6 sequestration, species adaptation to climate change, and afforestation and reforestation on
202.7 public or private lands of any kind, but shall do not include the raising of fruit for human
202.8 consumption or planting for purely ornamental purposes. It is hereby declared that all such
202.9 authorized purposes are in furtherance of the public health, safety, and welfare.

202.10 Sec. 57. Minnesota Statutes 2020, section 89.37, subdivision 3, is amended to read:

202.11 Subd. 3. **Private lands.** The commissioner may supply only bare root seedlings, woody
202.12 cuttings, and transplant material for use on private land, provided that such material must
202.13 be sold in lots of not less than 500 250 for a sum determined by the commissioner to be
202.14 equivalent to the cost of the materials and the expenses of their distribution. The
202.15 commissioner may not directly or indirectly supply any other planting stock for use on
202.16 private lands.

202.17 Sec. 58. Minnesota Statutes 2020, section 89A.03, subdivision 2, is amended to read:

202.18 Subd. 2. **Purpose.** The council must develop recommendations to the governor and to
202.19 federal, state, county, and local governments with respect to forest resource policies and
202.20 practices that result in the sustainable management, use, and protection of the state's forest
202.21 resources. The policies and practices must:

202.22 (1) acknowledge the interactions of complex sustainable forest resources, multiple
202.23 ownership patterns, and local to international economic forces;

202.24 (2) give equal consideration to the long-term economic, ecological, and social needs
202.25 and limits of the state's forest resources;

202.26 (3) foster the productivity of the state's forests to provide a diversity of sustainable
202.27 benefits at site levels and landscape levels;

202.28 (4) enhance the ability of the state's forest resources to provide future benefits and
202.29 services;

202.30 (5) foster no net loss of forest land in Minnesota;

203.1 (6) encourage appropriate mixes of forest cover types and age classes within landscapes
203.2 to promote biological diversity and viable forest-dependent fish and wildlife habitats;

203.3 (7) acknowledge the importance of the state's forest resources in providing natural carbon
203.4 storage and the role climate change will have on tree species selection and adaptation;

203.5 (7) (8) encourage collaboration and coordination with multiple constituencies in planning
203.6 and managing the state's forest resources; and

61.7 Sec. 42. Minnesota Statutes 2020, section 89A.11, is amended to read:

61.8 **89A.11 SUNSET.**

61.9 Sections 89A.01; 89A.02; 89A.03; 89A.04; 89A.05; 89A.06; 89A.07; 89A.08; 89A.09;
61.10 89A.10; 89A.105; and 89A.11 ~~are repealed~~ expire June 30, 2024 2028.

61.11 Sec. 43. Minnesota Statutes 2020, section 92.50, is amended by adding a subdivision to
61.12 read:

61.13 Subd. 4. Reimbursing costs. In addition to other payments required by this section, the
61.14 applicant must reimburse the state for costs incurred for cultural resources review, monitoring,
61.15 or other services provided by the Minnesota Historical Society under contract with the
61.16 commissioner of natural resources or the State Historic Preservation Office of the Department
61.17 of Administration in connection with reviewing the lease request, preparing the lease terms,
61.18 or constructing improvements on the leased premises.

61.19 Sec. 44. Minnesota Statutes 2020, section 92.502, is amended to read:

61.20 **92.502 LEASE OF TAX-FORFEITED AND STATE LANDS.**

61.21 (a) Notwithstanding section 282.04 or other law to the contrary, St. Louis County may
61.22 enter a 30-year lease of tax-forfeited land for a wind energy project.

61.23 (b) The commissioner of natural resources may enter a 30-year lease of land administered
61.24 by the commissioner for a wind energy project.

61.25 (c) The commissioner of natural resources may enter a 30-year lease of land administered
61.26 by the commissioner for recreational trails and facilities. The commissioner may assess the
61.27 lease applicant a monitoring fee to cover the projected reasonable costs of monitoring
61.28 construction of the recreational trail or facility and preparing special terms and conditions
61.29 of the license to ensure proper construction. The commissioner must give the applicant an
61.30 estimate of the monitoring fee before the applicant is required to submit the fee. Upon
62.1 completion of construction of the trail or facility, the commissioner must refund the
62.2 unobligated balance from the monitoring fee revenue.

62.3 (d) Notwithstanding section 282.04 or other law to the contrary, Lake and St. Louis
62.4 Counties may enter into 30-year leases of tax-forfeited land for recreational trails and
62.5 facilities.

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

62.7 Sec. 45. **[92.503] CONSERVATION PLANNING LEASES.**

62.8 The commissioner of natural resources may lease state-owned lands as defined in section
62.9 92.01 for a term not to exceed 21 years for the purpose of investigating, analyzing, and

203.7 (8) (9) address the environmental impacts and implement mitigations as recommended
203.8 in the generic environmental impact statement on timber harvesting.

203.9 Sec. 59. Minnesota Statutes 2020, section 89A.11, is amended to read:

203.10 **89A.11 SUNSET.**

203.11 Sections 89A.01; 89A.02; 89A.03; 89A.04; 89A.05; 89A.06; 89A.07; 89A.08; 89A.09;
203.12 89A.10; 89A.105; and 89A.11 ~~are repealed~~ expire June 30, 2024 2028.

246.21 Sec. 6. Minnesota Statutes 2020, section 92.50, is amended by adding a subdivision to
246.22 read:

246.23 Subd. 4. Reimbursing costs. In addition to other payments required by this section, the
246.24 applicant must reimburse the state for costs incurred for cultural resources review, monitoring,
246.25 or other services provided by the Minnesota Historical Society under contract with the
246.26 commissioner of natural resources or the State Historic Preservation Office of the Department
246.27 of Administration in connection with reviewing the lease request, preparing the lease terms,
246.28 or constructing improvements on the leased premises.

246.29 Sec. 7. Minnesota Statutes 2020, section 92.502, is amended to read:

246.30 **92.502 LEASE OF TAX-FORFEITED AND STATE LANDS.**

246.31 (a) Notwithstanding section 282.04 or other law to the contrary, St. Louis County may
246.32 enter a 30-year lease of tax-forfeited land for a wind energy project.

247.1 (b) The commissioner of natural resources may enter a 30-year lease of land administered
247.2 by the commissioner for a wind energy project.

247.3 (c) The commissioner of natural resources may enter a 30-year lease of land administered
247.4 by the commissioner for recreational trails and facilities. The commissioner may assess the
247.5 lease applicant a monitoring fee to cover the projected reasonable costs of monitoring
247.6 construction of the recreational trail or facility and preparing special terms and conditions
247.7 of the license to ensure proper construction. The commissioner must give the applicant an
247.8 estimate of the monitoring fee before the applicant is required to submit the fee. Upon
247.9 completion of construction of the trail or facility, the commissioner must refund the
247.10 unobligated balance from the monitoring fee revenue.

247.11 (d) Notwithstanding section 282.04 or other law to the contrary, Lake and St. Louis
247.12 Counties may enter into 30-year leases of tax-forfeited land for recreational trails and
247.13 facilities.

62.10 developing conservation easements that provide ecosystem services benefits. Leases granted
 62.11 under this section are not subject to section 92.50, subdivision 1, paragraph (b), with respect
 62.12 to Executive Council approval for commercial leases or section 92.50, subdivision 1,
 62.13 paragraph (d).

62.14 Sec. 46. Minnesota Statutes 2020, section 94.3495, subdivision 3, is amended to read:

62.15 Subd. 3. **Valuation of land.** (a) In an exchange of class 1 land for class 2 or 3 land, the
 62.16 value of all the land shall be determined by the commissioner of natural resources, but the
 62.17 county board must approve the value determined for the class 2 land, and the governmental
 62.18 subdivision of the state must approve the value determined for the class 3 land. In an
 62.19 exchange of class 2 land for class 3 land, the value of all the land shall be determined by
 62.20 the county board of the county in which the land lies, but the governmental subdivision of
 62.21 the state must approve the value determined for the class 3 land.

62.22 (b) To determine the value of the land, the parties to the exchange may either (1) cause
 62.23 the land to be appraised, or (2) determine the value for each 40-acre tract or lot, or a portion
 62.24 thereof, using the most current township or county assessment schedules within the preceding
 62.25 two years for similar land types from the county assessor of the county in which the lands
 62.26 are located. Merchantable timber value should be considered in finalizing valuation of the
 62.27 lands.

62.28 (c) Except for school trust lands and university lands, the lands exchanged under this
 62.29 section shall be exchanged only for lands of at least substantially equal value. For the
 62.30 purposes of this subdivision, "substantially equal value" has the meaning given under section
 62.31 94.343, subdivision 3, paragraph (b). No payment is due either party if the lands, other than
 63.1 school trust lands or university lands, are of substantially equal value but are not of the same
 63.2 value.

63.3 (d) School trust lands and university lands exchanged under this section must be
 63.4 exchanged only for lands of equal or greater value.

247.14 Sec. 8. Minnesota Statutes 2020, section 94.3495, subdivision 3, is amended to read:

247.15 Subd. 3. **Valuation of land.** (a) In an exchange of class 1 land for class 2 or 3 land, the
 247.16 value of all the land shall be determined by the commissioner of natural resources, but the
 247.17 county board must approve the value determined for the class 2 land, and the governmental
 247.18 subdivision of the state must approve the value determined for the class 3 land. In an
 247.19 exchange of class 2 land for class 3 land, the value of all the land shall be determined by
 247.20 the county board of the county in which the land lies, but the governmental subdivision of
 247.21 the state must approve the value determined for the class 3 land.

247.22 (b) To determine the value of the land, the parties to the exchange may either (1) cause
 247.23 the land to be appraised, or (2) determine the value for each 40-acre tract or lot, or a portion
 247.24 thereof, using the most current township or county assessment schedules within the preceding
 247.25 two years for similar land types from the county assessor of the county in which the lands
 247.26 are located. Merchantable timber value should be considered in finalizing valuation of the
 247.27 lands.

247.28 (c) Except for school trust lands and university lands, the lands exchanged under this
 247.29 section shall be exchanged only for lands of at least substantially equal value. For the
 247.30 purposes of this subdivision, "substantially equal value" has the meaning given under section
 247.31 94.343, subdivision 3, paragraph (b). No payment is due either party if the lands, other than
 247.32 school trust lands or university lands, are of substantially equal value but are not of the same
 247.33 value.

248.1 (d) School trust lands and university lands exchanged under this section must be
 248.2 exchanged only for lands of equal or greater value.

203.13 Sec. 60. Minnesota Statutes 2020, section 97A.015, subdivision 25, is amended to read:

203.14 Subd. 25. **Game fish.** "Game fish" means fish from the following families and species:
 203.15 Acipenseridae (lake sturgeon and shovelnose sturgeon), Anguillidae (American eel),
 203.16 Centrarchidae (black crappie; largemouth bass; rock bass; smallmouth bass; white crappie;
 203.17 and sunfishes, including bluegill, green sunfish, longear sunfish, orangespotted sunfish,
 203.18 pumpkinseed, and warmouth), Esocidae (muskellunge and northern pike), Gadidae (burbot),
 203.19 Ictaluridae (blue catfish, channel catfish, and flathead catfish), Lepisosteidae (gar), Moronidae
 203.20 (white bass and yellow bass), Percidae (sauger, walleye, and yellow perch), Polyodontidae
 203.21 (paddlefish), and Salmonidae (Atlantic salmon, brook trout, brown trout, chinook salmon,
 203.22 cisco (tullibee), coho salmon, kokanee salmon, lake trout, lake whitefish, pink salmon, and
 203.23 rainbow trout). Game fish includes hybrids of game fish.

63.5 Sec. 47. Minnesota Statutes 2020, section 97A.015, subdivision 29, is amended to read:

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

203.24 Sec. 61. Minnesota Statutes 2020, section 97A.015, subdivision 43, is amended to read:

203.25 Subd. 43. **Rough fish.** "Rough fish" means carp, buffalo, sucker, sheepshead, bowfin,
 203.26 ~~gar~~, goldeye, and bullhead, except for any fish species listed as endangered, threatened, or
 203.27 of special concern in Minnesota Rules, chapter 6134.

204.1 Sec. 62. Minnesota Statutes 2020, section 97A.015, subdivision 51, is amended to read:

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

204.5 (1) for a flintlock ignition ~~is unloaded if~~, it does not have priming powder in a pan. A
 204.6 ~~muzzle loading firearm with~~

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

204.8 (3) for an electronic ignition system, the battery is removed and is disconnected from
 204.9 ~~the firearm; and~~

204.10 (4) for an encapsulated powder charge ignition system, the primer and powder charge
 204.11 ~~are removed from the firearm.~~

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

63.11 Sec. 48. Minnesota Statutes 2020, section 97A.075, subdivision 1, is amended to read:

63.12 Subdivision 1. **Deer, bear, and lifetime licenses.** (a) For purposes of this subdivision,
 63.13 "deer license" means a license issued under section 97A.475, subdivisions 2, clauses (5),
 63.14 (6), (7), ~~(13)~~ (15), ~~(14)~~ (16), and ~~(15)~~ (17); 3, paragraph (a), clauses (2), (3), (4), ~~(10)~~ (12),
 63.15 ~~(11)~~ (13), and ~~(12)~~ (14); and 8, paragraph (b), and licenses issued under section 97B.301,
 63.16 subdivision 4.

63.17 (b) The deer management account is established as an account in the game and fish fund
 63.18 and may be used only for deer habitat improvement or deer management programs, including
 63.19 a computerized licensing system. The following amounts must be credited to the deer
 63.20 management account:

63.21 (1) \$16 from each annual deer license issued under section 97A.475, subdivisions 2,
 63.22 clauses (5), (6), and (7); 3, paragraph (a), clauses (2), (3), and (4); and 8, paragraph (b);

63.23 (2) \$2 from each annual deer license issued under sections 97A.475, subdivisions 2,
63.24 clauses (13) (15), (14) (16), and (15) (17); and 3, paragraph (a), clauses (10) (12), (11) (13),
63.25 and (12) (14); and 97B.301, subdivision 4; and

63.26 (3) \$16 annually from the lifetime fish and wildlife trust fund, established under section
63.27 97A.4742, for each license issued to a person 18 years of age or older under section 97A.473,
63.28 subdivision 4, and \$2 annually from the lifetime fish and wildlife trust fund for each license
63.29 issued to a person under 18 years of age.

63.30 (c) \$1 from each annual deer license and each bear license and \$1 annually from the
63.31 lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued
63.32 under section 97A.473, subdivision 4, must be credited to the deer and bear management
64.1 account and is appropriated to the commissioner for deer- and bear-management programs,
64.2 including a computerized licensing system.

64.3 (d) Fifty cents from each deer license is credited to the emergency deer feeding and wild
64.4 Cervidae health-management account and is appropriated for emergency deer feeding and
64.5 wild Cervidae health management. Money appropriated for emergency deer feeding and
64.6 wild Cervidae health management is available until expended.

64.7 (e) When the unencumbered balance in the appropriation for emergency deer feeding
64.8 and wild Cervidae health management exceeds \$2,500,000 at the end of a fiscal year, the
64.9 unencumbered balance over \$2,500,000 is canceled and is available for deer- and
64.10 bear-management programs and computerized licensing.

64.11 Sec. 49. Minnesota Statutes 2020, section 97A.075, subdivision 7, is amended to read:

64.12 Subd. 7. **Wolf licenses; account established.** (a) For purposes of this subdivision, "wolf
64.13 license" means a license or permit issued under section 97A.475, subdivision 2, clause (20)
64.14 (22); 3, paragraph (a), clause (16) (18); or 20, paragraph (b).

64.15 (b) A wolf management and monitoring account is created in the game and fish fund.
64.16 Revenue from wolf licenses must be credited to the wolf management and monitoring
64.17 account and is appropriated to the commissioner only for wolf management, research,
64.18 damage control, enforcement, and education. Notwithstanding any other law to the contrary,
64.19 money credited to the account may not be used to pay indirect costs or agency shared
64.20 services.

64.21 Sec. 50. Minnesota Statutes 2020, section 97A.126, is amended by adding a subdivision
64.22 to read:

64.23 Subd. 3. **Walk-in-access hunter validation; fee.** The fee for a walk-in-access hunter
64.24 validation is \$3.

64.25 Sec. 51. Minnesota Statutes 2020, section 97A.137, subdivision 5, is amended to read:

64.26 Subd. 5. **Portable stands.** (a) Prior to the Saturday on or nearest September 16, a portable
64.27 stand may be left overnight in a wildlife management area by a person with a valid bear

64.28 license who is hunting within 100 yards of a bear bait site that is legally tagged and registered
 64.29 as prescribed under section 97B.425. Any person leaving a portable stand overnight under
 64.30 this subdivision must affix a tag with: (1) the person's name and address; (2) the licensee's
 64.31 driver's license number; or (3) the "MDNR#" license identification number issued to the
 64.32 licensee. The tag must be affixed to the stand in a manner that it can be read from the ground.

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

65.4 State Trunk Highway 1 from the west boundary of the state to State Trunk Highway 89;
 65.5 then north along State Trunk Highway 89 to Fourtown; then north on County State-Aid
 65.6 Highway 44, Beltrami County, to County Road 704, Beltrami County; then north on County
 65.7 Road 704 to Dick's Parkway State Forest Road; then north on Dick's Parkway to County
 65.8 State-Aid Highway 5, Roseau County; then north on County State-Aid Highway 5 to
 65.9 Warroad; then north on State Trunk Highway 11 to State Trunk Highway 313; then north
 65.10 on State Trunk Highway 313 to the north boundary of the state.

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

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

65.22 Sec. 52. Minnesota Statutes 2020, section 97A.401, subdivision 1, is amended to read:

65.23 Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits
 65.24 for the activities in this section. A special permit may be issued in the form of a general
 65.25 permit to a governmental subdivision or to the general public to conduct one or more
 65.26 activities under subdivisions 2 to 7.⁸

65.27 Sec. 53. Minnesota Statutes 2020, section 97A.401, is amended by adding a subdivision
 65.28 to read:

65.29 Subd. 8. **Snakes, lizards, and salamanders.** The commissioner must prescribe conditions
 65.30 and may issue permits to breed, propagate, and sell snakes, lizards, and salamanders. A
 65.31 snake, lizard, or salamander that is obtained from a permitted breeder or that was possessed
 65.32 before August 1, 2021, may be possessed as a pet.

204.13 Sec. 63. Minnesota Statutes 2020, section 97A.401, subdivision 1, is amended to read:

204.14 Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits
 204.15 for the activities in this section. A special permit may be issued in the form of a general
 204.16 permit to a governmental subdivision or to the general public to conduct one or more
 204.17 activities under subdivisions 2 to 7.⁸

204.18 Sec. 64. Minnesota Statutes 2020, section 97A.401, is amended by adding a subdivision
 204.19 to read:

204.20 Subd. 8. **Snakes, lizards, and salamanders.** The commissioner must prescribe conditions
 204.21 and may issue permits to breed, propagate, and sell native snakes, lizards, and salamanders.
 204.22 A native snake, lizard, or salamander that is obtained from a permitted breeder or that was
 204.23 possessed before August 1, 2021, may be possessed as a pet unless otherwise prohibited
 204.24 under section 84.0895.

66.1 Sec. 54. Minnesota Statutes 2020, section 97A.421, subdivision 1, is amended to read:

66.2 Subdivision 1. **General.** (a) The annual license of a person convicted of a violation of
66.3 the game and fish laws relating to the license or wild animals covered by the license is void
66.4 when:

66.5 (1) a second conviction occurs within three years under a license to trap fur-bearing
66.6 animals, take small game, or to take fish by angling or spearing;

66.7 (2) a ~~third~~ second conviction occurs within ~~one year~~ three years under a minnow dealer's
66.8 license;

66.9 (3) a second conviction occurs within three years for violations of section 97A.425 that
66.10 do not involve falsifications or intentional omissions of information required to be recorded,
66.11 or attempts to conceal unlawful acts within the records;

66.12 (4) two or more misdemeanor convictions occur within a three-year period under a
66.13 private fish hatchery license;

66.14 (5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for
66.15 a violation of section 97A.425 not described in clause (3); or

66.16 (6) the conviction is related to assisting a person in the illegal taking, transportation, or
66.17 possession of wild animals, when acting as a hunting or angling guide.

66.18 (b) Except for big-game licenses and as otherwise provided in this section, for one year
66.19 after the conviction the person may not obtain the kind of license or take wild animals under
66.20 a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish
66.21 law violation.

66.22 Sec. 55. Minnesota Statutes 2020, section 97A.421, is amended by adding a subdivision
66.23 to read:

66.24 Subd. 3b. **Issuance after conviction; night vision or thermal imaging equipment.** (a)
66.25 A person who is convicted of a violation under paragraph (b) and who possessed night
66.26 vision or thermal imaging equipment during the violation may not obtain a hunting license
66.27 or hunt wild animals for five years from the date of conviction.

66.28 (b) The revocation under this subdivision applies to convictions for:

66.29 (1) trespassing;

66.30 (2) hunting game in closed season;

66.31 (3) hunting game in closed hours;

67.1 (4) possessing night vision or thermal imaging equipment while taking wild animals in
67.2 violation of section 97B.086; or

204.25 Sec. 65. Minnesota Statutes 2020, section 97A.421, subdivision 1, is amended to read:

204.26 Subdivision 1. **General.** (a) The annual license of a person convicted of a violation of
204.27 the game and fish laws relating to the license or wild animals covered by the license is void
204.28 when:

204.29 (1) a second conviction occurs within three years under a license to trap fur-bearing
204.30 animals, take small game, or to take fish by angling or spearing;

205.1 (2) a ~~third~~ second conviction occurs within ~~one year~~ three years under a minnow dealer's
205.2 license;

205.3 (3) a second conviction occurs within three years for violations of section 97A.425 that
205.4 do not involve falsifications or intentional omissions of information required to be recorded,
205.5 or attempts to conceal unlawful acts within the records;

205.6 (4) two or more misdemeanor convictions occur within a three-year period under a
205.7 private fish hatchery license;

205.8 (5) the conviction occurs under a license not described in clause (1), (2), or (4) or is for
205.9 a violation of section 97A.425 not described in clause (3); or

205.10 (6) the conviction is related to assisting a person in the illegal taking, transportation, or
205.11 possession of wild animals, when acting as a hunting or angling guide.

205.12 (b) Except for big-game licenses and as otherwise provided in this section, for one year
205.13 after the conviction the person may not obtain the kind of license or take wild animals under
205.14 a lifetime license, issued under section 97A.473 or 97A.474, relating to the game and fish
205.15 law violation.

67.3 (5) possessing unlawful firearms in deer zones in violation of section 97B.041.

67.4 Sec. 56. Minnesota Statutes 2020, section 97A.475, subdivision 2, is amended to read:

67.5 Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents
67.6 only, are:

67.7 (1) for persons age 18 or over and under age 65 to take small game, \$15.50;

67.8 (2) for persons age 65 or over, \$7 to take small game;

67.9 (3) for persons age 18 or over to take turkey, \$26;

67.10 (4) for persons age 13 or over and under age 18 to take turkey, \$5;

67.11 (5) for persons age 18 or over to take deer with firearms during the regular firearms
67.12 season, \$34;

67.13 (6) for persons age 18 or over to take deer by archery, \$34;

67.14 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
67.15 season, \$34;

67.16 (8) to take moose, for a party of not more than six persons, \$356;

67.17 (9) for persons age 18 or over to take bear, \$44;

67.18 (10) to take elk, for a party of not more than two persons, \$287;

67.19 (11) to take Canada geese during a special season, \$4;

67.20 (12) to take light geese during the light goose conservation order, \$2.50;

67.21 (13) to take sandhill crane during the sandhill crane season, \$3;

67.22 (12)(14) to take prairie chickens, \$23;

67.23 (13)(15) for persons age 13 or over and under age 18 to take deer with firearms during
67.24 the regular firearms season, \$5;

67.25 (14)(16) for persons age 13 or over and under age 18 to take deer by archery, \$5;

67.26 (15)(17) for persons age 13 or over and under age 18 to take deer by muzzleloader
67.27 during the muzzleloader season, \$5;

67.28 (16)(18) for persons age 10, 11, or 12 to take bear, no fee;

68.1 (17)(19) for persons age 13 or over and under age 18 to take bear, \$5;

68.2 (18)(20) for persons age 18 or over to take small game for a consecutive 72-hour period
68.3 selected by the licensee, \$19, of which an amount equal to one-half of the fee for the
68.4 migratory-waterfowl stamp under subdivision 5, clause (1), shall be deposited in the
68.5 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of

68.6 the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the
68.7 pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half
68.8 of the small-game surcharge under subdivision 4, shall be deposited in the wildlife acquisition
68.9 account;

68.10 ~~(19)~~ (21) for persons age 16 or over and under age 18 to take small game, \$5;

68.11 ~~(20)~~ (22) to take wolf, \$30;

68.12 ~~(21)~~ (23) for persons age 12 and under to take turkey, no fee;

68.13 ~~(22)~~ (24) for persons age 10, 11, or 12 to take deer by firearm, no fee;

68.14 ~~(23)~~ (25) for persons age 10, 11, or 12 to take deer by archery, no fee; and

68.15 ~~(24)~~ (26) for persons age 10, 11, or 12 to take deer by muzzleloader during the
68.16 muzzleloader season, no fee.

68.17 Sec. 57. Minnesota Statutes 2020, section 97A.475, subdivision 3, is amended to read:

68.18 Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued to
68.19 nonresidents, are:

68.20 (1) for persons age 18 or over to take small game, \$90.50;

68.21 (2) for persons age 18 or over to take deer with firearms during the regular firearms
68.22 season, \$180;

68.23 (3) for persons age 18 or over to take deer by archery, \$180;

68.24 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
68.25 season, \$180;

68.26 (5) for persons age 18 or over to take bear, \$225;

68.27 (6) for persons age 18 or over to take turkey, \$91;

68.28 (7) for persons age 13 or over and under age 18 to take turkey, \$5;

68.29 (8) to take raccoon or bobcat, \$178;

68.30 (9) to take Canada geese during a special season, \$4;

69.1 (10) to take light geese during the light goose conservation order, \$2.50;

69.2 (11) to take sandhill crane during the sandhill crane season, \$3;

69.3 ~~(10)~~ (12) for persons age 13 or over and under age 18 to take deer with firearms during
69.4 the regular firearms season in any open season option or time period, \$5;

69.5 ~~(11)~~ (13) for persons age 13 or over and under age 18 to take deer by archery, \$5;

69.6 ~~(12)~~ (14) for persons age 13 or over and under age 18 to take deer during the muzzleloader
69.7 season, \$5;

69.8 ~~(13)~~ (15) for persons age 13 or over and under 18 to take bear, \$5;

69.9 ~~(14)~~ (16) for persons age 18 or over to take small game for a consecutive 72-hour period
69.10 selected by the licensee, \$75, of which an amount equal to one-half of the fee for the
69.11 migratory-waterfowl stamp under subdivision 5, clause (1), shall be deposited in the
69.12 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of
69.13 the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the
69.14 pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half
69.15 of the small-game surcharge under subdivision 4, shall be deposited into the wildlife
69.16 acquisition account;

69.17 ~~(15)~~ (17) for persons age 16 or 17 to take small game, \$5;

69.18 ~~(16)~~ (18) to take wolf, \$250;

69.19 ~~(17)~~ (19) for persons age 12 and under to take turkey, no fee;

69.20 ~~(18)~~ (20) for persons age ten, 11, or 12 to take deer by firearm, no fee;

69.21 ~~(19)~~ (21) for persons age ten, 11, or 12 to take deer by archery, no fee;

69.22 ~~(20)~~ (22) for persons age ten, 11, or 12 to take deer by muzzleloader during the
69.23 muzzleloader season, no fee; and

69.24 ~~(21)~~ (23) for persons age 10, 11, or 12 to take bear, no fee.

69.25 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph
69.26 (a), clauses (1) to (6) and (8). An additional commission may not be assessed on this
69.27 surcharge.

69.28 Sec. 58. Minnesota Statutes 2020, section 97A.475, subdivision 3a, is amended to read:

69.29 Subd. 3a. **Deer license donation and surcharge.** (a) A person may agree to add a
69.30 donation of \$1, \$3, or \$5 to the fees for annual resident and nonresident licenses to take
70.1 deer by firearms or archery established under subdivisions 2, clauses (5), (6), (7), ~~(13)~~ (15),
70.2 ~~(14)~~ (16), and ~~(15)~~ (17), and 3, paragraph (a), clauses (2), (3), (4), ~~(10)~~ (12), ~~(11)~~ (13), and
70.3 ~~(12)~~ (14).

70.4 (b) Beginning March 1, 2008, fees for bonus licenses to take deer by firearms or archery
70.5 established under section 97B.301, subdivision 4, must be increased by a surcharge of \$1.

70.6 (c) An additional commission may not be assessed on the donation or surcharge.

70.7 Sec. 59. Minnesota Statutes 2020, section 97A.475, subdivision 4, is amended to read:

70.8 Subd. 4. **Small-game surcharge and donation.** (a) Fees for annual licenses to take
70.9 small game must be increased by a surcharge of \$6.50, except licenses under subdivisions

70.10 2, clauses (18) (20) and (19) (21); and 3, paragraph (a), clause (14) (16) and (17). An
 70.11 additional commission may not be assessed on the surcharge and the following statement
 70.12 must be included in the annual small-game-hunting regulations: "This \$6.50 surcharge is
 70.13 being paid by hunters for the acquisition and development of wildlife lands."

70.14 (b) A person may agree to add a donation of \$1, \$3, or \$5 to the fees for annual resident
 70.15 and nonresident licenses to take small game. An additional commission may not be assessed
 70.16 on the donation. The following statement must be included in the annual small-game-hunting
 70.17 regulations: "The small-game license donations are being paid by hunters for administration
 70.18 of the walk-in access program."

70.19 Sec. 60. Minnesota Statutes 2020, section 97A.505, subdivision 3b, is amended to read:
 70.20 Subd. 3b. **Wild animals taken on Red Lake Reservation lands within Northwest**
 70.21 **Angle.** Wild animals taken and tagged on the Red Lake Reservation lands in accordance
 70.22 with the Red Lake Band's Conservation Code on the Red Lake Reservation lands in
 70.23 Minnesota north of the 49th parallel shall be and all applicable federal law are considered
 70.24 lawfully taken and possessed under state law. Possessing wild animals harvested under this
 70.25 subdivision is in addition to any state limits.

205.16 Sec. 66. Minnesota Statutes 2020, section 97A.475, subdivision 41, is amended to read:

205.17 Subd. 41. **Turtle license.** (a) The fee for a turtle seller's license to sell turtles
 205.18 and to take, transport, buy, and possess turtles for sale is \$250.

205.19 (b) The fee for a recreational turtle license to take, transport, and possess turtles for
 205.20 personal use is \$25.

205.21 (c) The fee for a turtle seller's apprentice license is \$100.

205.22 Sec. 67. Minnesota Statutes 2020, section 97A.505, subdivision 3b, is amended to read:

205.23 Subd. 3b. **Wild animals taken on Red Lake Reservation lands within Northwest**
 205.24 **Angle.** Wild animals taken and tagged on the Red Lake Reservation lands in accordance
 205.25 with the Red Lake Band's Conservation Code on the Red Lake Reservation lands in
 205.26 Minnesota north of the 49th parallel shall be and all applicable federal law are considered
 205.27 lawfully taken and possessed under state law. Possessing wild animals harvested under this
 205.28 subdivision is in addition to any state limits.

206.1 Sec. 68. Minnesota Statutes 2020, section 97A.505, subdivision 8, is amended to read:

206.2 Subd. 8. **Importing hunter-harvested Cervidae carcasses.** (a) Importing
 206.3 hunter-harvested Cervidae carcasses procured by any means into Minnesota is prohibited
 206.4 except for cut and wrapped meat, quarters or other portions of meat with no part of the
 206.5 spinal column or head attached, antlers, hides, teeth, finished taxidermy mounts, and antlers
 206.6 attached to skull caps that are cleaned of all brain tissue. Hunter harvested

206.7 (b) Cervidae carcasses taken originating from outside of Minnesota may be transported
 206.8 on a direct route through the state by nonresidents.

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

70.26 Sec. 61. Minnesota Statutes 2020, section 97B.022, is amended by adding a subdivision
 70.27 to read:

70.28 Subd. 3. **Apprentice-hunter validation; fee.** The fee for an apprentice-hunter validation
 70.29 is \$3.50. Fees collected must be deposited in the firearms safety training account, except
 70.30 for the electronic licensing system commission established by the commissioner under
 70.31 section 84.027, subdivision 15, and issuing fees collected under section 97A.485, subdivision
 71.1 6, and are appropriated annually to the Enforcement Division of the Department of Natural
 71.2 Resources for administering the firearm safety course program.

206.10 Sec. 69. Minnesota Statutes 2020, section 97B.031, subdivision 1, is amended to read:

206.11 Subdivision 1. **Permissible firearms and ammunition; big game and wolves.** A person
 206.12 may take big game and wolves with a firearm only if:
 206.13 (1) ~~the any rifle, shotgun, and or handgun used is a caliber of at least .22 inches and with~~
 206.14 ~~has centerfire ignition;~~
 206.15 (2) the firearm is loaded only with single projectile ammunition;
 206.16 (3) a projectile used is a caliber of at least .22 inches and has a soft point or is an
 206.17 ~~expanding bullet type;~~
 206.18 (4) ~~the any muzzleloader used is incapable of being has the projectile loaded only at the~~
 206.19 ~~breech muzzle;~~
 206.20 (5) ~~the any smooth-bore muzzleloader used is a caliber of at least .45 inches; and~~
 206.21 (6) ~~the any rifled muzzleloader used is a caliber of at least .40 inches.~~

71.3 Sec. 62. Minnesota Statutes 2020, section 97B.036, is amended to read:

97B.036 CROSSBOW HUNTING DURING FIREARMS SEASON.

71.5 Notwithstanding section 97B.035, subdivisions 1 and 2, a person may take deer, bear,
 71.6 or turkey by crossbow during the respective ~~regular~~ firearms seasons. The transportation
 71.7 requirements of section 97B.051 apply to crossbows during the ~~regular~~ firearms deer, bear,
 71.8 or turkey season. Crossbows must meet the requirements of section 97B.106, subdivision
 71.9 2. A person taking deer, bear, or turkey by crossbow under this section must have a valid
 71.10 firearms license to take the respective game by firearm. This section does not allow the use
 71.11 of a crossbow by licensed muzzleloader hunters during the muzzleloader firearms deer
 71.12 season under section 97B.311.

71.13 Sec. 63. Minnesota Statutes 2020, section 97B.055, subdivision 2, is amended to read:

71.14 Subd. 2. **Restrictions related to motor vehicles.** (a) A person may not take a wild
 71.15 animal with a firearm or by archery from a motor vehicle except as permitted in this section.

71.16 (b) A person may not shoot at a decoy of a wild animal that is placed by a licensed peace
 71.17 officer by:

71.18 (1) discharging a firearm from a motor vehicle; or

71.19 (2) discharging an arrow from a bow from a motor vehicle.

71.20 (c) Notwithstanding section 97B.091, a person may transport a bow uncased while in a
 71.21 motorized watercraft and may take rough fish while in the boat as provided in section
 71.22 97C.376, subdivision 3.

71.23 Sec. 64. Minnesota Statutes 2020, section 97B.071, is amended to read:

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

71.26 (a) Except as provided in rules adopted under paragraph (e)(d), a person may not hunt
 71.27 or trap during the open season where deer may be taken by firearms under applicable laws
 71.28 and ordinances, unless the visible portion of the person's cap and outer clothing above the
 71.29 waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze
 71.30 pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within
 72.1 each foot square. This section does not apply to migratory-waterfowl hunters on waters of
 72.2 this state or in a stationary shooting location or to trappers on waters of this state.

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

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

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

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

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

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

206.22 Sec. 70. Minnesota Statutes 2020, section 97B.071, is amended to read:

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

206.25 (a) Except as provided in rules adopted under paragraph (e)(d), a person may not hunt
 206.26 or trap during the open season where deer may be taken by firearms under applicable laws
 206.27 and ordinances, unless the visible portion of the person's cap and outer clothing above the
 206.28 waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze
 206.29 pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within
 207.1 each foot square. This section does not apply to migratory-waterfowl hunters on waters of
 207.2 this state or in a stationary shooting location or to trappers on waters of this state.

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

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

207.9 (2) at least 144 square inches of blaze orange material on each side of the blind.

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

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

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

72.22 Sec. 65. Minnesota Statutes 2020, section 97B.086, is amended to read:

97B.086 POSSESSING NIGHT VISION OR THERMAL IMAGING EQUIPMENT.

72.24 (a) A person may not possess night vision or thermal imaging equipment while taking
72.25 wild animals or while having in possession, either individually or as one of a group of
72.26 persons, a firearm, bow, or other implement that could be used to take wild animals.

72.27 (b) This section does not apply to a firearm that is:

72.28 (1) unloaded;

72.29 (2) in a gun case expressly made to contain a firearm that fully encloses the firearm by
72.30 being zipped, snapped, buckled, tied, or otherwise fastened without any portion of the
72.31 firearm exposed; and

73.1 (3) in the closed trunk of a motor vehicle.

73.2 (c) This section does not apply to a bow that is:

73.3 (1) completely encased or unstrung; and

73.4 (2) in the closed trunk of a motor vehicle.

73.5 (d) If the motor vehicle under paragraph (b) or (c) does not have a trunk, the firearm or
73.6 bow must be placed in the rearmost location of the vehicle.

73.7 (e) This section does not apply to night vision, night vision enhanced with an infrared
73.8 illuminator, or thermal imaging equipment possessed by:

73.9 (1) peace officers or military personnel while exercising their duties; or

73.10 (2) a person taking coyote or fox as provided under section 97B.075 and rules adopted
73.11 under section 97B.605, but the equipment must not be possessed during the regular firearms
73.12 deer season.

73.13 Sec. 66. Minnesota Statutes 2020, section 97B.311, is amended to read:

97B.311 DEER SEASONS AND RESTRICTIONS.

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

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

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

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

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

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

74.1 Sec. 67. Minnesota Statutes 2020, section 97B.415, is amended to read:

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

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

74.7 (b) The commissioner must issue a bear control special permit according to section
 74.8 97A.401 for wildlife control operators to take nuisance bear by live trapping and relocating
 74.9 the bear. When a bear is trapped and released, an enforcement officer or a wildlife manager
 74.10 must approve the release location. The commissioner must provide specific training to
 74.11 wildlife control operators who are issued a permit under this paragraph, including a refresher
 74.12 course every five years. The commissioner may not charge a fee for the bear control special
 74.13 permit or training. A wildlife control operator with a special permit issued under this
 74.14 paragraph may use remote surveillance equipment to monitor live traps.

74.15 Sec. 68. Minnesota Statutes 2020, section 97B.645, subdivision 9, is amended to read:

74.16 Subd. 9. **Open season.** There shall be no (a) The commissioner must prescribe an annual
 74.17 open season for wolves until after unless the wolf is delisted listed under the federal
 74.18 Endangered Species Act of 1973. After that time, the commissioner may prescribe open
 74.19 seasons and restrictions for taking wolves but must provide opportunity for public comment.
 74.20 The season, restrictions, and any other requirements must be consistent with the goals
 74.21 identified in the wolf management plan adopted under section 97B.646.

74.22 (b) The commissioner must annually consult with the commissioner of agriculture and
 74.23 the United States Department of Agriculture, Animal and Plant Health Inspection Service,
 74.24 before determining the season, restrictions, and other requirements of the open season
 74.25 required under this section. The consultation must include a review of available data on
 74.26 wolf depredation on livestock and pets and other incidents of human conflict.

207.21 Sec. 71. **[97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME
 207.22 IN CERTAIN AREAS.**

207.23 Subdivision 1. **Nontoxic shot on wildlife management areas in farmland zone.** After
 207.24 July 1, 2022, a person may not take small game, rails, or common snipe on any wildlife
 207.25 management area within the farmland zone with shot other than:

74.27 Sec. 69. Minnesota Statutes 2020, section 97B.715, subdivision 1, is amended to read:

74.28 Subdivision 1. **Stamp required.** (a) Except as provided in paragraph (b) or section
74.29 97A.405, subdivision 2, a person required to possess a small-game license may not hunt
74.30 pheasants without a pheasant stamp validation.

74.31 (b) The following persons are exempt from this subdivision:

74.32 (1) residents and nonresidents under age 18 and residents over age 65;
75.1 (2) persons hunting on licensed commercial shooting preserves;
75.2 (3) resident disabled veterans with a license issued under section 97A.441, subdivision
75.3 6a; and
75.4 (4) residents and nonresidents hunting on licenses issued under section 97A.475,
75.5 subdivision 2, clause (18) (20); or 3, paragraph (a), clause (14) (16).

75.6 Sec. 70. Minnesota Statutes 2020, section 97B.801, is amended to read:

75.7 **97B.801 MINNESOTA MIGRATORY-WATERFOWL STAMP REQUIRED.**

75.8 (a) Except as provided in this section or section 97A.405, subdivision 2, a person required
75.9 to possess a small-game license may not take migratory waterfowl without a
75.10 migratory-waterfowl stamp validation.

75.11 (b) Residents under age 18 or over age 65; resident disabled veterans with a license
75.12 issued under section 97A.441, subdivision 6a; and persons hunting on their own property
75.13 are not required to possess a stamp validation under this section.

75.14 (c) Residents and nonresidents with licenses issued under section 97A.475, subdivision
75.15 2, clause (18) (20); or 3, paragraph (a), clause (14) (16), are not required to possess a stamp
75.16 validation under this section.

207.26 (1) steel shot;
207.27 (2) copper-plated, nickel-plated, or zinc-plated steel shot; or
207.28 (3) shot made of other nontoxic material approved by the director of the United States
207.29 Fish and Wildlife Service.
207.30 Subd. 2. **Farmland zone.** For the purposes of this section, the farmland zone is the
207.31 portion of the state that falls south and west of Minnesota Highway 70 westward from the
207.32 Wisconsin border to Minnesota Highway 65 to Minnesota Highway 23 to U.S. Highway
208.1 169 at Milaca to Minnesota Highway 18 at Garrison to Minnesota Highway 210 at Brainerd
208.2 to U.S. Highway 10 at Motley to U.S. Highway 59 at Detroit Lakes northward to the
208.3 Canadian border.

75.17 Sec. 71. Minnesota Statutes 2020, section 97B.811, subdivision 4a, is amended to read:

75.18 Subd. 4a. **Restrictions on certain motorized decoys.** ~~From the opening day of the duck~~
 75.19 ~~season through the Saturday nearest October 8, a person may not use a motorized decoy,~~
 75.20 ~~or other motorized device designed to attract migratory waterfowl. During the remainder~~
 75.21 ~~of the duck season, the commissioner may, by rule, designate all or any portion of a wetland~~
 75.22 ~~or lake closed to the use of motorized decoys or motorized devices designed to attract~~
 75.23 ~~migratory waterfowl. On water bodies and lands fully contained within wildlife management~~
 75.24 ~~area boundaries, a person may not use motorized decoys or motorized devices designed to~~
 75.25 ~~attract migratory waterfowl at any time during the duck season.~~

75.26 Sec. 72. Minnesota Statutes 2020, section 97C.005, subdivision 3, is amended to read:

75.27 Subd. 3. **Seasons, limits, and other rules.** The commissioner may, in accordance with
 75.28 the procedures in subdivision 2, paragraphs (c) and (e), or by rule under chapter 14, establish
 75.29 open seasons, limits, methods, and other requirements for taking fish on special management
 75.30 waters. The commissioner may, by written order published in the State Register, amend
 75.31 daily, possession, or size limits to make midseason adjustments based on available harvest,
 76.1 angling pressure, and population data to manage the fisheries in the 1837 Ceded Territory
 76.2 in compliance with the court orders in Mille Lacs Band of Chippewa v. Minnesota, 119 S.
 76.3 Ct. 1187 (1999) and in the state waters of Upper Red Lake. The midseason adjustments in
 76.4 daily, possession, or size limits are not subject to the rulemaking provisions of chapter 14
 76.5 and section 14.386 does not apply. Before the written order is effective, the commissioner
 76.6 shall attempt to notify persons or groups of persons affected by the written order by public
 76.7 announcement, posting, and other appropriate means as determined by the commissioner.

76.8 Sec. 73. Minnesota Statutes 2020, section 97C.081, subdivision 3, is amended to read:

76.9 Subd. 3. **Contests requiring permit.** (a) Unless subdivision 3a applies, a person must
 76.10 have a permit from the commissioner to conduct a fishing contest if:

76.11 (1) there are more than 25 boats for open-water contests, more than 150 participants for
 76.12 ice-fishing contests, or more than 100 participants for shore-fishing contests;

76.13 (2) entry fees are more than \$25 per person; or

76.14 (3) the contest is limited to trout species.

76.15 (b) The commissioner shall charge a fee for the permit that recovers the costs of issuing
 76.16 the permit and of monitoring the activities allowed by the permit. Notwithstanding section
 76.17 16A.1283, the commissioner may, by written order published in the State Register, establish
 76.18 contest permit fees. The fees are not subject to the rulemaking provisions of chapter 14, and
 76.19 section 14.386 does not apply.

76.20 (c) The commissioner may require the applicant to furnish evidence of financial
 76.21 responsibility in the form of a surety bond or bank letter of credit in the amount of \$25,000
 76.22 if entry fees are over \$25 per person, or total prizes are valued at more than \$25,000, and
 76.23 if the applicant has either:

208.4 Sec. 72. Minnesota Statutes 2020, section 97B.811, subdivision 4a, is amended to read:

208.5 Subd. 4a. **Restrictions on certain motorized decoys.** ~~From the opening day of the duck~~
 208.6 ~~season through the Saturday nearest October 8, a person may not use a motorized decoy,~~
 208.7 ~~or other motorized device designed to attract migratory waterfowl. During the remainder~~
 208.8 ~~of the duck season, the commissioner may, by rule, designate all or any portion of a wetland~~
 208.9 ~~or lake closed to the use of motorized decoys or motorized devices designed to attract~~
 208.10 ~~migratory waterfowl. On water bodies and lands fully contained within wildlife management~~
 208.11 ~~area boundaries, a person may not use motorized decoys or motorized devices designed to~~
 208.12 ~~attract migratory waterfowl at any time during the duck season.~~

208.13 Sec. 73. Minnesota Statutes 2020, section 97C.005, subdivision 3, is amended to read:

208.14 Subd. 3. **Seasons, limits, and other rules.** The commissioner may, in accordance with
 208.15 the procedures in subdivision 2, paragraphs (c) and (e), or by rule under chapter 14, establish
 208.16 open seasons, limits, methods, and other requirements for taking fish on special management
 208.17 waters. The commissioner may, by written order published in the State Register, amend
 208.18 daily, possession, or size limits to make midseason adjustments based on available harvest,
 208.19 angling pressure, and population data to manage the fisheries in the 1837 Ceded Territory
 208.20 in compliance with the court orders in Mille Lacs Band of Chippewa v. Minnesota, 119 S.
 208.21 Ct. 1187 (1999) and in the state waters of Upper Red Lake. The midseason adjustments in
 208.22 daily, possession, or size limits are not subject to the rulemaking provisions of chapter 14
 208.23 and section 14.386 does not apply. Before the written order is effective, the commissioner
 208.24 shall attempt to notify persons or groups of persons affected by the written order by public
 208.25 announcement, posting, and other appropriate means as determined by the commissioner.

208.26 Sec. 74. Minnesota Statutes 2020, section 97C.081, subdivision 3, is amended to read:

208.27 Subd. 3. **Contests requiring permit.** (a) Unless subdivision 3a applies, a person must
 208.28 have a permit from the commissioner to conduct a fishing contest if:

208.29 (1) there are more than 25 boats for open-water contests, more than 150 participants for
 208.30 ice-fishing contests, or more than 100 participants for shore-fishing contests;

208.31 (2) entry fees are more than \$25 per person; or

208.32 (3) the contest is limited to trout species.

209.1 (b) The commissioner shall charge a fee for the permit that recovers the costs of issuing
 209.2 the permit and of monitoring the activities allowed by the permit. Notwithstanding section
 209.3 16A.1283, the commissioner may, by written order published in the State Register, establish
 209.4 contest permit fees. The fees are not subject to the rulemaking provisions of chapter 14, and
 209.5 section 14.386 does not apply.

209.6 (c) The commissioner may require the applicant to furnish evidence of financial
 209.7 responsibility in the form of a surety bond or bank letter of credit in the amount of \$25,000
 209.8 if entry fees are over \$25 per person, or total prizes are valued at more than \$25,000, and
 209.9 if the applicant has either:

76.24 (1) not previously conducted a fishing contest requiring a permit under this subdivision;
 76.25 or
 76.26 (2) ever failed to make required prize awards in a fishing contest conducted by the
 76.27 applicant.
 76.28 (d) The permit fee for any individual contest may not exceed the following amounts:
 76.29 (1) \$70 for an open-water contest not exceeding 50 boats and without off-site weigh-in;
 76.30 (2) \$225 for an open-water contest with more than 50 boats and without off-site weigh-in;
 76.31 (3) \$280 for an open-water contest not exceeding 50 boats with off-site weigh-in;
 77.1 (4) \$560 for an open-water contest with more than 50 boats with off-site weigh-in; ~~or~~
 77.2 (5) \$135 for an ice-fishing contest with more than 150 participants; or
 77.3 (6) \$50 for a contest where all participants are age 18 years or under.
 77.4 Sec. 74. Minnesota Statutes 2020, section 97C.081, subdivision 3a, is amended to read:
 77.5 Subd. 3a. **No permit required.** A person may conduct a fishing contest without a permit
 77.6 from the commissioner if:
 77.7 (1) the contest is not limited to specifically named waters;
 77.8 ~~(2) all the contest participants are age 18 years or under;~~
 77.9 ~~(3)~~ (2) the contest is limited to rough fish and participants are required to fish with a
 77.10 hook and line; or
 77.11 ~~(4)~~ (3) the total prize value is \$500 or less.
 77.12 Sec. 75. Minnesota Statutes 2020, section 97C.211, subdivision 2a, is amended to read:
 77.13 Subd. 2a. **Acquiring fish.** (a) A private fish hatchery may not obtain fish outside of the
 77.14 state unless the fish or the source of the fish are approved by the commissioner. The
 77.15 commissioner may apply more stringent requirements to fish or a source of fish from outside
 77.16 the state than are applied to fish and sources of fish from within the state. The commissioner
 77.17 must either approve or deny the acquisition within 30 days after receiving a written request
 77.18 for approval. Minnows acquired must be processed and not released into public waters,
 77.19 except as provided in section 97C.515, subdivision 4. A request may be for annual
 77.20 acquisition.
 77.21 (b) If the commissioner denies approval, a written notice must be submitted to the
 77.22 applicant stating the reasons for the denial and the commissioner must:
 77.23 (1) designate approved sources to obtain the desired fish or fish eggs; or
 77.24 (2) sell the fish or fish eggs from state fish hatcheries at fair market value.

209.10 (1) not previously conducted a fishing contest requiring a permit under this subdivision;
 209.11 or
 209.12 (2) ever failed to make required prize awards in a fishing contest conducted by the
 209.13 applicant.
 209.14 (d) The permit fee for any individual contest may not exceed the following amounts:
 209.15 (1) \$70 for an open-water contest not exceeding 50 boats and without off-site weigh-in;
 209.16 (2) \$225 for an open-water contest with more than 50 boats and without off-site weigh-in;
 209.17 (3) \$280 for an open-water contest not exceeding 50 boats with off-site weigh-in;
 209.18 (4) \$560 for an open-water contest with more than 50 boats with off-site weigh-in; ~~or~~
 209.19 (5) \$135 for an ice-fishing contest with more than 150 participants; or
 209.20 (6) \$50 for a contest where all participants are age 18 years or under.
 209.21 Sec. 75. Minnesota Statutes 2020, section 97C.081, subdivision 3a, is amended to read:
 209.22 Subd. 3a. **No permit required.** A person may conduct a fishing contest without a permit
 209.23 from the commissioner if:
 209.24 (1) the contest is not limited to specifically named waters;
 209.25 ~~(2) all the contest participants are age 18 years or under;~~
 209.26 ~~(3)~~ (2) the contest is limited to rough fish and participants are required to fish with a
 209.27 hook and line; or
 209.28 ~~(4)~~ (3) the total prize value is \$500 or less.

77.25 Sec. 76. Minnesota Statutes 2020, section 97C.342, subdivision 2, is amended to read:

77.26 Subd. 2. **Bait restrictions.** (a) Frozen or dead fish on the official list of viral hemorrhagic
 77.27 septicemia susceptible species published by the United States Department of Agriculture;
 77.28 Animal and Plant Health Inspection Services VHS-susceptible-species list under section
 77.29 17.4982, subdivision 21b; cisco (all *Coregonus*, including lake herring and tullibee); and
 77.30 smelt (all *Osmerus*, *Spirinchus*, *Hypomesus*, and *Allosmerus*) being used as bait in waters of
 78.1 the state must originate from water bodies certified disease-free. A water body is certified
 78.2 as disease-free if:

78.3 (1) the water body has been tested for viral hemorrhagic septicemia and the testing
 78.4 indicates the disease is not present; or

78.5 (2) the water body is located within a viral-hemorrhagic-septicemia-free zone posted on
 78.6 the Department of Natural Resources website.

78.7 (b) Certification for these individually tested water bodies is valid for one year from the
 78.8 date of test results. Certification of water bodies within a viral-hemorrhagic-septicemia-free
 78.9 zone posted on the Department of Natural Resources website is valid for the dates included
 78.10 in the posting. A viral-hemorrhagic-septicemia-free certification is also referred to as a fish
 78.11 health certification.

78.12 Sec. 77. Minnesota Statutes 2020, section 97C.515, subdivision 2, is amended to read:

78.13 Subd. 2. **Permit for transportation importation.** (a) A person may transport import
 78.14 live minnows through into the state with a permit from the commissioner. The permit must
 78.15 state the name and address of the person, the number and species of minnows, the point of
 78.16 entry into the state, the destination, and the route through the state. The permit is not valid
 78.17 for more than 12 hours after it is issued. A person must not import minnows into the state
 78.18 except as provided in this section.

78.19 (b) Minnows transported under this subdivision must be in a tagged container. The tag
 78.20 number must correspond with tag numbers listed on the minnow transportation permit.

78.21 (c) The commissioner may require the person transporting minnow species found on
 78.22 the official list of viral hemorrhagic septicemia susceptible species published by the United
 78.23 States Department of Agriculture, Animal and Plant Health Inspection Services, to provide
 78.24 health certification for viral hemorrhagic septicemia. The certification must disclose any
 78.25 incidentally isolated replicating viruses, and must be dated within the 12 months preceding
 78.26 transport.

78.27 (b) Minnows must be certified as healthy according to standards of the World
 78.28 Organisation for Animal Health or the Fish Health Section Blue Book of the American
 78.29 Fisheries Society.

210.1 Sec. 76. Minnesota Statutes 2020, section 97C.342, subdivision 2, is amended to read:

210.2 Subd. 2. **Bait restrictions.** (a) Frozen or dead fish on the official list of viral hemorrhagic
 210.3 septicemia susceptible species published by the United States Department of Agriculture;
 210.4 Animal and Plant Health Inspection Services VHS-susceptible-species list under section
 210.5 17.4982, subdivision 21b; cisco (all *Coregonus*, including lake herring and tullibee); and
 210.6 smelt (all *Osmerus*, *Spirinchus*, *Hypomesus*, and *Allosmerus*) being used as bait in waters of
 210.7 the state must originate from water bodies certified disease-free. A water body is certified
 210.8 as disease-free if:

210.9 (1) the water body has been tested for viral hemorrhagic septicemia and the testing
 210.10 indicates the disease is not present; or

210.11 (2) the water body is located within a viral-hemorrhagic-septicemia-free zone posted on
 210.12 the Department of Natural Resources website.

210.13 (b) Certification for these individually tested water bodies is valid for one year from the
 210.14 date of test results. Certification of water bodies within a viral-hemorrhagic-septicemia-free
 210.15 zone posted on the Department of Natural Resources website is valid for the dates included
 210.16 in the posting. A viral-hemorrhagic-septicemia-free certification is also referred to as fish
 210.17 health certification.

210.18 Sec. 77. Minnesota Statutes 2020, section 97C.515, subdivision 2, is amended to read:

210.19 Subd. 2. **Permit for transportation.** (a) A person may transport live minnows through
 210.20 the state with a permit from the commissioner. The permit must state the name and address
 210.21 of the person, the number and species of minnows, the point of entry into the state, the
 210.22 destination, and the route through the state. The permit is not valid for more than 12 hours
 210.23 after it is issued.

210.24 (b) Minnows transported under this subdivision must be in a tagged container. The tag
 210.25 number must correspond with tag numbers listed on the minnow transportation permit.

210.26 (c) The commissioner may require the person transporting minnow species found on
 210.27 the official list of viral hemorrhagic septicemia susceptible species published by the United
 210.28 States Department of Agriculture, Animal and Plant Health Inspection Services
 210.29 VHS-susceptible-species list under section 17.4982, subdivision 21b, to provide health
 210.30 certification for viral hemorrhagic septicemia. The certification must disclose any incidentally
 210.31 isolated replicating viruses, and must be dated within the 12 months preceding transport.

78.30 (c) Minnows must be certified free of viral hemorrhagic septicemia, infectious
 78.31 hematopoietic necrosis, infectious pancreatic necrosis, spring viremia of carp virus, fathead
 78.32 minnow nodovirus, and Heterosporsis within the past 12 months.

79.1 (d) Minnows must originate from a biosecure facility that has tested negative for invasive
 79.2 species in the past 12 months.

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

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

79.7 (1) the date minnows were imported;

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

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

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

79.11 (g) Minnows may be imported to feed hatchery fish if the requirements in paragraphs

79.12 (a) to (f) are met.

211.1 Sec. 78. Minnesota Statutes 2020, section 97C.605, subdivision 1, is amended to read:

211.2 Subdivision 1. **Resident angling license required Taking turtles; requirements.** In
 211.3 addition to any other license required in this section, (a) A person may not take, possess,
 211.4 or transport turtles without a resident angling license, except as provided in subdivision 2e
 211.5 and a recreational turtle license.

211.6 (b) Turtles taken from the wild are for personal use only and may not be resold.

79.13 Sec. 78. Minnesota Statutes 2020, section 97C.605, subdivision 2, is amended to read:

79.14 Subd. 2. **Turtle seller's license.** (a) A person may not take, possess, buy, or transport
 79.15 turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a
 79.16 turtle seller's license, except as provided in subdivision 2c.

79.17 (b) Except for renewals, no new turtle seller's licenses may be issued after August 1,
 79.18 2002.

79.19 (c) A turtle seller's license is transferable by the turtle seller licensee by making
 79.20 application to the commissioner. A turtle seller's license may be transferred only once under
 79.21 this paragraph and the transfer must be to a child of the person holding the turtle seller's
 79.22 license.

211.7 Sec. 79. Minnesota Statutes 2020, section 97C.605, subdivision 2c, is amended to read:

211.8 Subd. 2c. **License exemptions.** (a) A person does not need a turtle seller's license or an
211.9 ~~angling license~~ the licenses specified under subdivision 1:

211.10 (1) when buying turtles for resale at a retail outlet;

211.11 (2) (1) when buying a turtle at a retail outlet; or

211.12 (3) if the person is a nonresident buying a turtle from a licensed turtle seller for export
211.13 out of state. Shipping documents provided by the turtle seller must accompany each shipment
211.14 exported out of state by a nonresident. Shipping documents must include: name, address,
211.15 city, state, and zip code of the buyer; number of each species of turtle; and name and license
211.16 number of the turtle seller; or

211.17 (4) (2) to take, possess, and rent or sell up to 25 turtles greater than four inches in length
211.18 for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person
211.19 is a resident under age 18. The person is responsible for the well-being of the turtles.

211.20 (b) A person with an aquatic farm license with a turtle endorsement or a private fish
211.21 hatchery license with a turtle endorsement may sell, obtain, possess, transport, and propagate
211.22 turtles and turtle eggs according to Minnesota Rules, part 6256.0900, without the licenses
211.23 specified under subdivision 1.

211.24 Sec. 80. Minnesota Statutes 2020, section 97C.605, subdivision 3, is amended to read:

211.25 Subd. 3. **Taking; methods prohibited.** (a) A person may not take turtles in any manner,
211.26 except by the use of using:

211.27 (1) explosives, drugs, poisons, lime, and other harmful substances;

211.28 (2) traps, ~~except as provided in paragraph (b) and rules adopted under this section;~~

211.29 (3) nets other than anglers' fish landing nets; or

211.30 (4) commercial equipment, ~~except as provided in rules adopted under this section;~~ or

212.1 (5) spears, harpoons, or any other implements that impale turtles.

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

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

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

79.23 Sec. 79. Minnesota Statutes 2020, section 97C.605, subdivision 3, is amended to read:

79.24 Subd. 3. **Taking; methods prohibited.** (a) A person may not take turtles in any manner,
79.25 except by the use of using:

79.26 (1) explosives, drugs, poisons, lime, and other harmful substances;

79.27 (2) traps, ~~except as provided in paragraph (b) and rules adopted under this section;~~

79.28 (3) nets other than anglers' fish landing nets; or

79.29 (4) commercial equipment, ~~except as provided in rules adopted under this section;~~ or

80.1 (5) firearms and ammunition;

80.2 (6) bow and arrow or crossbow; or

80.3 (7) spears, harpoons, or any other implements that impale turtles.

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

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

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

80.9 Sec. 80. Minnesota Statutes 2020, section 97C.611, is amended to read:

80.10 **97C.611 SNAPPING TURTLES TURTLE SPECIES; LIMITS.**

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

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

80.20 (b) This subdivision does not apply to persons acting under section 97C.605, subdivision 2c, clause (4).

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

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

80.28 Sec. 81. Minnesota Statutes 2020, section 97C.805, subdivision 2, is amended to read:

80.29 Subd. 2. **Restrictions.** (a) The Netting of lake whitefish and ciscoes is subject to the restrictions in this subdivision.

81.1 (b) A person may not use:

81.2 (1) more than two nets one net;

81.3 (2) a net more than 100 feet long; or

81.4 (3) a net more than three feet wide.

81.5 (c) The mesh size of the nets net may not be less than:

81.6 (1) 1-3/4 inches, stretch measure, for nets used to take ciscoes; and

81.7 (2) 3-1/2 inches, stretch measure, for all other nets.

81.8 (d) A net may not be set in water, including ice thickness, deeper than six feet.

81.9 (e) The commissioner may designate waters where nets may be set so that portions of the net extend into water deeper than six feet under conditions prescribed by the

212.7 Sec. 81. Minnesota Statutes 2020, section 97C.611, is amended to read:

212.8 **97C.611 SNAPPING TURTLES TURTLE SPECIES; LIMITS.**

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

212.15 Subd. 2. **Western painted turtles.** (a) A person may not possess more than three Western painted turtles of the species *Chrysemys picta*. Western painted turtles must be between 4 and 5-1/2 inches in shell length.

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

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

212.23 Subd. 4. **Other species.** A person may not possess any other species of turtle except with an aquatic farm or private fish hatchery license with a turtle endorsement or as specified under section 97C.605, subdivision 2c.

212.26 Sec. 82. Minnesota Statutes 2020, section 97C.805, subdivision 2, is amended to read:

212.27 Subd. 2. **Restrictions.** (a) The Netting of lake whitefish and ciscoes is subject to the restrictions in this subdivision.

212.29 (b) A person may not use:

212.30 (1) more than two nets one net;

213.1 (2) a net more than 100 feet long; or

213.2 (3) a net more than three feet wide.

213.3 (c) The mesh size of the nets net may not be less than:

213.4 (1) 1-3/4 inches, stretch measure, for nets used to take ciscoes; and

213.5 (2) 3-1/2 inches, stretch measure, for all other nets.

213.6 (d) A net may not be set in water, including ice thickness, deeper than six feet.

213.7 (e) The commissioner may designate waters where nets may be set so that portions of the net extend into water deeper than six feet under conditions prescribed by the

81.11 commissioner to protect game fish. A pole or stake must project at least two feet above the
81.12 surface of the water or ice at one end of ~~each~~ the net.

81.13 (f) A net may not be set within 50 feet of another net.

81.14 (g) A person may not have angling equipment in possession while netting lake whitefish
81.15 or ciscoes.

81.16 Sec. 82. Minnesota Statutes 2020, section 97C.836, is amended to read:

**97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT
HARVEST.**

81.19 The commissioner shall provide for taking of lake trout by licensed commercial operators
81.20 in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale.
81.21 The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake
81.22 Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning
81.23 annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone
81.24 MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect
81.25 the lake trout population or to manage the effects of invasive species or fish disease. Taking
81.26 lake trout for expanded assessment and sale shall be allowed from June 1 to September 30,
81.27 but may end earlier in the respective zones if the quotas are reached. The quotas must be
81.28 reassessed at the expiration of the current ten-year Fisheries Management Plan for the
81.29 Minnesota Waters of Lake Superior ~~dated September 2006~~.

82.1 Sec. 83. Minnesota Statutes 2020, section 103A.212, is amended to read:

103A.212 WATERSHED MANAGEMENT POLICY.

82.3 **Subdivision 1. Purpose.** The quality of life of every Minnesotan depends on water.
82.4 Minnesota's rivers, lakes, streams, wetlands, and groundwater provide a foundation for
82.5 drinking water and the state's recreational, municipal, commercial, industrial, agricultural,
82.6 environmental, aesthetic, and economic well-being. The legislature finds that it is in the
82.7 public interest to manage groundwater and surface water resources from the perspective of
82.8 aquifers, watersheds, and river basins to achieve protection, preservation, enhancement,
82.9 and restoration of the state's valuable groundwater and surface water resources.

82.10 **Subd. 2. Coordination and cooperation.** In implementing the policy under this section,
82.11 state agencies and local and regional governments with authority over local water
82.12 management, conservation, land use, land management, and development plans must take
82.13 into consideration the manner in which their plans are consistent with the policy. To the
82.14 extent practicable, state agencies and local and regional governments must endeavor to enter
82.15 into formal and informal agreements and arrangements to jointly use staff and educational,
82.16 technical, and financial resources to deliver programs or conduct activities to achieve the
82.17 purposes of the policy.

213.9 commissioner to protect game fish. A pole or stake must project at least two feet above the
213.10 surface of the water or ice at one end of ~~each~~ the net.

213.11 (f) A net may not be set within 50 feet of another net.

213.12 (g) A person may not have angling equipment in possession while netting lake whitefish
213.13 or ciscoes.

213.14 Sec. 83. Minnesota Statutes 2020, section 97C.836, is amended to read:

**97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT
HARVEST.**

213.17 The commissioner shall provide for taking of lake trout by licensed commercial operators
213.18 in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale.
213.19 The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake
213.20 Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning
213.21 annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone
213.22 MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect
213.23 the lake trout population or to manage the effects of invasive species or fish disease. Taking
213.24 lake trout for expanded assessment and sale shall be allowed from June 1 to September 30,
213.25 but may end earlier in the respective zones if the quotas are reached. The quotas must be
213.26 reassessed at the expiration of the current ten-year Fisheries Management Plan for the
213.27 Minnesota Waters of Lake Superior ~~dated September 2006~~.

220.15 Section 1. Minnesota Statutes 2020, section 103B.103, is amended to read:

220.16 **103B.103 EASEMENT STEWARDSHIP ACCOUNTS.**

220.17 Subdivision 1. Accounts established; sources. (a) The water and soil conservation
220.18 easement stewardship account and the mitigation easement stewardship account are created
220.19 in the special revenue fund. The accounts consist of money credited to the accounts and
220.20 interest and other earnings on money in the accounts. The State Board of Investment must
220.21 manage the accounts to maximize long-term gain.

220.22 (b) Revenue from contributions and money appropriated for any purposes of the account
220.23 as described in subdivision 2 must be deposited in the water and soil conservation easement
220.24 stewardship account. Revenue from contributions, wetland banking mitigation fees designated
220.25 for stewardship purposes by the board, easement stewardship payments authorized under
220.26 subdivision 3, and money appropriated for any purposes of the account as described in
220.27 subdivision 2 must be deposited in the mitigation easement stewardship account.

220.28 Subd. 2. Appropriation; purposes of accounts. (a) Five percent of the balance on July
220.29 1 each year in the water and soil conservation easement stewardship account and five percent
220.30 of the balance on July 1 each year in the mitigation easement stewardship account are
221.1 annually appropriated to the board and may be spent only to cover the costs of managing
221.2 easements held by the board, including costs associated with:

221.3 (1) repairing or replacing structures;

221.4 (2) maintaining vegetation and hydrology;

221.5 (3) monitoring;

221.6 (4) landowner contacts;

221.7 (5) records storage and management;

221.8 (6) processing landowner notices;

221.9 (7) requests for approval or amendments;

221.10 (8) enforcement; and

221.11 (9) legal services associated with easement management activities.

221.12 (b) When the amount appropriated under paragraph (a) is not sufficient to cover the
221.13 costs of easements held by the board, the board may use money from the mitigation easement
221.14 stewardship account and the water and soil conservation easement stewardship account to
221.15 cover costs associated with:

221.16 (1) legal compliance costs;

221.17 (2) repairing or replacing structures; and

221.18 (3) maintaining vegetation and hydrology.

221.19 (c) In addition to the amounts appropriated under paragraph (a), up to 25 percent of the
221.20 balance on July 1 each year in the water and soil conservation easement stewardship account
221.21 and 25 percent of the balance on July 1 each year in the mitigation easement stewardship
221.22 account are annually appropriated to the board for the purposes of paragraph (b). In
221.23 consultation with the commissioner of management and budget, the board must establish a
221.24 process, including criteria, for the use of money appropriated under this paragraph. The
221.25 board must include a summary of how money appropriated under this paragraph in the prior
221.26 two fiscal years was used in the report required under section 103B.101, subdivision 9,
221.27 paragraph (a), clause (7).

221.28 Subd. 3. **Financial contributions.** The board shall seek a financial contribution to the
221.29 water and soil conservation easement stewardship account for each conservation easement
221.30 acquired by the board. The board shall seek a financial contribution or assess an easement
221.31 stewardship payment to the mitigation easement stewardship account for each wetland
222.1 banking mitigation easement acquired by the board. Unless otherwise provided by law, the
222.2 board shall determine the amount of the contribution or payment, which must be an amount
222.3 calculated to earn sufficient money to meet the costs of managing the easement at a level
222.4 that neither significantly overrecovers nor underrecovers the costs. In determining the
222.5 amount of the financial contribution, the board shall consider:

222.6 (1) the estimated annual staff hours needed to manage the conservation easement, taking
222.7 into consideration factors such as easement type, size, location, and complexity;

222.8 (2) the average hourly wages for the class or classes of state and local employees expected
222.9 to manage the easement;

222.10 (3) the estimated annual travel expenses to manage the easement;

222.11 (4) the estimated annual miscellaneous costs to manage the easement, including supplies
222.12 and equipment, information technology support, and aerial flyovers;

222.13 (5) the estimated annualized costs of legal services, including the cost to enforce the
222.14 easement in the event of a violation; and

222.15 (6) the estimated annualized costs for repairing or replacing structures and maintaining
222.16 vegetation and hydrology; and

222.17 (7) the expected rate of return on investments in the account.

222.18 Sec. 2. **[103B.104] LAWNS TO LEGUMES PROGRAM.**

222.19 The Board of Water and Soil Resources must establish a program to provide grants or
222.20 payments to plant residential lawns with native vegetation and pollinator-friendly forbs and
222.21 legumes to protect a diversity of pollinators. The board must establish criteria for grants or
222.22 payments awarded under this section. Grants or payments awarded under this section may
222.23 be made for up to 75 percent of the costs of the project, except that, in areas identified by

222.24 the United States Fish and Wildlife Service as areas where there is a high potential for rusty
 222.25 patched bumble bees to be present, grants may be awarded for up to 90 percent of the costs
 222.26 of the project.

222.27 Sec. 3. **[103C.237] SOIL AND WATER CONSERVATION DISTRICT FEE.**

222.28 Subdivision 1. **Fee.** (a) A county that contains at least one soil and water conservation
 222.29 district must impose an additional fee of \$25 per transaction on the recording or registration
 222.30 of a mortgage subject to the tax under section 287.035 and an additional fee of \$25 on the
 222.31 recording or registration of a deed subject to the tax under section 287.21.

223.1 (b) A county that does not contain at least one soil and water conservation district, but
 223.2 carries out the duties of a soil and water conservation district, must impose the fee described
 223.3 in paragraph (a).

223.4 Subd. 2. **Fee deposited; account.** The fee described in subdivision 1 must be deposited
 223.5 in a special soil and water conservation district account in the county general revenue fund.

223.6 Subd. 3. **Distribution to soil and water conservation districts.** (a) The county treasurer
 223.7 must transfer money from the special soil and water conservation district account to existing
 223.8 soil and water conservation districts within the county in May, October, and December each
 223.9 year. If a county contains more than one soil and water conservation district, money must
 223.10 be allocated equally among each district.

223.11 (b) A county imposing a fee under subdivision 1, paragraph (b), must use money in the
 223.12 special soil and water conservation account on soil and water conservations duties within
 223.13 the county.

223.14 **EFFECTIVE DATE.** This section is effective July 1, 2021.

223.15 Sec. 4. Minnesota Statutes 2020, section 103C.315, subdivision 4, is amended to read:

223.16 Subd. 4. **Compensation.** A supervisor shall receive compensation for services up to \$75
 223.17 \$125 per day, and may be reimbursed for expenses, including traveling expenses, necessarily
 223.18 incurred in the discharge of duties. A supervisor may be reimbursed for the use of the
 223.19 supervisor's own automobile in the performance of official duties at a rate up to the maximum
 223.20 tax-deductible mileage rate permitted under the federal Internal Revenue Code.

223.21 Sec. 5. **[103C.701] SOIL-HEALTHY FARMING GOALS.**

223.22 (a) It is the goal of the state to encourage soil health, as defined in section 103C.101,
 223.23 subdivision 10a, farming practices. This may be done by achieving the following objectives:

223.24 (1) preventing or minimizing soil erosion;

223.25 (2) retaining water quantity to provide for infiltration;

223.26 (3) improving surface water and groundwater quality;

204.26 Sec. 3. **[103F.05] WATER VOLUME, QUALITY, AND STORAGE.**

204.27 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision
204.28 have the meanings given them.
 204.29 (b) "Board" means the Board of Water and Soil Resources.
 204.30 (c) "Local units of government" has the meaning given under section 103B.305,
204.31 subdivision 5, and includes tribal governments.

205.1 Subd. 2. **Establishment.** The board must establish a program to protect, conserve,
205.2 preserve, and enhance the state's water quality and related natural resources benefits by
205.3 providing financial assistance or grants to local units of government to control water volume
205.4 and rates of flow, to reduce water quality impairment caused by flooding, and to construct
205.5 infrastructure and improvements to facilitate these goals.

205.6 Subd. 3. **Financial assistance or grants.** (a) The board may provide financial assistance
205.7 or grants to local units of government to cover the costs of water volume control projects,
205.8 water storage projects, and other water quality practices consistent with a plan approved
205.9 according to chapter 103B, 103C, or 103D. The board may acquire conservation easements

223.27 (4) sustaining soil organic matter; and
 223.28 (5) supporting soil life and pollinators.
 223.29 (b) To achieve the objectives under paragraph (a), the state sets a goal of 30 percent of
223.30 Minnesota privately owned farmland using soil health practices including but not limited
224.1 to cover crops, perennial crops, no-till or reduced tillage, strip cropping, or managed
224.2 rotational grazing by 2030.

224.3 Sec. 6. **[103F.05] WATER QUALITY AND STORAGE PROGRAM.**

224.4 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision
224.5 have the meanings given them.
 224.6 (b) "Board" means the Board of Water and Soil Resources.
 224.7 (c) "Local units of government" has the meaning given under section 103B.305,
224.8 subdivision 5.
 224.9 (d) "Water quality and storage practices" are those practices that sustain or improve
224.10 water quality via surface water rate and volume and ecological management, including but
224.11 not limited to:
 224.12 (1) retention structures and basins;
 224.13 (2) acquisition of flowage rights;
 224.14 (3) soil and substrate infiltration;
 224.15 (4) wetland restoration, creation, or enhancement;
 224.16 (5) channel restoration or enhancement; and
 224.17 (6) floodplain restoration or enhancement.

224.18 Subd. 2. **Establishment.** (a) The board must establish a program to provide financial
224.19 assistance to local units of government to control water volume and rates to protect
224.20 infrastructure, improve water quality and related public benefits, and mitigate climate change
224.21 impacts.

224.22 (b) In establishing a water quality and storage program, the board must give priority to
224.23 the Minnesota River basin and the Lower Mississippi River basin in Minnesota.

224.24 Subd. 3. **Financial assistance.** (a) The board may provide financial assistance to local
224.25 units of government to cover the costs of water storage projects and other water quality
224.26 practices consistent with a plan approved according to chapter 103B, 103C, or 103D. Eligible
224.27 costs include costs for property and equipment acquisition, design, engineering, construction,

205.10 under sections 103F.501 to 103F.531 as necessary to implement a project or practice under
 205.11 this section.

205.12 (b) The board must enter into agreements with local units of government receiving
 205.13 financial assistance or grants under this section. The agreements must specify the terms of
 205.14 state and local cooperation, including the financing arrangement for constructing any
 205.15 structures and assuring maintenance of the structures after completion.

205.16 Subd. 4. **Water quality and storage practices.** "Water quality and storage practices"
 205.17 are those practices which sustain or improve water quality via surface water rate and volume
 205.18 and ecological management, including but not limited to:

- 205.19 (1) retention structures and basins;
- 205.20 (2) soil and substrate infiltration;
- 205.21 (3) wetland restoration or enhancement;
- 205.22 (4) channel restoration or enhancement;
- 205.23 (5) floodplain restoration or enhancement; and
- 205.24 (6) in-channel and overflow revegetation with native species.

205.25 Subd. 5. **Matching contribution and maximum awards.** (a) The board must require
 205.26 a matching contribution when providing financial assistance under this section and may
 205.27 adjust matching requirements if federal funds are available for the project.

205.28 (b) The board must establish maximum award amounts when providing financial
 205.29 assistance or grants under this section.

205.30 Subd. 6. **Technical assistance.** (a) The board may employ or contract with an engineer
 205.31 or hydrologist to work on the technical implementation of the program established under
 205.32 this section.

206.1 (b) When implementing the program, the board must:
 206.2 (1) assist local units of government in achieving the goals of the program;
 206.3 (2) review and analyze projects and project sites; and
 206.4 (3) evaluate the effectiveness of completed projects constructed under the program.

206.5 (c) The board must cooperate with the commissioner of natural resources, the
 206.6 commissioner of the Pollution Control Agency, the United States Department of Agriculture
 206.7 Natural Resources Conservation Service, and other agencies as needed to analyze
 206.8 hydrological and engineering information on proposed sites.

206.9 Subd. 7. **Requirements.** (a) A local unit of government applying for financial assistance
 206.10 or grants under this section must provide a copy of a resolution or other documentation of
 206.11 the local unit of government's support for the project. The documentation must include

224.28 and management. The board may acquire conservation easements under sections 103F.501
 224.29 to 103F.531 as necessary to implement a project or practice under this section.

224.30 (b) The board must enter into agreements with local units of government receiving
 224.31 financial assistance under this section. The agreements must specify the terms of state and
 225.1 local cooperation, including the financing arrangement for constructing any structures and
 225.2 assuring maintenance of the structures after completion.

225.3 Subd. 4. **Matching contribution.** The board must require a matching contribution when
 225.4 providing financial assistance under this section and may adjust matching requirements if
 225.5 federal funds are available for the project.

225.6 Subd. 5. **Technical assistance.** (a) The board may employ or contract with an engineer
 225.7 or hydrologist to work on the technical implementation of the program established under
 225.8 this section.

225.9 (b) When implementing the program, the board must:
 225.10 (1) assist local units of government in achieving the goals of the program;
 225.11 (2) review and analyze projects and project sites; and
 225.12 (3) evaluate the effectiveness of completed projects constructed under the program.

225.13 (c) The board must cooperate with the commissioner of natural resources, the United
 225.14 States Department of Agriculture Natural Resources Conservation Service, and other agencies
 225.15 as needed to analyze hydrological, climate, and engineering information on proposed sites.

225.16 Subd. 6. **Requirements.** (a) A local unit of government applying for financial assistance
 225.17 under this section must provide a copy of a resolution or other documentation of the local
 225.18 unit of government's support for the project. The documentation must include provisions

206.12 provisions for local funding and management, the proposed method of obtaining necessary
 206.13 land rights for the proposed project, and an assignment of responsibility for maintaining
 206.14 any structures or practices upon completion.

206.15 (b) A local unit of government, with the assistance of the board, must evaluate the public
 206.16 benefits that are reasonably expected upon completing the proposed project, and must
 206.17 specifically identify the way in which the proposed project will further enhance the protection,
 206.18 conservation, preservation, and enhancement of the state's water quality. The evaluation
 206.19 must be submitted to the board before the final design.

206.20 Subd. 8. **Interstate cooperation.** The board may enter into or approve working
 206.21 agreements with neighboring states or their political subdivisions to accomplish projects
 206.22 consistent with the program established under this section.

206.23 Subd. 9. **Federal aid availability.** The board must regularly analyze the availability of
 206.24 federal funds and programs to supplement or complement state and local efforts consistent
 206.25 with the purposes of this section.

225.19 for local funding and management, the proposed method of obtaining necessary land rights
 225.20 for the proposed project, and an assignment of responsibility for maintaining any structures
 225.21 or practices upon completion.

225.22 (b) A local unit of government, with the assistance of the board, must evaluate the public
 225.23 benefits that are reasonably expected upon completing the proposed project. The evaluation
 225.24 must be submitted to the board before the final design.

225.25 Subd. 7. **Interstate cooperation.** The board may enter into or approve working
 225.26 agreements with neighboring states or their political subdivisions to accomplish projects
 225.27 consistent with the program established under this section.

225.28 Subd. 8. **Federal aid availability.** The board must regularly analyze the availability of
 225.29 federal funds and programs to supplement or complement state and local efforts consistent
 225.30 with the purposes of this section.

226.1 Sec. 7. **[103F.06] SOIL HEALTH COST-SHARE PROGRAM.**

226.2 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision
 226.3 have the meanings given them.

226.4 (b) "Board" means the Board of Water and Soil Resources.

226.5 (c) "Local units of government" has the meaning given under section 103B.305,
 226.6 subdivision 5.

226.7 (d) "Soil health" has the meaning given under section 103C.101, subdivision 10a.

226.8 (e) "Soil health practices" are those practices that sustain or improve soil health, including
 226.9 but not limited to:

226.10 (1) no-till or strip-till;

226.11 (2) mulching;

226.12 (3) cover cropping;

226.13 (4) perennial cropping;

226.14 (5) stand diversification;

226.15 (6) contour, field edge, pollinator, wildlife, or buffer strips planted with perennials;

226.16 (7) agroforestry;

226.17 (8) managed rotational grazing; and

226.18 (9) management practices that minimize soil compaction or increase aeration.

226.19 **Subd. 2. Establishment.** The board must establish a cost-share program consistent with
226.20 the provisions of section 103C.501 for the purpose of establishing soil health practices to
226.21 mitigate climate change impacts and improve water quality and related public benefits.

226.22 **Subd. 3. Financial assistance.** (a) The board may provide financial assistance to local
226.23 units of government for the costs of soil health and related water quality practices consistent
226.24 with a plan approved according to chapter 103B, 103C, or 103D. The board must establish
226.25 costs eligible for financial assistance under this section, including costs for conservation
226.26 planning, cover crop seeding, equipment acquisition or use, and other practices to improve
226.27 soil health.

226.28 (b) The board must enter into agreements with local units of government receiving
226.29 financial assistance under this section.

227.1 **Subd. 4. Technical assistance.** (a) The board may employ or contract with agronomists,
227.2 biologists, or hydrologists in implementing the cost-share program.

227.3 (b) When implementing the program, the board must:

227.4 (1) assist local units of government in achieving the goals of the program;
227.5 (2) review and assess practice standards; and
227.6 (3) evaluate the effectiveness of completed practices constructed with assistance from
227.7 the cost-share program.

227.8 (c) The board must cooperate with the Minnesota Office for Soil Health at the University
227.9 of Minnesota, the United States Department of Agriculture Natural Resources Conservation
227.10 Service, and other agencies and private sector organizations as needed to enhance program
227.11 effectiveness.

227.12 **Subd. 5. Federal aid availability.** The board must regularly complete an analysis of the
227.13 availability of federal funds and programs to supplement or complement state and local
227.14 efforts consistent with the purposes of this section.

82.24 Sec. 85. Minnesota Statutes 2020, section 103G.201, is amended to read:

82.25 **103G.201 PUBLIC WATERS INVENTORY.**

82.26 (a) The commissioner shall must maintain a public waters inventory map of each county
82.27 that shows the waters of this state that are designated as public waters under the public
82.28 waters inventory and classification procedures prescribed under Laws 1979, chapter 199,
82.29 and shall must provide access to a copy of the maps. As county public waters inventory
82.30 maps are revised according to this section, the commissioner shall must send a notification
82.31 or a copy of the maps to the auditor of each affected county.

83.1 (b) The commissioner is authorized to revise the map of public waters established under
83.2 Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously identified
83.3 as public waters wetlands under Laws 1979, chapter 199, as public waters or as wetlands

83.4 under section 103G.005, subdivision 19. The commissioner may only reclassify public
83.5 waters wetlands as public waters if:

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

83.8 (2) they are classified as lacustrine wetlands or deepwater habitats according to
83.9 Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al.,
83.10 1979 edition); or

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

83.16 (c) The commissioner must provide notice of the a reclassification under paragraph (b)
83.17 or a revision under paragraph (e) to the local government unit, the county board, the
83.18 watershed district, if one exists for the area, and the soil and water conservation district.
83.19 Within 60 days of receiving notice from the commissioner, a party required to receive the
83.20 notice may provide a resolution stating objections to the reclassification or revision. If the
83.21 commissioner receives an objection from a party required to receive the notice, the
83.22 reclassification or revision is not effective. If the commissioner does not receive an objection
83.23 from a party required to receive the notice, the reclassification of a wetland under paragraph
83.24 (b) or revision under paragraph (e) is effective 60 days after the notice is received by all of
83.25 the parties.

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

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

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

83.30 (2) as needed, to:

83.31 (i) correct errors in the original inventory;

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

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

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

84.5 Sec. 86. Minnesota Statutes 2020, section 103G.223, is amended to read:

84.6 **103G.223 CALCAREOUS FENS.**

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

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

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

84.21 (d) An applicant whose permit is denied under this section may file a written request
84.22 with the commissioner to designate a mutually agreed upon third party expert to review the
84.23 evaluation provided under paragraph (c) at no cost to the applicant, and to make
84.24 recommendations to the commissioner about whether or not the permit should be issued.
84.25 The third party expert must agree to provide the commissioner and applicant with the expert's
84.26 recommendations within 90 days of agreeing to review the evaluation.

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

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

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

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

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

85.5 Sec. 87. Minnesota Statutes 2020, section 103G.271, subdivision 4a, is amended to read:

85.6 Subd. 4a. **Mt. Simon-Hinckley aquifer.** (e) The commissioner may not issue new
 85.7 water-use permits that will appropriate water from the Mt. Simon-Hinckley aquifer ~~in a~~
 85.8 metropolitan county, as defined in section 473.121, subdivision 4, unless the appropriation
 85.9 is for potable water use, there are no feasible or practical alternatives to this source, and a
 85.10 water conservation plan is incorporated with the permit.

85.11 (b) The commissioner shall terminate all permits authorizing appropriation and use of
 85.12 water from the Mt. Simon-Hinckley aquifer for once-through systems in a metropolitan
 85.13 county, as defined in section 473.121, subdivision 4, by December 31, 1992.

85.14 Sec. 88. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision
 85.15 to read:

85.16 Subd. 4b. **Bulk transport or sale.** (a) To maintain the supply of drinking water for future
 85.17 generations and except as provided under paragraph (b), the commissioner may not issue
 85.18 a new water-use permit to appropriate water in excess of one million gallons per year for
 85.19 bulk transport or sale of water for consumptive use to a location more than 50 miles from
 85.20 the point of the proposed appropriation.

213.28 Sec. 84. Minnesota Statutes 2020, section 103G.255, is amended to read:

213.29 **103G.255 ALLOCATING AND CONTROLLING WATERS OF THE STATE.**

213.30 Both surface water and groundwater are public assets managed by the state for the benefit
 213.31 of the public. Based on this paramount consideration, the commissioner shall administer:

214.1 (1) the use, allocation, and control of waters of the state;

214.2 (2) the establishment, maintenance, and control of lake levels and water storage reservoirs;
 214.3 and

214.4 (3) the determination of the ordinary high-water level of waters of the state.

214.5 Sec. 85. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision
 214.6 to read:

214.7 Subd. 2a. **Public meeting.** Before issuing a water-use permit or a plan for consumptive
 214.8 use of more than 216,000 gallons per day average in a 30-day period, the commissioner
 214.9 must hold a public meeting in the county affected most by the potential impact to the public
 214.10 groundwater resource. At least 21 days before the public meeting, the commissioner must
 214.11 publish notice of the meeting in a newspaper of general circulation in the county and must
 214.12 mail the notice to persons who have registered their names with the commissioner for this
 214.13 purpose.

214.14 Sec. 86. Minnesota Statutes 2020, section 103G.271, subdivision 4a, is amended to read:

214.15 Subd. 4a. **Mt. Simon-Hinckley aquifer.** (e) The commissioner may not issue new
 214.16 water-use permits that will appropriate water from the Mt. Simon-Hinckley aquifer ~~in a~~
 214.17 metropolitan county, as defined in section 473.121, subdivision 4, unless the appropriation
 214.18 is for potable water use, there are no feasible or practical alternatives to this source, and a
 214.19 water conservation plan is incorporated with the permit.

214.20 (b) The commissioner shall terminate all permits authorizing appropriation and use of
 214.21 water from the Mt. Simon-Hinckley aquifer for once-through systems in a metropolitan
 214.22 county, as defined in section 473.121, subdivision 4, by December 31, 1992.

214.23 Sec. 87. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision
 214.24 to read:

214.25 Subd. 4b. **Bulk transport or sale.** (a) To maintain the supply of drinking water for future
 214.26 generations and except as provided under paragraph (b), the commissioner may not issue
 214.27 a new water-use permit to appropriate water in excess of one million gallons per year for
 214.28 bulk transport or sale of water for consumptive use to a location more than 50 miles from
 214.29 the point of the proposed appropriation.

85.21 (b) Paragraph (a) does not apply to a water-use permit for a public water supply, as
85.22 defined under section 144.382, subdivision 4, issued to a local unit of government, rural
85.23 water district established under chapter 116A, or Tribal unit of government if:

85.24 (1) the use is solely for the public water supply;

85.25 (2) the local unit of government, rural water district established under chapter 116A, or
85.26 Tribal unit of government has a property interest at the point of the appropriation;

85.27 (3) the communities that will use the water are located within 100 miles of the point of
85.28 appropriation; and

85.29 (4) the requirements in sections 103G.265, 103G.285, and 103G.287 are met.

86.1 Sec. 89. Minnesota Statutes 2020, section 103G.271, subdivision 7, is amended to read:

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

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

86.10 Sec. 90. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision
86.11 to read:

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

86.16 Sec. 91. Minnesota Statutes 2020, section 103G.287, subdivision 4, is amended to read:

86.17 Subd. 4. **Groundwater management areas.** (a) The commissioner may designate
86.18 groundwater management areas and limit total annual water appropriations and uses within
86.19 a designated area to ensure sustainable use of groundwater that protects ecosystems, water
86.20 quality, and the ability of future generations to meet their own needs. Water appropriations
86.21 and uses within a designated management area must be consistent with a groundwater
86.22 management area plan approved by the commissioner that addresses water conservation
86.23 requirements and water allocation priorities established in section 103G.261. During
86.24 development of a groundwater management area plan, the commissioner and employees
86.25 and agents of the department may disseminate information related to the timing, location,
86.26 and agendas of meetings related to the plan, but must otherwise limit public information
86.27 related to the groundwater management area plan to direct factual responses to public and
86.28 media inquiries. At least 30 days prior to implementing or modifying a groundwater

215.1 (b) Paragraph (a) does not apply to a water-use permit for a public water supply, as
215.2 defined under section 144.382, subdivision 4, issued to a local unit of government, rural
215.3 water district established under chapter 116A, or Tribal unit of government if:

215.4 (1) the use is solely for the public water supply;

215.5 (2) the local unit of government, rural water district established under chapter 116A, or
215.6 Tribal unit of government has a property interest at the point of the appropriation;

215.7 (3) the communities that will use the water are located within 100 miles of the point of
215.8 appropriation; and

215.9 (4) the requirements in sections 103G.265, 103G.285, and 103G.287 are met.

86.29 management area plan under this subdivision, the commissioner shall consult with the
 86.30 advisory team established in paragraph (c).

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

87.6 (c) When designating a groundwater management area, the commissioner shall assemble
 87.7 an advisory team to assist in developing a groundwater management area plan for the area.
 87.8 The advisory team members shall be selected from public and private entities that have an
 87.9 interest in the water resources affected by the groundwater management area. A majority
 87.10 of the advisory team members shall be public and private entities that currently hold water-use
 87.11 permits for water appropriations from the affected water resources. The commissioner shall
 87.12 consult with the League of Minnesota Cities, the Association of Minnesota Counties, the
 87.13 Minnesota Association of Watershed Districts, and the Minnesota Association of Townships
 87.14 in appointing the local government representatives to the advisory team. The advisory team
 87.15 may also include representatives from the University of Minnesota, the Minnesota State
 87.16 Colleges and Universities, other institutions of higher learning in Minnesota, political
 87.17 subdivisions with jurisdiction over water issues, nonprofits with expertise in water, and
 87.18 federal agencies.

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

87.22 Sec. 92. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

87.23 Subd. 5. **Sustainability standard.** (a) The commissioner may issue water-use permits
 87.24 for appropriation from groundwater only if the commissioner determines that the groundwater
 87.25 use is sustainable to supply the needs of future generations and the proposed use will not
 87.26 harm ecosystems, degrade water, or reduce water levels beyond the reach of public water
 87.27 supply and private domestic wells constructed according to Minnesota Rules, chapter 4725.

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

215.10 Sec. 88. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

215.11 Subd. 5. **Sustainability standard.** (a) The commissioner may issue water-use permits
 215.12 for appropriation from groundwater only if the commissioner determines that the groundwater
 215.13 use is sustainable to supply the needs of future generations and the proposed use will not
 215.14 harm ecosystems, degrade water, or reduce water levels beyond the reach of public water
 215.15 supply and private domestic wells constructed according to Minnesota Rules, chapter 4725.

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

88.1 Sec. 93. Minnesota Statutes 2020, section 103G.289, is amended to read:

88.2 **103G.289 WELL INTERFERENCE; WELL SEALING VALIDATION;
88.3 CONTESTED CASE.**

88.4 (a) The commissioner shall not validate a claim for well interference claim if the affected
88.5 well has been sealed prior to the completion of the commissioner's investigation of the
88.6 complaint. If the well is sealed prior to completion of the investigation, the commissioner
88.7 must dismiss the complaint.

88.8 (b) When validating a claim for well interference, the commissioner must take into
88.9 account the condition of the affected well.

88.10 (c) Within 30 days after the commissioner's decision on a claim for well interference, a
88.11 party ordered by the commissioner to contribute to an affected well owner may petition for
88.12 a contested case hearing under sections 14.57 to 14.62. The commissioner must grant the
88.13 petitioner a contested case hearing on the commissioner's decision.

88.14 Sec. 94. Minnesota Statutes 2020, section 103G.401, is amended to read:

88.15 **103G.401 APPLICATION TO ESTABLISH LAKE LEVELS.**

88.16 (a) Applications for authority to establish and maintain levels of public waters and
88.17 applications to establish the natural ordinary high-water level of public waters may be made
88.18 to the commissioner by a public body or authority or by a majority of the riparian owners
88.19 on the public waters.

88.20 (b) To conserve or utilize the water resources of the state, the commissioner may initiate
88.21 proceedings to establish and maintain the level of public waters.

88.22 (c) When establishing an ordinary high-water level, the commissioner must provide
88.23 written or electronic notice of the order to the local units of government where the public
88.24 water is located.

88.25 Sec. 95. **[103G.413] APPEAL OF ORDER ESTABLISHING ORDINARY
88.26 HIGH-WATER LEVEL.**

88.27 Subdivision 1. **Petition.** A local unit of government may petition for review of the
88.28 ordinary high-water level. A petition may be filed on behalf of the local unit of government
88.29 or riparian landowner affected by the ordinary high-water level. The petition must be filed
88.30 by the local unit of government and include reasons why the determination should be
88.31 reviewed and evidence to be considered as part of the review.

89.1 Subd. 2. **Review.** If a local unit of government files a petition under this section, the
89.2 commissioner must review the petition within 90 days of the request and issue a final order.
89.3 The commissioner may extend this period by 90 days by providing written notice of the
89.4 extension to the applicant. Any further extension requires the agreement of the petitioner.

89.5 Sec. 96. Minnesota Statutes 2020, section 115.03, subdivision 1, is amended to read:

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

89.8 (e) (1) to administer and enforce all laws relating to the pollution of any of the waters
89.9 of the state;

89.10 (e) (2) to investigate the extent, character, and effect of the pollution of the waters of
89.11 this state and to gather data and information necessary or desirable in the administration or
89.12 enforcement of pollution laws, and to make such classification of the waters of the state as
89.13 it may deem advisable;

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

89.18 (e) (4) to encourage waste treatment, including advanced waste treatment, instead of
89.19 stream low-flow augmentation for dilution purposes to control and prevent pollution;

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

89.25 (e) (i) requiring the discontinuance of the discharge of sewage, industrial waste or other
89.26 wastes into any waters of the state resulting in pollution in excess of the applicable pollution
89.27 standard established under this chapter;

89.28 (e) (ii) prohibiting or directing the abatement of any discharge of sewage, industrial
89.29 waste, or other wastes, into any waters of the state or the deposit thereof or the discharge
89.30 into any municipal disposal system where the same is likely to get into any waters of the
89.31 state in violation of this chapter and, with respect to the pollution of waters of the state,
89.32 chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and
90.1 specifying the schedule of compliance within which such prohibition or abatement must be
90.2 accomplished;

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

90.6 (e) (iv) requiring the construction, installation, maintenance, and operation by any person
90.7 of any disposal system or any part thereof, or other equipment and facilities, or the
90.8 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,
90.9 or the adoption of other remedial measures to prevent, control or abate any discharge or
90.10 deposit of sewage, industrial waste or other wastes by any person;

90.11 (5) establishing, and from time to time revising, standards of performance for new
90.12 sources taking into consideration, among other things, classes, types, sizes, and categories
90.13 of sources, processes, pollution control technology, cost of achieving such effluent reduction,
90.14 and any nonwater quality environmental impact and energy requirements. Said standards
90.15 of performance for new sources shall encompass those standards for the control of the
90.16 discharge of pollutants which reflect the greatest degree of effluent reduction which the
90.17 agency determines to be achievable through application of the best available demonstrated
90.18 control technology, processes, operating methods, or other alternatives, including, where
90.19 practicable, a standard permitting no discharge of pollutants. New sources shall encompass
90.20 buildings, structures, facilities, or installations from which there is or may be the discharge
90.21 of pollutants, the construction of which is commenced after the publication by the agency
90.22 of proposed rules prescribing a standard of performance which will be applicable to such
90.23 source. Notwithstanding any other provision of the law of this state, any point source the
90.24 construction of which is commenced after May 20, 1973, and which is so constructed as to
90.25 meet all applicable standards of performance for new sources shall, consistent with and
90.26 subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water
90.27 Pollution Control Act, not be subject to any more stringent standard of performance for new
90.28 sources during a ten-year period beginning on the date of completion of such construction
90.29 or during the period of depreciation or amortization of such facility for the purposes of
90.30 section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period
90.31 ends first. Construction shall encompass any placement, assembly, or installation of facilities
90.32 or equipment, including contractual obligations to purchase such facilities or equipment, at
90.33 the premises where such equipment will be used, including preparation work at such
90.34 premises;

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

91.4 (7) requiring the owner or operator of any disposal system or any point source to
91.5 establish and maintain such records, make such reports, install, use, and maintain such
91.6 monitoring equipment or methods, including where appropriate biological monitoring
91.7 methods, sample such effluents in accordance with such methods, at such locations, at such
91.8 intervals, and in such a manner as the agency shall prescribe, and providing such other
91.9 information as the agency may reasonably require;

91.10 (8) notwithstanding any other provision of this chapter, and with respect to the
91.11 pollution of waters of the state, chapter 116, requiring the achievement of more stringent
91.12 limitations than otherwise imposed by effluent limitations in order to meet any applicable
91.13 water quality standard by establishing new effluent limitations, based upon section 115.01,
91.14 subdivision 13, clause (b), including alternative effluent control strategies for any point
91.15 source or group of point sources to insure the integrity of water quality classifications,
91.16 whenever the agency determines that discharges of pollutants from such point source or
91.17 sources, with the application of effluent limitations required to comply with any standard
91.18 of best available technology, would interfere with the attainment or maintenance of the

91.19 water quality classification in a specific portion of the waters of the state. Prior to
91.20 establishment of any such effluent limitation, the agency shall hold a public hearing to
91.21 determine the relationship of the economic and social costs of achieving such limitation or
91.22 limitations, including any economic or social dislocation in the affected community or
91.23 communities, to the social and economic benefits to be obtained and to determine whether
91.24 or not such effluent limitation can be implemented with available technology or other
91.25 alternative control strategies. If a person affected by such limitation demonstrates at such
91.26 hearing that, whether or not such technology or other alternative control strategies are
91.27 available, there is no reasonable relationship between the economic and social costs and
91.28 the benefits to be obtained, such limitation shall not become effective and shall be adjusted
91.29 as it applies to such person;

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

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

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

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

92.11 (h) (8) to conduct such investigations, issue such notices, public and otherwise, and hold
92.12 such hearings as are necessary or which it may deem advisable for the discharge of its duties
92.13 under this chapter and, with respect to the pollution of waters of the state, under chapter
92.14 116, including, but not limited to, the issuance of permits, and to authorize any member,
92.15 employee, or agent appointed by it to conduct such investigations or, issue such notices and
92.16 hold such hearings;

92.17 (i) (9) for the purpose of water pollution control planning by the state and pursuant to
92.18 the Federal Water Pollution Control Act, as amended, to establish and revise planning areas,
92.19 adopt plans and programs and continuing planning processes, including, but not limited to,
92.20 basin plans and areawide waste treatment management plans, and to provide for the
92.21 implementation of any such plans by means of, including, but not limited to, standards, plan
92.22 elements, procedures for revision, intergovernmental cooperation, residual treatment process
92.23 waste controls, and needs inventory and ranking for construction of disposal systems;

92.24 ~~(f) (10) to train water pollution control personnel, and charge such fees therefor as are
92.25 for the training as necessary to cover the agency's costs. The fees under this clause are
92.26 subject to legislative approval under section 16A.1283. All such fees received shall be paid
92.27 into the state treasury and credited to the Pollution Control Agency training account;~~

92.28 ~~(f) (11) to impose as additional conditions in permits to publicly owned disposal systems
92.29 appropriate measures to insure compliance by industrial and other users with any pretreatment
92.30 standard, including, but not limited to, those related to toxic pollutants, and any system of
92.31 user charges ratably as is hereby required under state law or said Federal Water Pollution
92.32 Control Act, as amended, or any regulations or guidelines promulgated thereunder;~~

93.1 ~~(f) (12) to set a period not to exceed five years for the duration of any national pollutant
93.2 discharge elimination system permit or not to exceed ten years for any permit issued as a
93.3 state disposal system permit only;~~

93.4 ~~(m) (13) to require each governmental subdivision identified as a permittee for a
93.5 wastewater treatment works to evaluate in every odd-numbered year the condition of its
93.6 existing system and identify future capital improvements that will be needed to attain or
93.7 maintain compliance with a national pollutant discharge elimination system or state disposal
93.8 system permit; and~~

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

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

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

134.4 Sec. 2. Minnesota Statutes 2020, section 115.03, subdivision 1, is amended to read:

134.5 Subdivision 1. **Generally.** The agency is hereby given and charged with the following
134.6 powers and duties:

134.7 ~~(a) to administer and enforce all laws relating to the pollution of any of the waters of
134.8 the state;~~

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

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

134.13 (c) to establish and alter such reasonable pollution standards for any waters of the state
134.14 in relation to the public use to which they are or may be put as it shall deem necessary for
134.15 the purposes of this chapter and, with respect to the pollution of waters of the state, chapter
134.16 116;

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

134.19 (e) to adopt, issue, reissue, modify, deny, or revoke, reopen, enter into, or enforce
134.20 reasonable orders, permits, variances, standards, rules, schedules of compliance, and
134.21 stipulation agreements, under such conditions as it may prescribe, in order to prevent, control
134.22 or abate water pollution, or for the installation or operation of disposal systems or parts
134.23 thereof, or for other equipment and facilities;

134.24 (1) requiring the discontinuance of the discharge of sewage, industrial waste or other
134.25 wastes into any waters of the state resulting in pollution in excess of the applicable pollution
134.26 standard established under this chapter;

134.27 (2) prohibiting or directing the abatement of any discharge of sewage, industrial waste,
134.28 or other wastes, into any waters of the state or the deposit thereof or the discharge into any
134.29 municipal disposal system where the same is likely to get into any waters of the state in
134.30 violation of this chapter and, with respect to the pollution of waters of the state, chapter
134.31 116, or standards or rules promulgated or permits issued pursuant thereto, and specifying
134.32 the schedule of compliance within which such prohibition or abatement must be
134.33 accomplished;

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

135.4 (4) requiring the construction, installation, maintenance, and operation by any person
135.5 of any disposal system or any part thereof, or other equipment and facilities, or the
135.6 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,
135.7 or the adoption of other remedial measures to prevent, control or abate any discharge or
135.8 deposit of sewage, industrial waste or other wastes by any person;

135.9 (5) establishing, and from time to time revising, standards of performance for new sources
135.10 taking into consideration, among other things, classes, types, sizes, and categories of sources,
135.11 processes, pollution control technology, cost of achieving such effluent reduction, and any
135.12 nonwater quality environmental impact and energy requirements. Said standards of
135.13 performance for new sources shall encompass those standards for the control of the discharge
135.14 of pollutants which reflect the greatest degree of effluent reduction which the agency
135.15 determines to be achievable through application of the best available demonstrated control
135.16 technology, processes, operating methods, or other alternatives, including, where practicable,

135.17 a standard permitting no discharge of pollutants. New sources shall encompass buildings,
135.18 structures, facilities, or installations from which there is or may be the discharge of pollutants,
135.19 the construction of which is commenced after the publication by the agency of proposed
135.20 rules prescribing a standard of performance which will be applicable to such source.
135.21 Notwithstanding any other provision of the law of this state, any point source the construction
135.22 of which is commenced after May 20, 1973, and which is so constructed as to meet all
135.23 applicable standards of performance for new sources shall, consistent with and subject to
135.24 the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution
135.25 Control Act, not be subject to any more stringent standard of performance for new sources
135.26 during a ten-year period beginning on the date of completion of such construction or during
135.27 the period of depreciation or amortization of such facility for the purposes of section 167
135.28 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first.
135.29 Construction shall encompass any placement, assembly, or installation of facilities or
135.30 equipment, including contractual obligations to purchase such facilities or equipment, at
135.31 the premises where such equipment will be used, including preparation work at such
135.32 premises;
135.33 (6) establishing and revising pretreatment standards to prevent or abate the discharge of
135.34 any pollutant into any publicly owned disposal system, which pollutant interferes with,
135.35 passes through, or otherwise is incompatible with such disposal system;
136.1 (7) requiring the owner or operator of any disposal system or any point source to establish
136.2 and maintain such records, make such reports, install, use, and maintain such monitoring
136.3 equipment or methods, including where appropriate biological monitoring methods, sample
136.4 such effluents in accordance with such methods, at such locations, at such intervals, and in
136.5 such a manner as the agency shall prescribe, and providing such other information as the
136.6 agency may reasonably require;
136.7 (8) notwithstanding any other provision of this chapter, and with respect to the pollution
136.8 of waters of the state, chapter 116, requiring the achievement of more stringent limitations
136.9 than otherwise imposed by effluent limitations in order to meet any applicable water quality
136.10 standard by establishing new effluent limitations, based upon section 115.01, subdivision
136.11 13, clause (b), including alternative effluent control strategies for any point source or group
136.12 of point sources to insure the integrity of water quality classifications, whenever the agency
136.13 determines that discharges of pollutants from such point source or sources, with the
136.14 application of effluent limitations required to comply with any standard of best available
136.15 technology, would interfere with the attainment or maintenance of the water quality
136.16 classification in a specific portion of the waters of the state. Prior to establishment of any
136.17 such effluent limitation, the agency shall hold a public hearing to determine the relationship
136.18 of the economic and social costs of achieving such limitation or limitations, including any
136.19 economic or social dislocation in the affected community or communities, to the social and
136.20 economic benefits to be obtained and to determine whether or not such effluent limitation
136.21 can be implemented with available technology or other alternative control strategies. If a
136.22 person affected by such limitation demonstrates at such hearing that, whether or not such
136.23 technology or other alternative control strategies are available, there is no reasonable

136.24 relationship between the economic and social costs and the benefits to be obtained, such
136.25 limitation shall not become effective and shall be adjusted as it applies to such person;

136.26 (9) modifying, in its discretion, any requirement or limitation based upon best available
136.27 technology with respect to any point source for which a permit application is filed after July
136.28 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the
136.29 agency that such modified requirements will represent the maximum use of technology
136.30 within the economic capability of the owner or operator and will result in reasonable further
136.31 progress toward the elimination of the discharge of pollutants; and

136.32 (10) requiring that applicants for wastewater discharge permits evaluate in their
136.33 applications the potential reuses of the discharged wastewater; and

136.34 (11) requiring parties who enter into a negotiated agreement to settle an enforcement
136.35 matter with the agency to reimburse the agency according to this clause for oversight costs
137.1 that are incurred by the agency and associated with implementing the negotiated agreement.
137.2 The agency may recover oversight costs exceeding \$25,000. Oversight costs include
137.3 personnel and direct costs associated with inspections, sampling, monitoring, modeling,
137.4 risk assessment, permit writing, engineering review, economic analysis and review, and
137.5 other record or document review. Only oversight costs incurred after executing the negotiated
137.6 agreement are covered by this clause. The agency's legal and litigation costs are not covered
137.7 by this clause. The commissioner has discretion as to whether to apply this clause in cases
137.8 when the agency is using schedules of compliance to bring a class of regulated parties into
137.9 compliance. Reimbursement amounts are appropriated to the commissioner;

137.10 (f) to require to be submitted and to approve plans and specifications for disposal systems
137.11 or point sources, or any part thereof and to inspect the construction thereof for compliance
137.12 with the approved plans and specifications thereof;

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

137.18 (h) to conduct such investigations, issue such notices, public and otherwise, and hold
137.19 such hearings as are necessary or which it may deem advisable for the discharge of its duties
137.20 under this chapter and, with respect to the pollution of waters of the state, under chapter
137.21 116, including, but not limited to, the issuance of permits, and to authorize any member,
137.22 employee, or agent appointed by it to conduct such investigations or, issue such notices and
137.23 hold such hearings;

137.24 (i) for the purpose of water pollution control planning by the state and pursuant to the
137.25 Federal Water Pollution Control Act, as amended, to establish and revise planning areas,
137.26 adopt plans and programs and continuing planning processes, including, but not limited to,
137.27 basin plans and areawide waste treatment management plans, and to provide for the

137.28 implementation of any such plans by means of, including, but not limited to, standards, plan
137.29 elements, procedures for revision, intergovernmental cooperation, residual treatment process
137.30 waste controls, and needs inventory and ranking for construction of disposal systems;

137.31 (j) to train water pollution control personnel, and charge such fees therefor as are
137.32 necessary to cover the agency's costs. All such fees received shall be paid into the state
137.33 treasury and credited to the Pollution Control Agency training account;

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

138.6 (l) to set a period not to exceed five years for the duration of any national pollutant
138.7 discharge elimination system permit or not to exceed ten years for any permit issued as a
138.8 state disposal system permit only;

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

138.13 (n) to train subsurface sewage treatment system personnel, including persons who design,
138.14 construct, install, inspect, service, and operate subsurface sewage treatment systems, and
138.15 charge fees as necessary to pay the agency's costs. All fees received must be paid into the
138.16 state treasury and credited to the agency's training account. Money in the account is
138.17 appropriated to the agency to pay expenses related to training.

138.18 The information required in clause (m) must be submitted in every odd-numbered year to
138.19 the commissioner on a form provided by the commissioner. The commissioner shall provide
138.20 technical assistance if requested by the governmental subdivision.

138.21 The powers and duties given the agency in this subdivision also apply to permits issued
138.22 under chapter 114C.

138.23 Sec. 3. Minnesota Statutes 2020, section 115.061, is amended to read:

138.24 **115.061 DUTY TO NOTIFY; AVOIDING WATER POLLUTION.**

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

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

139.1 (c) Promptly after notifying the agency of a discharge event under paragraph (a), a
139.2 publicly owned treatment works or a publicly or privately owned domestic sewer system
139.3 owner must provide notice to the potentially impacted public and to any downstream drinking
139.4 water facility that may be impacted by the discharge event. Notice to the public and to any
139.5 drinking water facility must be made using the most efficient communications system
139.6 available to the facility owner, such as in person, phone call, radio, social media, webpage
139.7 or another expedited form. In addition, signage must be posted at all impacted public use
139.8 areas within the same jurisdiction or notification must be provided to the entity that has
139.9 jurisdiction over any impacted public use areas. A notice under this paragraph must include
139.10 the date and time of the release, a description of the material released, a warning of the
139.11 potential public health risk, and the permittee's contact information.

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

139.13 Sec. 4. Minnesota Statutes 2020, section 115.071, subdivision 1, is amended to read:

139.14 Subdivision 1. **Remedies available.** The provisions of sections 103F.701 to 103F.755,
139.15 this chapter and chapters 114C, 115A, and 116, and sections 325E.10 to 325E.1251 and
139.16 325E.32 and all rules, standards, orders, stipulation agreements, schedules of compliance,
139.17 and permits adopted or issued by the agency thereunder or under any other law now in force
139.18 or hereafter enacted for the prevention, control, or abatement of pollution may be enforced
139.19 by any one or any combination of the following: criminal prosecution; action to recover
139.20 civil penalties; injunction; action to compel or cease performance; or other appropriate
139.21 action, in accordance with the provisions of said chapters and this section.

139.22 Sec. 5. Minnesota Statutes 2020, section 115.071, is amended by adding a subdivision to
139.23 read:

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

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

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

140.1 (i) interactions between the facility and the public regarding the facility's operations;
140.2 (ii) operational problems or incidents that have occurred at the facility; and

140.3 (iii) suggestions regarding supplemental environmental projects that the public may
 140.4 prefer as part of a stipulation agreement or consent decree between the facility and the
 140.5 agency.

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

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

140.11 Sec. 6. Minnesota Statutes 2020, section 115.071, subdivision 4, is amended to read:

140.12 Subd. 4. **Injunctions.** Any violation of the provisions, rules, standards, orders, stipulation
 140.13 agreements, variances, schedules of compliance, or permits specified in this chapter and
 140.14 chapters 114C and 116 shall constitute constitutes a public nuisance and may be enjoined
 140.15 as provided by law in an action, in the name of the state, brought by the attorney general.
 140.16 Injunctive relief under this subdivision may include but is not limited to a requirement that
 140.17 a facility or person immediately cease operation or activities until such time as the
 140.18 commissioner has reasonable assurance that renewed operation or activities will not violate
 140.19 state pollution requirements, cause harm to human health, or result in a serious violation of
 140.20 an applicable permit.

140.21 Sec. 7. Minnesota Statutes 2020, section 115.071, is amended by adding a subdivision to
 140.22 read:

140.23 Subd. 8. **Stipulation agreements.** In exercising enforcement powers over a term of a
 140.24 stipulation agreement when a party asserts a good cause or force majeure claim for an
 140.25 extension of time to comply with a stipulated term, the commissioner must not grant the
 140.26 extension if the assertion is based solely on increased costs.

140.27 Sec. 8. Minnesota Statutes 2020, section 115.071, is amended by adding a subdivision to
 140.28 read:

140.29 Subd. 9. **Compliance when required permit not obtained.** The commissioner may
 140.30 require a person or facility that fails to obtain a required permit to comply with any terms
 140.31 of a permit that would have been issued had the person or facility obtained a permit, including
 141.1 but not limited to reporting, monitoring, controlling pollutant discharge, and creating and
 141.2 implementing operations and maintenance plans. The person or facility is subject to liability
 141.3 and penalties, including criminal liability, for failing to operate in compliance with a permit
 141.4 not obtained beginning at the time a permit should have been obtained.

93.21 Sec. 97. Minnesota Statutes 2020, section 115.455, is amended to read:

115.455 EFFLUENT LIMITATIONS; COMPLIANCE.

93.23 To the extent allowable under federal law, for a municipality that constructs a publicly
 93.24 owned treatment works or for an industrial national pollutant discharge elimination system

93.25 and state disposal system permit holder that constructs a treatment works to comply with a
93.26 new or modified effluent limitation, compliance with any new or modified effluent limitation
93.27 adopted after construction begins that would require additional capital investment is required
93.28 no sooner than 16 years after the date the facility begins operating.

93.29 Sec. 98. Minnesota Statutes 2020, section 115.77, subdivision 1, is amended to read:

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

94.3 Sec. 99. Minnesota Statutes 2020, section 115.84, subdivision 2, is amended to read:

94.4 Subd. 2. **Rules.** The agency may adopt rules to govern certification of laboratories
94.5 according to this section. Notwithstanding section 16A.1283, the agency may adopt rules
94.6 establishing fees.

94.7 Sec. 100. Minnesota Statutes 2020, section 115.84, subdivision 3, is amended to read:

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

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

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

94.18 Sec. 101. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
94.19 to read:

94.20 Subd. 1a. **Advanced recycling.** "Advanced recycling" means a manufacturing process
94.21 for converting post-use polymers and recovered feedstocks into basic hydrocarbon raw
94.22 materials, feedstocks, chemicals, liquid fuels, and other products like waxes and lubricants
94.23 through processes that include pyrolysis, gasification, depolymerization, catalytic cracking,
94.24 reforming, hydrogenation, solvolysis, and other similar technologies. The recycled products
94.25 produced at advanced recycling facilities include but are not limited to monomers, oligomers,
94.26 plastics, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha,
94.27 liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons.
94.28 Advanced recycling is not processing, treatment, resource recovery, incineration, or waste
94.29 management.

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

95.1 Sec. 102. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
95.2 to read:

95.3 Subd. 1b. **Advanced recycling facility.** "Advanced recycling facility" means a facility
95.4 that receives, stores, and converts post-use polymers and recovered feedstocks it receives
95.5 using advanced recycling. An advanced recycling facility is a manufacturing facility subject
95.6 to applicable agency manufacturing regulations for air, water, waste, and land use. An
95.7 advanced recycling facility is not a solid waste facility, waste facility, or resource recovery
95.8 facility.

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

95.10 Sec. 103. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
95.11 to read:

95.12 Subd. 7b. **Depolymerization.** "Depolymerization" means a manufacturing process where
95.13 post-use polymers are broken into smaller molecules such as monomers and oligomers or
95.14 raw, intermediate, or final products, plastics and chemical feedstocks, basic and unfinished
95.15 chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and
95.16 other basic hydrocarbons.

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

95.18 Sec. 104. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
95.19 to read:

95.20 Subd. 10b. **Gasification.** "Gasification" means a manufacturing process through which
95.21 covered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient
95.22 atmosphere and the mixture is converted into valuable raw materials and intermediate and
95.23 final products, including but not limited to plastic monomers, chemicals, waxes, lubricants,
95.24 chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blend stocks, home
95.25 heating oil, and other fuels including ethanol and transportation fuel, that are returned to
95.26 economic utility in the form of raw materials, products, or fuels.

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

141.5 Sec. 9. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to
141.6 read:

141.7 Subd. 10b. **Environmental justice.** "Environmental justice" means that:

141.8 (1) communities of color, Indigenous communities, and low-income communities have
141.9 a healthy environment and are treated fairly when environmental statutes, rules, and policies
141.10 are developed, adopted, implemented, and enforced; and

95.28 Sec. 105. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
95.29 to read:

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

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

96.1 (2) is not mixed with solid waste or hazardous waste on site or during processing at the
96.2 advanced recycling facility;

96.3 (3) is used or intended to be used as a feedstock for manufacturing crude oil, fuels,
96.4 feedstocks, blend stocks, raw materials, or other intermediate products or final products
96.5 using advanced recycling;

96.6 (4) has been sorted from solid waste and other regulated waste but may contain residual
96.7 amounts of solid waste such as organic material and incidental contaminants or impurities
96.8 such as paper labels and metal rings; and

96.9 (5) is processed at an advanced recycling facility or held at an advanced recycling facility
96.10 before processing.

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

141.11 (2) in all decisions that have the potential to affect the environment of an environmental
141.12 justice area or the public health of its residents, due consideration is given to the history of
141.13 those residents' cumulative exposure to pollutants and to any current socioeconomic
141.14 conditions that increase the physical sensitivity of those residents to additional exposure to
141.15 pollutants.

141.16 Sec. 10. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
141.17 to read:

141.18 Subd. 10c. **Environmental justice area.** "Environmental justice area" means one or
141.19 more census blocks in Minnesota:

141.20 (1) in which, based on the most recent data published by the United States Census Bureau:

141.21 (i) 40 percent or more of the population is nonwhite;

141.22 (ii) 35 percent or more of the households have an income at or below 200 percent of the
141.23 federal poverty level; or

141.24 (iii) 40 percent or more of the population over the age of five have limited English
141.25 proficiency; or

141.26 (2) within Indian country, as defined in United State Code, title 18, section 1151.

96.12 Sec. 106. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
96.13 to read:

96.14 Subd. 24d. **Pyrolysis.** "Pyrolysis" means a manufacturing process through which post-use
96.15 polymers are heated in an oxygen-deficient atmosphere until melted and thermally
96.16 decomposed and then cooled, condensed, and converted into valuable raw materials and
96.17 intermediate and final products, including but not limited to plastic monomers, chemicals,
96.18 waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blend
96.19 stocks, home heating oil, and other fuels including ethanol and transportation fuel, that are
96.20 returned to economic utility in the form of raw materials, products, or fuels.

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

96.22 Sec. 107. Minnesota Statutes 2020, section 115A.03, subdivision 25, is amended to read:

96.23 Subd. 25. **Processing.** "Processing" means the treatment of waste after collection and
96.24 before disposal. Processing includes but is not limited to reduction, storage, separation,
96.25 exchange, resource recovery, physical, chemical, or biological modification, and transfer
96.26 from one waste facility to another. Processing does not include advanced recycling.

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

96.28 Sec. 108. Minnesota Statutes 2020, section 115A.03, subdivision 25d, is amended to read:

96.29 Subd. 25d. **Refuse-derived fuel.** "Refuse-derived fuel" means a product resulting from
96.30 the processing of mixed municipal solid waste in a manner that reduces the quantity of
96.31 noncombustible material present in the waste, reduces the size of waste components through
97.1 shredding or other mechanical means, and produces a fuel suitable for combustion in existing
97.2 or new solid fuel-fired boilers. Fuels produced using advanced recycling are not
97.3 refuse-derived fuels.

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

97.5 Sec. 109. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
97.6 to read:

97.7 Subd. 25e. **Recovered feedstock.** "Recovered feedstock" means one or more of the
97.8 following materials that has been processed so that it may be used as feedstock in an advanced
97.9 recycling facility:

97.10 (1) post-use polymers; and

97.11 (2) materials for which the United States Environmental Protection Agency has made
97.12 a nonwaste determination under Code of Federal Regulations, title 40, section 241.3(c), or
97.13 has otherwise determined are feedstocks and not solid waste.

97.14 Recovered feedstock does not include unprocessed municipal solid waste. Recovered
97.15 feedstock is not mixed with solid waste or hazardous waste on site or during processing at
97.16 an advanced recycling facility.

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

97.18 Sec. 110. Minnesota Statutes 2020, section 115A.03, subdivision 27, is amended to read:

97.19 Subd. 27. **Resource recovery.** "Resource recovery" means the reclamation for sale, use,
97.20 or reuse of materials, substances, energy, or other products contained within or derived from
97.21 waste. Resource recovery does not include advanced recycling.

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

97.23 Sec. 111. Minnesota Statutes 2020, section 115A.03, subdivision 28, is amended to read:

97.24 Subd. 28. **Resource recovery facility.** "Resource recovery facility" means a waste
97.25 facility established and used primarily for resource recovery, including related and
97.26 appurtenant facilities such as transmission facilities and transfer stations primarily serving
97.27 the resource recovery facility. An advanced recycling facility is not a resource recovery
97.28 facility.

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

98.1 Sec. 112. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision
98.2 to read:

98.3 Subd. 32e. **Solvolysis.** "Solvolysis" means a manufacturing process through which
98.4 post-use polymers are reacted with the aid of solvents while heated at low temperatures or
98.5 pressurized, or both, to make useful products while allowing additives and contaminants to
98.6 be separated. The products of solvolysis include but are not limited to monomers,
98.7 intermediates, and valuable raw materials. The process includes but is not limited to
98.8 hydrolysis, aminolysis, ammonolysis, methanolysis, and glycolysis.

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

98.10 Sec. 113. Minnesota Statutes 2020, section 115A.03, subdivision 34, is amended to read:

98.11 Subd. 34. **Waste.** "Waste" means solid waste, sewage sludge, and hazardous waste.
98.12 Waste does not include post-use polymers or recovered feedstocks.

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

98.14 Sec. 114. Minnesota Statutes 2020, section 115A.03, subdivision 35, is amended to read:

98.15 Subd. 35. **Waste facility.** "Waste facility" means all property, real or personal, including
98.16 negative and positive easements and water and air rights, which is or may be needed or
98.17 useful for the processing or disposal of waste, except property for the collection of the waste
98.18 and property used primarily for the manufacture of scrap metal or paper. Waste facility

98.19 includes but is not limited to transfer stations, processing facilities, and disposal sites and
98.20 facilities. An advanced recycling facility is not a waste facility.

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

98.22 Sec. 115. Minnesota Statutes 2020, section 115A.03, subdivision 36, is amended to read:

98.23 Subd. 36. **Waste management.** "Waste management" means activities which are intended
98.24 to affect or control the generation of waste and activities which provide for or control the
98.25 collection, processing and disposal of waste. Waste management does not include advanced
98.26 recycling.

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

141.27 Sec. 11. Minnesota Statutes 2020, section 115A.1310, subdivision 12b, is amended to
141.28 read:

141.29 Subd. 12b. **Phase II recycling credits.** "Phase II recycling credits" means the number
141.30 of pounds of covered electronic devices recycled by a manufacturer during a program year
142.1 beginning July 1, 2019, and thereafter, from households located outside the 11-county
142.2 metropolitan area, as defined in section 115A.1314, subdivision 2, less the manufacturer's
142.3 recycling obligation calculated for the same program year in section 115A.1320, subdivision
142.4 1, paragraph (g); an amount calculated in a program year beginning July 1, 2019, and in
142.5 each program year thereafter, according to the formula $(1.5 \times A) - (B - C)$, where:

142.6 A = the number of pounds of covered electronic devices a manufacturer recycled or
142.7 arranged to have collected and recycled during a program year from households located
142.8 outside the 11-county metropolitan area, as defined in section 115A.1314, subdivision 2;

142.9 B = the manufacturer's recycling obligation calculated for the same program year in
142.10 section 115A.1320, subdivision 1, paragraph (g); and

142.11 C = the number of pounds of covered electronic devices a manufacturer recycled or
142.12 arranged to have collected and recycled, up to but not exceeding B, during the same program
142.13 year from households in the 11-county metropolitan area.

142.14 Sec. 12. Minnesota Statutes 2020, section 115A.1312, subdivision 1, is amended to read:

142.15 Subdivision 1. **Requirements for sale.** (a) On or after September 1, 2007, a manufacturer
142.16 must not sell or offer for sale or deliver to retailers for subsequent sale a new video display
142.17 device unless:

142.18 (1) the video display device is labeled with the manufacturer's brand, which label is
142.19 permanently affixed and readily visible; and

142.20 (2) the manufacturer has filed a registration with the agency, as specified in subdivision
142.21 2.

142.22 (b) On or after February 1, 2008, a retailer who sells or offers for sale a new video display
142.23 device to a household must, before the initial offer for sale, review the agency website
142.24 specified in subdivision 2, paragraph (g), to determine that all new video display devices
142.25 that the retailer is offering for sale are labeled with the manufacturer's brands that are
142.26 registered with the agency.

142.27 (b) A retailer must not sell, offer for sale, rent, or lease a video display device unless
142.28 the video display device is labeled according to this subdivision and listed as registered on
142.29 the agency website according to subdivision 2.

142.30 (c) A retailer is not responsible for an unlawful sale under this subdivision if the
142.31 manufacturer's registration expired or was revoked and the retailer took possession of the
143.1 video display device prior to the expiration or revocation of the manufacturer's registration
143.2 and the unlawful sale occurred within six months after the expiration or revocation.

143.3 Sec. 13. Minnesota Statutes 2020, section 115A.1314, subdivision 1, is amended to read:

143.4 Subdivision 1. **Registration fee.** (a) Each manufacturer who registers under section
143.5 115A.1312 must, by August 15 each year, pay to the commissioner of revenue an annual
143.6 registration fee, on a form and in a manner prescribed by the commissioner of revenue. The
143.7 commissioner of revenue must deposit the fee in the state treasury and credit the fee to the
143.8 environmental fund.

143.9 (b) The registration fee for manufacturers that sell 100 or more video display devices
143.10 to households in the state during the previous calendar year is \$2,500, plus a variable
143.11 recycling fee. The registration fee for manufacturers that sell fewer than 100 video display
143.12 devices in the state during the previous calendar year is a variable recycling fee. The variable
143.13 recycling fee is calculated according to the formula:

143.14 [A - (B + C)] x D, where:

143.15 A = the manufacturer's recycling obligation as determined under section 115A.1320;

143.16 B = the number of pounds of covered electronic devices recycled by that a manufacturer
143.17 recycled or arranged to have collected and recycled from households during the immediately
143.18 preceding program year, as reported under section 115A.1316, subdivision 1;

143.19 C = the number of phase I or phase II recycling credits a manufacturer elects to use to
143.20 calculate the variable recycling fee; and

143.21 D = the estimated per-pound cost of recycling, initially set at \$0.50 per pound for
143.22 manufacturers who recycle less than 50 percent of the manufacturer's recycling obligation;
143.23 \$0.40 per pound for manufacturers who recycle at least 50 percent but less than 90 percent
143.24 of the manufacturer's recycling obligation; \$0.30 per pound for manufacturers who recycle
143.25 at least 90 percent but less than 100 percent of the manufacturer's recycling obligation; and
143.26 \$0.00 per pound for manufacturers who recycle 100 percent or more of the manufacturer's
143.27 recycling obligation.

143.28 (c) A manufacturer may petition the agency to waive the per-pound cost of recycling
143.29 fee, element D in the formula in paragraph (b), required under this section. The agency shall
143.30 direct the commissioner of revenue to waive the per-pound cost of recycling fee if the
143.31 manufacturer demonstrates to the agency's satisfaction a good faith effort to meet its recycling
143.32 obligation as determined under section 115A.1320. The petition must include:

144.1 (1) documentation that the manufacturer has met at least 75 percent of its recycling
144.2 obligation as determined under section 115A.1320;

144.3 (2) a list of political subdivisions and public and private collectors with whom the
144.4 manufacturer had a formal contract or agreement in effect during the previous program year
144.5 to recycle or collect covered electronic devices;

144.6 (3) the total amounts of covered electronic devices collected from both within and outside
144.7 of the 11-county metropolitan area, as defined in subdivision 2;

144.8 (4) a description of the manufacturer's best efforts to meet its recycling obligation as
144.9 determined under section 115A.1320; and

144.10 (5) any other information requested by the agency.

144.11 (d) A manufacturer may retain phase I and phase II recycling credits to be added, in
144.12 whole or in part, to the actual value of C, as reported under section 115A.1316, subdivision
144.13 2, during any succeeding program year, provided that no more than 25 percent of a
144.14 manufacturer's recycling obligation (A \times B) for any program year may be met with phase
144.15 I and phase II recycling credits, separately or in combination, generated in a prior program
144.16 year. A manufacturer may sell any portion or all of its phase I and phase II recycling credits
144.17 to another manufacturer, at a price negotiated by the parties, who may use the credits in the
144.18 same manner.

144.19 (e) For the purpose of determining B in calculating a manufacturer's variable recycling
144.20 fee using the formula under paragraph (b), starting with the program year beginning July
144.21 1, 2019, and continuing each year thereafter, the weight of covered electronic devices
144.22 collected from that a manufacturer recycled or arranged to have collected and recycled from
144.23 households located outside the 11-county metropolitan area, as defined in subdivision 2,
144.24 paragraph (b), is calculated at 1.5 times their actual weight.

144.25 Sec. 14. Minnesota Statutes 2020, section 115A.1316, subdivision 1, is amended to read:

144.26 Subdivision 1. **Manufacturer reporting requirements.** (a) By August 1, 2016, each
144.27 manufacturer must report to the agency using the form prescribed:

144.28 (1) the total weight of each specific model of its video display devices sold to households
144.29 during the previous program year; and

144.30 (2) either:

- 144.31 (i) the total weight of its video display devices sold to households during the previous
144.32 program year; or
- 145.1 (ii) an estimate of the total weight of its video display devices sold to households during
145.2 the previous program year, calculated by multiplying the weight of its video display devices
145.3 sold nationally times the quotient of Minnesota's population divided by the national
145.4 population. All manufacturers with sales of 99 or fewer video display devices to households
145.5 in the state during the previous calendar year must report using the method under this item
145.6 for calculating sales.
- 145.7 (b) (a) By March 1, 2017, and each March 1 thereafter each year, each manufacturer
145.8 must report to the agency using the form prescribed:
- 145.9 (1) the total weight of each specific model of its video display devices sold to households
145.10 during the previous calendar year; and
- 145.11 (2) either:
- 145.12 (i) the total weight of its video display devices sold to households during the previous
145.13 calendar year; or
- 145.14 (ii) an estimate of the total weight of its video display devices sold to households during
145.15 the previous calendar year, calculated by multiplying the weight of its video display devices
145.16 sold nationally times the quotient of Minnesota's population divided by the national
145.17 population. All manufacturers with sales of 99 or fewer video display devices to households
145.18 in the state during the previous calendar year must report using the method under this item
145.19 for calculating sales.
- 145.20 A manufacturer must submit with the report required under this paragraph a description of
145.21 how the information or estimate was calculated.
- 145.22 (c) (b) By August 15 each year, each manufacturer must report to the department until
145.23 June 30, 2017, and to the agency thereafter:
- 145.24 (1) the total weight of covered electronic devices the manufacturer collected from
145.25 households and recycled or arranged to have collected and recycled during the preceding
145.26 program year;
- 145.27 (d) By August 15 each year, each manufacturer must report separately to the department
145.28 until June 30, 2017, and to the agency thereafter:
- 145.29 (e) (2) the number of phase I and phase II recycling credits the manufacturer has
145.30 purchased and sold during the preceding program year;
- 146.1 (f) (3) the number of phase I and phase II recycling credits possessed by the manufacturer
146.2 that the manufacturer elects to use in the calculation of its variable recycling fee under
146.3 section 115A.1314, subdivision 1; and

146.4 ③(4) the number of phase I and phase II recycling credits the manufacturer retains at
146.5 the beginning of the current program year.

146.6 ④(c) Upon request of the commissioner of revenue, the agency shall provide a copy
146.7 of each report to the commissioner of revenue.

146.8 Sec. 15. Minnesota Statutes 2020, section 115A.1318, subdivision 2, is amended to read:

146.9 Subd. 2. **Recycler responsibilities.** (a) As part of the report submitted under section
146.10 115A.1316, subdivision 2, a recycler must certify, except as provided in paragraph (b), that
146.11 facilities that recycle covered electronic devices, including all downstream recycling
146.12 operations:

146.13 (1) use only registered collectors;

146.14 (2) comply with all applicable health, environmental, safety, and financial responsibility
146.15 regulations;

146.16 (3) are licensed by all applicable governmental authorities;

146.17 (4) use no prison labor to recycle video display devices;

146.18 (5) possess liability insurance of not less than \$1,000,000 for environmental releases,
146.19 accidents, and other emergencies;

146.20 (6) provide a report annually to each registered collector regarding the video display
146.21 devices received from that entity; and

146.22 (7) do not charge collectors for the transportation and transporting, recycling of, or any
146.23 necessary supplies related to transporting or recycling covered electronic devices that meet
146.24 a manufacturer's recycling obligation as determined under section 115A.1320, unless
146.25 otherwise mutually agreed upon.

146.26 (b) A nonprofit corporation that contracts with a correctional institution to refurbish and
146.27 reuse donated computers in schools is exempt from paragraph (a), clauses (4) and (5).

146.28 (c) Except to the extent otherwise required by law and unless agreed upon otherwise by
146.29 the recycler or manufacturer, a recycler has no responsibility for any data that may be
146.30 contained in a covered electronic device if an information storage device is included in the
146.31 covered electronic device.

147.1 Sec. 16. Minnesota Statutes 2020, section 115A.1320, subdivision 1, is amended to read:

147.2 Subdivision 1. **Duties of agency.** (a) The agency shall administer sections 115A.1310
147.3 to 115A.1330.

147.4 (b) The agency shall establish procedures for:

147.5 (1) receipt and maintenance of the registration statements and certifications filed with
147.6 the agency under section 115A.1312; and

- 147.7 (2) making the statements and certifications easily available to manufacturers, retailers,
147.8 and members of the public.
- 147.9 (c) The agency shall annually review the following variables that are used to calculate
147.10 a manufacturer's annual registration fee under section 115A.1314, subdivision 1:
- 147.11 (1) the obligation-setting mechanism for manufacturers as specified under paragraph
147.12 (g);
- 147.13 (2) the estimated per-pound price of recycling covered electronic devices sold to
147.14 households; and
- 147.15 (3) the base registration fee.
- 147.16 (d) If the agency determines that any of these values must be changed in order to improve
147.17 the efficiency or effectiveness of the activities regulated under sections 115A.1312 to
147.18 115A.1330, or if the revenues exceed the amount that the agency determines is necessary,
147.19 the agency shall submit recommended changes and the reasons for them to the chairs of the
147.20 senate and house of representatives committees with jurisdiction over solid waste policy.
- 147.21 (e) By September 1, 2016, and by May 1, 2017, and each May 1 thereafter each year,
147.22 the agency shall publish a statewide recycling goal for all video display device waste that
147.23 is the weight of all video display devices collected for recycling during each of the three
147.24 most recently completed program years, excluding the most recently concluded program
147.25 year, divided by two. For the program years beginning July 1, 2016, July 1, 2017, and July
147.26 1, 2018, the agency shall establish and publish separate statewide recycling goals for video
147.27 display devices as follows:
- 147.28 (1) the agency shall set the statewide recycling goal for video display devices at
147.29 25,000,000 pounds, 23,000,000 pounds, and 21,000,000 pounds, respectively, during these
147.30 successive program years;
- 147.31 (2) the agency shall set the recycling goal for televisions at 80 percent of the applicable
147.32 amount in clause (1), and
- 148.1 (3) the agency shall set the recycling goal for computer monitors at 20 percent of the
148.2 applicable amount in clause (1).
- 148.3 (f) By September 1, 2016, and by May 1, 2017, and each May 1 thereafter each year,
148.4 the agency shall determine each registered manufacturer's market share of video display
148.5 devices to be collected and recycled based on the manufacturer's percentage share of the
148.6 total weight of video display devices sold as reported to the agency under section 115A.1316,
148.7 subdivision 1.
- 148.8 (g) By September 1, 2016, and by May 1, 2017, and each May 1 thereafter each year,
148.9 the agency shall provide each manufacturer with a determination of the manufacturer's share
148.10 of video display devices to be collected and recycled. A manufacturer's market share of
148.11 video display devices as specified in paragraph (f) is applied proportionally to the statewide

148.12 recycling goal as specified in paragraph (e) to determine an individual manufacturer's
148.13 recycling obligation. Upon request by the commissioner of revenue, the agency must provide
148.14 the information submitted to manufacturers under this paragraph to the commissioner of
148.15 revenue.

148.16 (h) The agency shall provide a report to the governor and the legislature on the
148.17 implementation of sections 115A.1310 to 115A.1330. For each program year, the report
148.18 must discuss the total weight of covered electronic devices recycled and a summary of
148.19 information in the reports submitted by manufacturers and recyclers under section 115A.1316.
148.20 The report must also discuss the various collection programs used by manufacturers to
148.21 collect covered electronic devices; information regarding covered electronic devices that
148.22 are being collected by persons other than registered manufacturers, collectors, and recyclers;
148.23 and information about covered electronic devices, if any, being disposed of in landfills in
148.24 this state. The report must examine which covered electronic devices, based on economic
148.25 and environmental considerations, should be subject to the obligation-setting mechanism
148.26 under paragraph (g). The report must include a description of enforcement actions under
148.27 sections 115A.1310 to 115A.1330. The agency may include in its report other information
148.28 received by the agency regarding the implementation of sections 115A.1312 to 115A.1330.
148.29 The report must be done in conjunction with the report required under section 115A.121.

148.30 (i) The agency shall promote public participation in the activities regulated under sections
148.31 115A.1312 to 115A.1330 through public education and outreach efforts.

148.32 (j) The agency shall enforce sections 115A.1310 to 115A.1330 in the manner provided
148.33 by sections 115.071, subdivisions 1, 3, 4, 5, and 6; and 116.072, except for those provisions
148.34 enforced by the department, as provided in subdivision 2. The agency may revoke a
149.1 registration of a collector or recycler found to have violated sections 115A.1310 to
149.2 115A.1330.

149.3 (k) The agency shall facilitate communication between counties, collection and recycling
149.4 centers, and manufacturers to ensure that manufacturers are aware of video display devices
149.5 available for recycling.

149.6 (l) The agency shall post on its website the contact information provided by each
149.7 manufacturer under section 115A.1318, subdivision 1, paragraph (e).

98.28 Sec. 116. **[115A.143] MATTRESS RECYCLING.**

98.29 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision
98.30 have the meanings given.

99.1 (b) "Brand" means a name, symbol, word, or mark that attributes a mattress to the
99.2 producer of the mattress.

99.3 (c) "Covered entity" means a political subdivision of the state, mattress retailer, permitted
99.4 transfer station, waste-to-energy facility, health care facility, educational facility, military
99.5 base, or commercial or nonprofit lodging establishment that possesses a discarded mattress

99.6 that was used and discarded in this state. Covered entity does not include a renovator,
99.7 refurbisher, or person that only transports a discarded mattress.

99.8 (d) "Discarded mattress" means a mattress that a consumer discarded, intends to discard,
99.9 or abandoned in the state, but does not include a mattress that cannot be safely recycled
99.10 because it is contaminated by putrescible solid waste or is substantially soiled, is infested
99.11 with bedbugs, or poses a risk to worker health or equipment, which mattress should be
99.12 disposed of through the existing solid waste system.

99.13 (e) "Energy recovery" means the process by which all or a portion of solid waste materials
99.14 are processed or combusted to use the heat content or other forms of energy derived from
99.15 the solid waste materials.

99.16 (f) "Foundation" means any ticking-covered structure that is used to support a mattress
99.17 and that is composed of one or more of the following: a constructed frame, foam, or a box
99.18 spring, whether stationary, adjustable, or foldable. Foundation does not include any bed
99.19 frame or base made of wood, metal, or other material that rests upon the floor and that serves
99.20 as a brace for a mattress.

99.21 (g) "Mattress" means any resilient material or combination of materials that is enclosed
99.22 by ticking, used alone or in combination with other products, and that is intended or promoted
99.23 for sleeping upon. Mattress includes any foundation and any used or renovated mattress.
99.24 Mattress does not include any mattress pad; mattress topper; sleeping bag; pillow; car bed;
99.25 carriage; basket; dressing table; stroller; playpen; infant carrier; lounge pad; crib or bassinet
99.26 mattress; crib bumper; liquid or gaseous filled ticking, including any water bed and any air
99.27 mattress that does not contain upholstery material between the ticking and the mattress core;
99.28 or upholstered furniture, including a sleeper sofa.

99.29 (h) "Mattress core" means the principal support system that is present in a mattress,
99.30 including but not limited to springs, foam, air bladder, water bladder, or resilient filling.

99.31 (i) "Mattress recycling council" or "council" means the nonprofit organization created
99.32 by producers or created by any trade association that represents producers who account for
99.33 a majority of mattress production in the United States to design, submit, and implement the
99.34 mattress stewardship program described in subdivision 2.

100.1 (j) "Mattress stewardship fee" means the amount added to the purchase price of a mattress
100.2 sold to a consumer or to an ultimate end user in this state that is necessary to cover the cost
100.3 of collecting, transporting, and processing discarded mattresses by the council according
100.4 to the mattress stewardship program.

100.5 (k) "Mattress stewardship program" or "program" means the statewide program described
100.6 in subdivision 2 and implemented according to the mattress stewardship plan developed
100.7 under subdivision 2.

100.8 (I) "Mattress topper" means an item that contains resilient filling, with or without ticking,
100.9 that is intended to be used with or on top of a mattress.

100.10 (m) "Performance goal" means a metric proposed by the council to annually measure
100.11 the performance of the mattress stewardship program, taking into consideration technical
100.12 and economic feasibilities, in achieving continuous, meaningful improvement in the rate
100.13 of mattress recycling in the state and any other specified goal of the program.

100.14 (n) "Producer" means a person who manufactures or renovates a mattress that is sold,
100.15 offered for sale, or distributed in the state under the producer's own name or brand. Producer
100.16 includes:

100.17 (1) the owner of a trademark or brand under which a mattress is sold, offered for sale,
100.18 or distributed in this state, whether or not the trademark or brand is registered in this state;
100.19 and

100.20 (2) a person who imports a mattress into the United States that is sold or offered for sale
100.21 in this state and that is manufactured or renovated by a person who does not have a presence
100.22 in the United States.

100.23 (o) "Recycling" means a process in which discarded mattresses, components, and
100.24 by-products may lose their original identity or form as they are transformed into new, usable,
100.25 or marketable materials. Recycling does not include using destructive incineration.

100.26 (p) "Renovate" or "renovation" means altering a mattress for resale, including any one
100.27 or a combination of the following: replacing the ticking or filling, adding additional filling,
100.28 or replacing components with new or recycled materials. Renovate or renovation does not
100.29 include:

100.30 (1) stripping a mattress of its ticking or filling without adding new material;

100.31 (2) sanitizing or sterilizing a mattress without otherwise altering the mattress; or

101.1 (3) a renovator altering a mattress for a person who retains the altered mattress for
101.2 personal use, in accordance with chapter 325F.

101.3 (q) "Renovator" means a person who renovates discarded mattresses to resell the
101.4 mattresses to consumers.

101.5 (r) "Retailer" means a person who sells mattresses to a consumer or to an ultimate end
101.6 user in this state or offers mattresses to a consumer in this state.

101.7 (s) "Sale" means transfer of title of a mattress for consideration to a consumer or an
101.8 ultimate end user in the state, including but not limited to by means of a sales outlet, catalog,
101.9 website, or similar electronic means.

101.10 (t) "Sanitizing" means directly applying chemicals to a mattress to kill human
101.11 disease-causing pathogens.

101.12 (u) "Sterilizing" means mitigating deleterious substances or organisms, including human
101.13 disease-causing pathogens, fungi, and insects, from a mattress or filling material using a
101.14 chemical or heat process.

101.15 (v) "Ticking" means the outermost layer of fabric or material of a mattress. Ticking does
101.16 not include any layer of fabric or material quilted together with, or otherwise attached to,
101.17 the outermost layer of fabric or material of a mattress.

101.18 (w) "Upholstery material" means all material, loose or attached, between the ticking and
101.19 the core of a mattress.

101.20 Subd. 2. **Mattress recycling council; required plan.** (a) Within 180 days after the
101.21 effective date of this section, each producer or the producer's designee must join the mattress
101.22 recycling council. Within 180 days after the effective date of this section, the council must
101.23 submit a plan for approval by the commissioner to establish a statewide mattress stewardship
101.24 program, as described in this paragraph. Retailers may participate in the council. The mattress
101.25 stewardship program must, to the extent technologically feasible and economically practical:

101.26 (1) provide for free, convenient, and accessible statewide opportunities for receiving
101.27 discarded mattresses from any person in the state with a discarded mattress that was used
101.28 and discarded in the state, including but not limited to participating covered entities that
101.29 accumulate and segregate a minimum of 100 discarded mattresses for collection at one time;

101.30 (2) provide for free collection of discarded mattresses from transfer stations that
101.31 accumulate and segregate fewer than 50 mattresses, provided the transfer stations require
101.32 the collection due to space or permit requirements;

102.1 (3) provide for council-financed end-of-life management for discarded mattresses
102.2 collected according to clauses (1) and (2);

102.3 (4) provide suitable storage containers at or make other mutually agreeable storage and
102.4 transport arrangements for permitted transfer stations for segregated, discarded mattresses,
102.5 at no cost to the municipality, provided the transfer station makes space available for the
102.6 purpose and imposes no fee for placement of the storage container on the transfer station's
102.7 premises;

102.8 (5) provide that the council will conduct research as needed related to improving used
102.9 mattress collection, dismantling, and recycling operations, including pilot programs to test
102.10 new processes, methods, or equipment on a local, regional, or otherwise limited basis; and

102.11 (6) include a mattress stewardship fee that is sufficient to cover the costs of operating
102.12 and administering the program.

102.13 (b) The plan submitted according to paragraph (a) must:
102.14 (1) identify each producer participating in the program;

102.15 (2) describe the fee structure for the program;

102.16 (3) establish performance goals for the first two years of the program;

102.17 (4) identify proposed facilities to be used by the program;

102.18 (5) set convenience goals and a timeline for implementing and achieving convenient

102.19 access to the program;

102.20 (6) detail how the program will promote recycling discarded mattresses consistent with

102.21 the state's solid waste management hierarchy; and

102.22 (7) include a description of public education regarding the program.

102.23 (c) The council must set the amount of the mattress stewardship fee that is added to the

102.24 purchase price of a mattress at the point of sale. The council must establish and implement

102.25 a fee structure that covers but does not exceed the costs of developing the plan described

102.26 in paragraph (b), operating and administering the program described in paragraph (a), and

102.27 maintaining a financial reserve sufficient to operate the program over multiple years in a

102.28 fiscally prudent and responsible manner. The council must set the fee as a flat rate and not

102.29 as a percentage of the purchase price. The council must maintain all records relating to the

102.30 program for not less than three years.

102.31 (d) Under the program, recycling is preferred over any other disposal method for

102.32 mattresses, to the extent that recycling is technologically feasible and economically practical.

103.1 (e) The commissioner must approve the plan for establishing the mattress stewardship

103.2 program if the plan meets the requirements of paragraphs (a) to (d). No later than 90 days

103.3 after the council submits the plan according to this section, the commissioner must make a

103.4 determination whether to approve the plan. Before making the determination, the

103.5 commissioner must post the plan on the agency's website and solicit public comments on

103.6 the plan. If the commissioner disapproves the plan because the plan does not meet the

103.7 requirements of paragraphs (a) to (d), the commissioner must describe the reasons for the

103.8 disapproval in a notice of determination that the commissioner provides to the council. The

103.9 council must revise and resubmit the plan to the commissioner no later than 45 days after

103.10 receiving notice of the commissioner's disapproval. No later than 45 days after receiving

103.11 the revised plan, the commissioner must review and approve or disapprove the revised plan

103.12 and provide a notice of determination to the council. The council may resubmit a revised

103.13 plan to the commissioner for approval no more than twice. If the council fails to submit a

103.14 plan that is acceptable to the commissioner because it does not meet the requirements of

103.15 paragraphs (a) to (d), the commissioner must modify a submitted plan to make it conform

103.16 to the requirements of paragraphs (a) to (d) and approve it. No later than 180 days after

103.17 approval of a plan according to this paragraph, the council must implement the mattress

103.18 stewardship program. Regardless of when the program begins, the program's fiscal year

103.19 begins January 1.

103.20 (f) The council must submit any proposed substantial change to the program to the
103.21 commissioner for approval. If the commissioner does not disapprove a proposed substantial
103.22 change within 90 days of receiving notice of the proposed substantial change, the proposed
103.23 substantial change is deemed approved. For purposes of this paragraph, "substantial change"
103.24 means:

103.25 (1) a change in the processing facilities to be used for discarded mattresses collected
103.26 under the program; or

103.27 (2) a material change to the system for collecting mattresses.

103.28 (g) Within 90 days after the end of the program's second fiscal year, the council must
103.29 submit updated performance goals to the commissioner that are based on the experience of
103.30 the program during the first two years of the program.

103.31 (h) The council must notify the commissioner of other material changes to the program
103.32 on an ongoing basis, without resubmitting the plan to the commissioner for approval. Material
103.33 changes include but are not limited to a change in the composition, officers, or contact
103.34 information of the council.

104.1 (i) Within 90 days after the end of the program's second fiscal year and every two years
104.2 thereafter, the council must propose a mattress stewardship fee for all mattresses sold in
104.3 this state. The council may propose a change to the mattress stewardship fee more frequently
104.4 than once every two years if the council determines the change is needed to avoid funding
104.5 shortfalls or excesses for the mattress stewardship program. Any proposed mattress
104.6 stewardship fee must be reviewed by an auditor to ensure that the assessment does not
104.7 exceed the cost to fund the mattress stewardship program described in paragraph (a) and to
104.8 maintain financial reserves sufficient to operate the program over multiple years in a fiscally
104.9 prudent and responsible manner. Not later than 60 days after the council proposes a mattress
104.10 stewardship fee, the auditor must render an opinion to the commissioner as to whether the
104.11 proposed mattress stewardship fee is reasonable to achieve the goals set forth in this section.
104.12 If the auditor concludes that the mattress stewardship fee is reasonable, then the proposed
104.13 fee goes into effect. If the auditor concludes that the mattress stewardship fee is not
104.14 reasonable, the auditor must provide the council with written notice explaining the auditor's
104.15 opinion. No later than 60 days after the council receives the auditor's opinion, the council
104.16 may either propose a new mattress stewardship fee or provide written comments on the
104.17 auditor's opinion. If the auditor concludes that the fee is not reasonable, the commissioner
104.18 must decide, based on the auditor's opinion and any comments provided by the council,
104.19 whether to approve the proposed mattress stewardship fee. The council must select the
104.20 auditor. The cost of any work performed by the auditor under this paragraph and paragraph
104.21 (k) must be paid by the mattress stewardship fee.

104.22 (j) Not later than October 15 each year, the council must submit an annual report to the
104.23 commissioner for the most recently completed fiscal year. The commissioner must post the
104.24 annual report on the agency's website. The report must include:

104.25 (1) the tonnage of mattresses collected under the program from:

104.26 (i) transfer stations;

104.27 (ii) retailers; and

104.28 (iii) all other covered entities;

104.29 (2) the tonnage of mattresses diverted for recycling;

104.30 (3) the weight of mattress materials recycled, as indicated by the weight of each of the

104.31 commodities sold to secondary markets;

104.32 (4) the weight of mattress materials sent for disposal at:

104.33 (i) waste-to-energy facilities;

105.1 (ii) landfills; and

105.2 (iii) any other facilities;

105.3 (5) a summary of the public education that supports the program;

105.4 (6) an evaluation of the effectiveness of methods and processes used to achieve

105.5 performance goals of the program; and

105.6 (7) recommendations for any changes to the program.

105.7 (k) Two years after the program is implemented according to paragraph (e) and every

105.8 three years thereafter or upon the request of the commissioner, but not more frequently than

105.9 once a year, the council must cause an audit of the program to be conducted by an auditor

105.10 as described in paragraph (i). The audit must review the accuracy of the council's data

105.11 concerning the program and provide any other information requested by the commissioner,

105.12 consistent with the requirements of this section, provided the request does not require the

105.13 disclosure of proprietary information or trade or business secrets. The council must pay for

105.14 the audit. The council must maintain all records relating to the program for at least three

105.15 years.

105.16 Subd. 3. **Charging fee; producer participation.** Upon implementation of the mattress

105.17 stewardship program, each manufacturer, renovator, retailer, or distributor that sells a

105.18 mattress to a consumer or to an ultimate end user in the state must add the mattress

105.19 stewardship fee to the purchase price for the mattress and must remit the fee collected to

105.20 the council. In each transaction, the fee must appear on the invoice and must be accompanied

105.21 by a brief description of the fee. The council must determine the rules and procedures

105.22 necessary to implement collection of the fee in a fair, efficient, and lawful manner. Any

105.23 producer who fails to participate in the program must not sell mattresses in this state.

105.24 Subd. 4. **Receipt of discarded mattresses.** Upon implementation of the mattress

105.25 stewardship program according to subdivision 2, paragraph (e), a covered entity that

105.26 participates in the program must not charge for the receipt of discarded mattresses that are

105.27 discarded in this state, except that covered entities may charge a fee for providing the service
105.28 of collecting mattresses and may restrict the acceptance of mattresses by number, source,
105.29 or physical condition.

149.8 Sec. 17. **[115A.40] CITATION.**

149.9 Sections 115A.40 to 115A.405 may be cited as the "Landfill Responsibility Act."

149.10 Sec. 18. **[115A.401] LEGISLATIVE GOALS AND INTENT.**

149.11 (a) It is the goal of the Landfill Responsibility Act to reduce the environmental impacts
149.12 from all aspects of solid waste, from acquiring product material through disposing of product,
149.13 and to prioritize the expansion of waste reduction or source reduction activities across the
149.14 state. In accordance with the goals and policies of this chapter and the waste management
149.15 preferences in section 115A.02, the Landfill Responsibility Act supports waste reduction
149.16 and reuse.

149.17 (b) The legislature intends for the projects developed under the Landfill Responsibility
149.18 Act to encourage a greater awareness of the need for and benefits of waste reduction and
149.19 reuse and to develop a greater degree of cooperation and coordination among all elements
149.20 of government, industry, and the public in advancing more sustainable actions.

149.21 Sec. 19. **[115A.402] DEFINITIONS.**

149.22 Subdivision 1. **Applicability.** For the purposes of sections 115A.40 to 115A.405, the
149.23 terms defined in this section have the meanings given.

149.24 Subd. 2. **Applicable area.** "Applicable area" means an area described in a permit for a
149.25 disposal facility that accepted mixed municipal solid waste during the immediately preceding
149.26 year.

149.27 Subd. 3. **Covered entity.** "Covered entity" means the owner or operator of a disposal
149.28 facility at which an applicable area is located.

149.29 Subd. 4. **Rate charged.** "Rate charged" means the total amount charged by a covered
149.30 entity, per ton, to accept solid waste at a disposal facility for treatment, storage, processing,
149.31 transfer, disposal, or any other purpose and includes tipping fees and service charges.

150.1 Sec. 20. **[115A.403] LANDFILL RESPONSIBILITY PROJECTS.**

150.2 Subdivision 1. **Project application and eligibility.** (a) Every three years, or more
150.3 frequently at the commissioner's discretion, the commissioner must provide public notice
150.4 and solicit proposals for eligible landfill responsibility projects.

150.5 (b) At any time after the notice is provided under paragraph (a), a person may propose
150.6 a landfill responsibility project. Proposals must be submitted in the form and manner
150.7 prescribed by the commissioner. At a minimum, a proposal must include:
150.8 (1) a description of the proposer's qualifications with waste reduction or source reduction;
150.9 (2) a description of the scope of the project, including how the project will result in
150.10 waste reduction or source reduction;
150.11 (3) the expected amount of waste reduction or source reduction attributable to the project;
150.12 (4) a description of the timeline of the project;
150.13 (5) a detailed annual budget for the project;
150.14 (6) identification and a description of environmental justice areas served by the project;
150.15 (7) a description of how the project meets the following minimum requirements:
150.16 (i) is administered in the state;
150.17 (ii) does not supplant existing work;
150.18 (iii) provides a high return in environmental benefits, including but not limited to reducing
150.19 greenhouse gas emissions;
150.20 (iv) demonstrates cost-effectiveness;
150.21 (v) has measurable outcomes for waste reduction or source reduction; and
150.22 (vi) includes only waste reduction or source reduction activities; and
150.23 (vii) any other information required by the commissioner to evaluate the project.
150.24 (c) Only waste reduction and reuse as a waste management practice under section
150.25 115A.02, paragraph (b), clause (1), are eligible for project funding under this section. Waste
150.26 management practices under section 115A.02, paragraph (b), clauses (2) to (6), are not
150.27 eligible.
150.28 (d) The commissioner must establish and maintain a list of eligible landfill responsibility
150.29 projects and make the list available to covered entities. The commissioner must evaluate
150.30 proposals submitted under paragraph (b) and determine whether to include each proposal
151.1 on the list of eligible landfill responsibility projects. The commissioner may remove a project
151.2 from the list at any time if the project no longer meets the minimum criteria under paragraph
151.3 (b), clause (7), or if the commissioner determines the project will not be completed as
151.4 proposed.
151.5 (e) The waste reduction or source reduction activities of an eligible project as described
151.6 in a proposal under paragraph (b) may not begin until:

151.7 (1) the project is included in a plan approved by the commissioner under subdivision 4;
151.8 or
151.9 (2) the proposal is rescinded or the project is removed from the eligible projects list.
151.10 Subd. 2. **Obligation.** (a) Each year, a covered entity must fund eligible landfill
151.11 responsibility projects according to this subdivision in an amount at least equal to the covered
151.12 entity's obligation determined under paragraph (b).
151.13 (b) A covered entity's obligation is three percent of the covered entity's revenue and is
151.14 calculated according to the formula:
151.15
$$X = (A * B) * 0.03$$

151.16 Where:
151.17 X is the total obligation that the covered entity must meet in the three-year approved
151.18 plan
151.19 A is the annual average rate charged at an applicable area during the three-year period
151.20 immediately preceding the date a plan must be submitted under subdivision 3
151.21 B is the total tons of solid waste accepted in the applicable area during the three-year
151.22 period immediately preceding the date a plan must be submitted under subdivision 3
151.23 Subd. 3. **Covered entity plans.** (a) By January 1, 2023, and every third year thereafter,
151.24 or more frequently as determined by the commissioner, a covered entity must submit a plan
151.25 to the commissioner in the form and manner prescribed by the commissioner. The plan must
151.26 include:
151.27 (1) the covered entity's obligation for the plan period as calculated in subdivision 2;
151.28 (2) a selection of projects from the list of eligible projects under subdivision 1, paragraph
151.29 (d), according to the following:
151.30 (i) selection must be made so that 40 percent of the obligation will directly serve
151.31 environmental justice areas; and
152.1 (ii) the total selection must include projects with budgets that annually meet or exceed
152.2 the covered entity's obligation for the period of the plan;
152.3 (3) estimated amounts of waste reduction or source reduction for each selected project,
152.4 categorized by material type;
152.5 (4) a description of how the covered entity will annually meet its obligation for each of
152.6 the three years in the plan period; and
152.7 (5) any other criteria required by the commissioner to determine the sufficiency of the
152.8 plan.

152.9 (b) The commissioner may modify dates for plan submission under paragraph (a) if the
152.10 commissioner determines it is necessary to implement the Landfill Responsibility Act.

152.11 Subd. 4. **Commissioner review.** (a) Upon receiving a plan under subdivision 3, the
152.12 commissioner must:

152.13 (1) notify a covered entity if a plan is incomplete, specifying the specific items that need
152.14 to be submitted to make the plan complete;

152.15 (2) giving first-come first-served preference based on when a plan is submitted, require
152.16 a covered entity to revise and resubmit a plan if the commissioner determines it necessary
152.17 to:

152.18 (i) ensure that no more than 25 percent of the total obligation of all covered entities is
152.19 allocated to a single recipient;

152.20 (ii) prevent duplicative selection of eligible projects;

152.21 (iii) prioritize fully funding individual eligible projects before selecting additional projects
152.22 for funding; or

152.23 (iv) implement the Landfill Responsibility Act and remain consistent with other state
152.24 law; and

152.25 (3) provide covered entities with plan approval, including any modifications required
152.26 under this paragraph, within 45 days after the plan is submitted under subdivision 3.

152.27 (b) After receiving initial approval of a plan, a covered entity must revise and resubmit
152.28 a plan for approval or disapproval if the eligible projects change during the plan period. If
152.29 a project can no longer be completed as described, a covered entity must choose another
152.30 project to meet its obligation. The covered entity must resubmit its plan to the commissioner
152.31 if there is a substantial change in obligation or if an eligible project is unable to be performed
152.32 as described.

153.1 Subd. 5. **Project implementation.** (a) After a plan is approved under subdivision 4, a
153.2 covered entity must implement the plan.

153.3 (b) After a person receives funding from a covered entity, the covered entity and the
153.4 person receiving funding must implement the plan according to the proposal submitted
153.5 under subdivision 1. If a person implementing the project is no longer able to perform the
153.6 project according to the proposal, the person must immediately notify the covered entity
153.7 and the commissioner.

153.8 Subd. 6. **Reporting requirements.** (a) No later than February 1 each year, a covered
153.9 entity must submit a report to the commissioner for the preceding calendar year. The annual
153.10 report must be submitted in a form and manner prescribed by the commissioner and must
153.11 include:

153.12 (1) a description of the covered entity's progress made toward objectives detailed in the
153.13 plan developed under subdivision 3, including a summary of the projects completed for the
153.14 reporting year;
153.15 (2) evidence, such as receipts, of meeting the covered entity's obligation for the previous
153.16 year;
153.17 (3) the rate charged during the preceding calendar year;
153.18 (4) proof of how at least 40 percent of the covered entity's obligation is met through
153.19 projects directly serving environmental justice; and
153.20 (5) any other information requested by the commissioner to determine compliance.
153.21 (b) No later than February 1 each year, a person receiving funding for a landfill
153.22 responsibility project must submit a report to the commissioner for the preceding calendar
153.23 year. The annual report must be submitted in a form and manner prescribed by the
153.24 commissioner and must include:
153.25 (1) proof of the amount of funding received and the time frame for each eligible project;
153.26 (2) the time frame for the project;
153.27 (3) a description of the amount of waste reduction or source reduction achieved by the
153.28 project during the reporting year by weight, categorized by material type;
153.29 (4) a description of how the project served environmental justice areas, if applicable;
153.30 (5) a description of how the data was measured and the activities used to achieve the
153.31 specified waste reduction or source reduction amounts; and
154.1 (6) any other information requested by the commissioner to determine compliance.
154.2 Subd. 7. **Operating record.** A covered entity must record and maintain in an operating
154.3 record all information used to determine the rate charged, including gate receipts and financial
154.4 records, for a minimum of five years.
154.5 Subd. 8. **Duty to provide information.** If the commissioner requests information to
154.6 determine compliance with this section, a person must furnish to the commissioner any
154.7 information that the person may have or may reasonably obtain.
154.8 Sec. 21. **[115A.404] LANDFILL RESPONSIBILITY ASSESSMENT.**
154.9 (a) By January 1 each year, a covered entity must pay to the commissioner an assessment
154.10 fee according to this section. The commissioner must deposit the fee in the state treasury
154.11 and credit the fee to the environmental fund.
154.12 (b) The annual assessment fee is calculated for each covered entity according to the
154.13 formula:

154.14 X = A * (B/C)
154.15 Where:
154.16 X is the assessment fee owed by each covered entity
154.17 A is the anticipated total annual cost to the agency to administer and implement the
154.18 Landfill Responsibility Act for the following year, as determined by the commissioner
154.19 B is the total amount of solid waste, measured in tons, disposed of in a covered entity's
154.20 applicable area or applicable areas according to the covered entity's most recent annual
154.21 report
154.22 C is the total amount of solid waste, measured in tons, disposed of in the applicable areas
154.23 at all covered entities according to the covered entities' most recent annual reports
154.24 Sec. 22. **[115A.405] WASTE COMPOSITION STUDY.**
154.25 Subdivision 1. **Waste composition study.** By January 1 each year, the commissioner
154.26 must conduct a waste composition study at covered entities. When identifying facilities for
154.27 waste composition studies, the commissioner must rotate the covered entities and each
154.28 covered entity must allow the commissioner to perform a waste composition study at least
154.29 once every three years.
155.1 Subd. 2. **Access.** The commissioner or commissioner's designee, upon presentation of
155.2 credentials, may enter upon any public or private property to take any action authorized by
155.3 this section. The covered entity must provide access to pertinent books and records and
155.4 provide reasonable accommodations for a waste composition study to be completed
155.5 accurately and safely.
155.6 Subd. 3. **Data compilation.** The commissioner must annually compile and summarize
155.7 the waste composition data. The commissioner must make the summary information available
155.8 to the public.
155.9 Sec. 23. Minnesota Statutes 2020, section 115A.5501, subdivision 3, is amended to read:
155.10 Subd. 3. **Facility cooperation and reports.** (a) The owner or operator of a facility shall
155.11 allow access upon reasonable notice to authorized agency staff for the purpose of conducting
155.12 waste composition studies or otherwise assessing the amount of total packaging in the waste
155.13 delivered to the facility under this section.
155.14 (b) Beginning in 1993, by February By March 1 of each year the owner or operator of
155.15 a facility governed by this subdivision shall submit a report to the commissioner, on a form
155.16 prescribed by the commissioner, specifying the total amount of solid waste received by the
155.17 facility between January 1 and December 31 of the previous year. The commissioner shall
155.18 calculate the total amount of solid waste delivered to solid waste facilities from the reports
155.19 received from the facility owners or operators and shall report the annual aggregate amount
155.20 by April 1 of each year. The commissioner shall assess a nonforgivable administrative

105.30 Sec. 117. Minnesota Statutes 2020, section 115A.565, subdivision 1, is amended to read:

105.31 Subdivision 1. **Grant program established.** The commissioner shall must make
 105.32 competitive grants to political subdivisions or federally recognized tribes to establish curbside
 105.33 recycling or composting, increase recycling or composting, reduce the amount of recyclable
 106.1 materials entering disposal facilities, or reduce the costs associated with hauling waste by
 106.2 locating collection sites as close as possible to the site where the waste is generated. To be
 106.3 eligible for grants under this section, a political subdivision or federally recognized tribe
 106.4 must be located outside the seven-county metropolitan area and a city must have a population
 106.5 of less than 45,000.

155.21 penalty under section 116.072 of \$500 plus any forgivable amount necessary to enforce this
 155.22 subdivision on any owner or operator who fails to submit a report required by this
 155.23 subdivision.

155.24 Sec. 24. Minnesota Statutes 2020, section 115A.565, subdivision 1, is amended to read:

155.25 Subdivision 1. **Grant program established.** The commissioner shall must make
 155.26 competitive grants to political subdivisions or federally recognized Tribes to establish
 155.27 curbside recycling or composting, increase recycling or composting, reduce the amount of
 155.28 recyclable materials entering disposal facilities, or reduce the costs associated with hauling
 155.29 waste by locating collection sites as close as possible to the site where the waste is generated.
 155.30 To be eligible for grants under this section, a political subdivision or federally recognized
 155.31 Tribe must be located outside the seven-county metropolitan area and a city must have a
 155.32 population of less than 45,000.

156.1 Sec. 25. Minnesota Statutes 2020, section 115B.17, subdivision 13, is amended to read:

156.2 Subd. 13. **Priorities; rules.** (a) By November 1, 1983, the Pollution Control Agency
 156.3 shall establish a temporary list of priorities among releases or threatened releases for the
 156.4 purpose of taking remedial action and, to the extent practicable consistent with the urgency
 156.5 of the action, for taking removal action under this section. The temporary list, with any
 156.6 necessary modifications, shall remain in effect until the Pollution Control Agency adopts
 156.7 rules establishing state criteria for determining priorities among releases and threatened
 156.8 releases. The Pollution Control Agency shall adopt the rules by July 1, 1984. After rules
 156.9 are adopted, a permanent priority list shall be established, and may be modified from time
 156.10 to time, using the current guidance and tools for the Hazard Ranking System adopted by
 156.11 the federal Environmental Protection Agency and according to the criteria set forth in the
 156.12 rules. Before any list is established under this subdivision the Pollution Control Agency
 156.13 shall publish the list in the State Register and allow 30 days for comments on the list by the
 156.14 public.

156.15 (b) The temporary list and the rules required by this subdivision shall be based upon the
 156.16 relative risk or danger to public health or welfare or the environment, taking into account
 156.17 to the extent possible the population at risk, the hazardous potential of the hazardous
 156.18 substances at the facilities, the potential for contamination of drinking water supplies, the
 156.19 potential for direct human contact, the potential for destruction of sensitive ecosystems, the
 156.20 administrative and financial capabilities of the Pollution Control Agency, and other
 156.21 appropriate factors.

106.6 Sec. 118. Minnesota Statutes 2020, section 115B.40, subdivision 1, is amended to read:

106.7 Subdivision 1. **Response to releases.** The commissioner may take any environmental
 106.8 response action, including emergency action, related to a release or threatened release of a
 106.9 hazardous substance, pollutant or contaminant, or decomposition gas from a qualified facility
 106.10 that the commissioner deems reasonable and necessary to protect the public health or welfare
 106.11 or the environment under the standards required in sections 115B.01 to 115B.20. The

106.12 commissioner may undertake studies necessary to determine reasonable and necessary
106.13 environmental response actions at individual facilities. The commissioner may develop
106.14 general work plans for environmental studies, presumptive remedies, and generic remedial
106.15 designs for facilities with similar characteristics, as well as implement reuse and
106.16 redevelopment strategies. Prior to selecting environmental response actions for a facility,
106.17 the commissioner shall hold at least one public informational meeting near the facility and
106.18 provide for receiving and responding to comments related to the selection. The commissioner
106.19 shall design, implement, and provide oversight consistent with the actions selected under
106.20 this subdivision.

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

156.22 Sec. 26. Minnesota Statutes 2020, section 115B.406, subdivision 1, is amended to read:

156.23 Subdivision 1. **Legislative findings.** The legislature recognizes the need to protect the
156.24 public health and welfare and the environment at priority qualified facilities. To implement
156.25 a timely and effective cleanup and prevent multiparty litigation, the legislature finds it is in
156.26 the public interest to direct the commissioner of the Pollution Control Agency to:

156.27 (1) take environmental response actions that the commissioner deems reasonable and
156.28 necessary to protect the public health or welfare or the environment at priority qualified
156.29 facilities and to;

156.30 (2) acquire real property interests at priority qualified facilities to ensure the completion
156.31 and long-term effectiveness of environmental response actions; and

156.32 (3) prevent both an unjust financial windfall to and double liability of owners and
156.33 operators of priority qualified facilities.

157.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and
157.2 applies to actions commenced on or after January 1, 2021.

157.3 Sec. 27. Minnesota Statutes 2020, section 115B.406, subdivision 9, is amended to read:

157.4 Subd. 9. **Environmental response costs; liens.** (a) All environmental response costs
157.5 and reasonable and necessary expenses, including administrative and legal expenses, incurred
157.6 by the commissioner at a priority qualified facility constitute a lien in favor of the state upon
157.7 any real property located in the state, other than homestead property, owned by the owner
157.8 or operator of the priority qualified facility who is subject to the requirements of section
157.9 115B.40, subdivision 4 or 5. Notwithstanding section 514.672, a lien under this paragraph
157.10 continues until the lien is satisfied or is released according to paragraph (c).

157.11 (b) If the commissioner conducts an environmental response action at a priority qualified
157.12 facility and the environmental response action increases the fair market value of the facility
157.13 above the fair market value of the facility that existed before the response action was initiated,
157.14 then the state has a lien on the facility for the increase in fair market value of the property

157.15 attributable to the response action, valued at the time that construction of the final
157.16 environmental response action was completed, not including operation and maintenance.
157.17 Notwithstanding section 514.672, a lien under this paragraph continues until the lien is
157.18 satisfied or is released according to paragraph (c).

157.19 (c) A lien under this subdivision paragraph (a) or (b) attaches when the environmental
157.20 response costs are first incurred. Notwithstanding section 514.672, a lien under this
157.21 subdivision continues until the lien is satisfied or six years after completion of construction
157.22 of the final environmental response action, not including operation and maintenance. Notice,
157.23 filing, and release, and enforcement of the lien are governed by sections 514.671 to 514.676,
157.24 except where those requirements specifically are related to only cleanup action expenses
157.25 as defined in section 514.671. The commissioner may release a lien under this subdivision
157.26 if the commissioner determines that attachment or enforcement of the lien is not in the
157.27 public interest. A lien under this subdivision is not subject to the foreclosure limitation
157.28 described in section 514.674, subdivision 2. Relative priority of a lien under this subdivision
157.29 is governed by section 514.672, except that a lien attached to property that was included in
157.30 any permit for the priority qualified facility takes precedence over all other liens regardless
157.31 of when the other liens were or are perfected. Amounts received to satisfy all or a part of a
157.32 lien must be deposited in the remediation fund. An environmental lien notice for a lien under
157.33 paragraph (a) or (b) must state that it is a lien in accordance with this section and identify
158.1 whether the property described in the notice was included in any permit for the priority
158.2 qualified facility.

158.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and
158.4 applies to actions commenced on or after January 1, 2021.

158.5 Sec. 28. Minnesota Statutes 2020, section 115B.407, is amended to read:

158.6 **115B.407 ACQUISITION AND DISPOSITION ACQUIRING AND DISPOSING
158.7 OF REAL PROPERTY AT PRIORITY QUALIFIED FACILITIES.**

158.8 Subdivision 1. **Acquiring and disposing of real property.** (a) The commissioner may
158.9 acquire interests in real property by donation or eminent domain at all or a portion of a
158.10 priority qualified facility. Condemnation under this section includes acquisition of fee title
158.11 or an easement. After acquiring an interest in real property under this section, the
158.12 commissioner must take environmental response actions at the priority qualified facility
158.13 according to sections 115B.39 to 115B.414 after the legislature makes an appropriation for
158.14 that purpose.

158.15 (b) The commissioner may dispose of real property acquired under this section according
158.16 to section 115B.17, subdivision 16.

158.17 (c) Except as modified by this section, chapter 117 governs condemnation proceedings
158.18 by the commissioner under this section. The exceptions under section 117.189 apply to the

158.19 use of eminent domain authority under this section. Section 117.226 does not apply to
158.20 properties acquired by the use of eminent domain authority under this section.

158.21 (d) The state is not liable under this chapter solely as a result of acquiring an interest in
158.22 real property under this section.

158.23 Subd. 2. **Eminent domain damages.** (a) For purposes of this subdivision, the following
158.24 terms have the meanings given:

158.25 (1) "after-market value" means the property value of that portion of the subject property
158.26 remaining after a partial taking;

158.27 (2) "as remediated" means the condition of the property assuming the environmental
158.28 response actions selected by the commissioner have been completed, including environmental
158.29 covenants and easements and other institutional controls that may apply;

158.30 (3) "before-market value" means the property value of the entire subject property before
158.31 the taking, less the remediation costs;

159.1 (4) "property value" means the fair market value of the real property, as remediated, less
159.2 any reduction in value attributable to the stigma of pollution; and

159.3 (5) "remediation costs" means the reasonably foreseeable costs and expenses, including
159.4 administrative and legal expenses, that the commissioner will incur to implement the
159.5 environmental response actions that the commissioner selected for the property according
159.6 to section 115B.406, subdivision 3, less the amount, if any, that the property owner
159.7 demonstrates was released under section 115B.443, subdivision 8, which must not be greater
159.8 than the extent of insurance coverage under policies for the property included in a settlement
159.9 consistent with section 115B.443, subdivision 8.

159.10 (b) The damages awarded for condemnation of real property under this section is the
159.11 greater of \$500 or:

159.12 (1) for a total taking of the subject property, the before-market value; or

159.13 (2) for a partial taking of the subject property, the before-market value less the
159.14 after-market value.

159.15 (c) When awarding damages in a condemnation proceeding under this section, in addition
159.16 to any other requirement of chapter 117, the finder of fact must report:

159.17 (1) the amount determined for the property value of the entire subject property before
159.18 the taking; and

159.19 (2) the itemized amount determined for remediation costs.

159.20 (d) The commissioner may seek recovery of environmental response costs only to the
 159.21 extent the costs exceed the lower of the remediation costs or the property value of the entire
 159.22 subject property before the taking as reported under paragraph (c).

159.23 (e) If the actual expenses incurred by the commissioner to take environmental response
 159.24 actions at the priority qualified facility as determined at the time construction of the final
 159.25 environmental response action was completed would have yielded a higher award of damages
 159.26 under this section, then the commissioner must reimburse the owner an amount equal to the
 159.27 amount of damages as if the actual expenses were used instead of the remediation costs,
 159.28 less any damages already awarded.

159.29 **EFFECTIVE DATE.** This section is effective the day following final enactment and
 159.30 applies to actions commenced on or after January 1, 2021.

160.1 Sec. 29. Minnesota Statutes 2020, section 115B.421, is amended to read:

160.2 **115B.421 CLOSED LANDFILL INVESTMENT FUND.**

160.3 (a) The closed landfill investment fund is established in the state treasury. The fund
 160.4 consists of money credited to the fund, and interest and other earnings on money in the
 160.5 fund. Beginning July 1, 2003, funds must be deposited as described in section 115B.445.
 160.6 The fund shall be managed to maximize long-term gain through the State Board of
 160.7 Investment.

160.8 Money in (b) Interest earned by the fund is appropriated to the commissioner and may
 160.9 be spent by the commissioner after fiscal year 2020 in accordance with sections 115B.39
 160.10 to 115B.444. By January 15 each year, the commissioner must submit a report to the chairs
 160.11 and ranking minority members of the house of representatives and senate committees and
 160.12 divisions with jurisdiction over environment policy and finance on the expenditure of money
 160.13 appropriated under this section. This paragraph expires June 30, 2025.

106.22 Sec. 119. **[115B.422] CLOSED LANDFILL EMERGENCY ACCOUNT.**

106.23 Subdivision 1. **Establishment; appropriation.** A closed landfill emergency account is
 106.24 established in the remediation fund. Money in the account, including interest, is appropriated
 106.25 to the commissioner for environmental response actions at qualified facilities or priority
 106.26 qualified facilities where there is an imminent and substantial danger to the health and
 106.27 welfare of the people of the state resulting from the potential contamination of drinking
 106.28 water supplies or the potential for direct human contact with a release or threatened release
 106.29 of a hazardous substance, pollutant or contaminant, or decomposition gas.

106.30 Subd. 2. **Annual report.** No later than February 1 each year, the commissioner must
 106.31 report activities and expenditures under this section to the chairs and ranking minority
 106.32 members of the legislative committees and divisions with jurisdiction over environment
 106.33 finance.

160.14 Sec. 30. Minnesota Statutes 2020, section 115B.49, subdivision 4, is amended to read:

160.15 Subd. 4. **Registration; fees.** (a) The owner or operator of a dry cleaning facility shall

160.16 must register on or before October 1 of each year with the commissioner of revenue in a
 160.17 manner prescribed by the commissioner of revenue and pay a registration fee for the facility.

160.18 The amount of the fee is:

160.19 (1) \$500, for facilities with a full time equivalence of fewer than five, equal to ... percent
 160.20 of the facility's gross revenues for the preceding year.

160.21 (2) \$1,000, for facilities with a full time equivalence of five to ten; and

160.22 (3) \$1,500, for facilities with a full time equivalence of more than ten.

160.23 The registration fee must be paid on or before October 18 or the owner or operator of a dry

160.24 cleaning facility may elect to pay the fee in equal installments. Installment payments must
 160.25 be paid on or before October 18, on or before January 18, on or before April 18, and on or
 160.26 before June 18. All payments made after October 18 bear interest at the rate specified in

160.27 section 270C.40.

160.28 (b) A person who sells dry cleaning solvents for use by dry cleaning facilities in the state

160.29 shall collect and remit to the commissioner of revenue in the same manner prescribed by
 160.30 the commissioner of revenue, for the taxes imposed under chapter 297A, a fee of:

160.31 (1) \$3.50 for each gallon of perchloroethylene sold for use by dry cleaning facilities in
 160.32 the state;

161.1 (2) 70 cents for each gallon of hydrocarbon-based dry cleaning solvent sold for use by
 161.2 dry cleaning facilities in the state; and

161.3 (3) 35 cents for each gallon of other nonaqueous solvents sold for use by dry cleaning
 161.4 facilities in the state.

161.5 (c) The audit, assessment, appeal, collection, enforcement, and administrative provisions

161.6 of chapters 270C and 289A apply to the fee imposed by this subdivision. To enforce this
 161.7 subdivision, the commissioner of revenue may grant extensions to file returns and pay fees,

161.8 impose penalties and interest on the annual registration fee under paragraph (a) and the
 161.9 monthly fee under paragraph (b), and abate penalties and interest in the manner provided

161.10 in chapters 270C and 289A. The penalties and interest imposed on taxes under chapter 297A
 161.11 apply to the fees imposed under this subdivision. Disclosure of data collected by the

161.12 commissioner of revenue under this subdivision is governed by chapter 270B.

107.1 Sec. 120. Minnesota Statutes 2020, section 116.03, subdivision 2b, is amended to read:

107.2 Subd. 2b. **Permitting efficiency.** (a) It is the goal of the state that environmental and
 107.3 resource management permits be issued or denied within 90 days for tier 1 permits or 150
 107.4 days for tier 2 permits following submission of a permit application. The commissioner of
 107.5 the Pollution Control Agency shall establish management systems designed to achieve the

107.6 goal. For the purposes of this section, "tier 1 permits" are permits that do not require
107.7 individualized actions or public comment periods, and "tier 2 permits" are permits that
107.8 require individualized actions or public comment periods.

107.9 (b) The commissioner shall must prepare an annual semiannual permitting efficiency
107.10 report reports that includes include statistics on meeting the tier 2 goal in paragraph (a) and
107.11 the criteria for tier 2 by permit categories. The report is reports are due on February 1 and
107.12 August 1 each year. For permit applications that have not met the goal, the each report must
107.13 state the reasons for not meeting the goal. In stating the reasons for not meeting the goal,
107.14 the commissioner shall must separately identify delays caused by the responsiveness of the
107.15 proposer, lack of staff, scientific or technical disagreements, or the level of public
107.16 engagement. The Each report must specify the number of days from initial submission of
107.17 the application to the day of determination that the application is complete. The Each report
107.18 must aggregate the data for the year reporting period and assess whether program or system
107.19 changes are necessary to achieve the goal. Whenever a report required by this subdivision
107.20 states the number of permits completed within a particular period, the report must,
107.21 immediately after the number and in parentheses, state the percentage of total applications
107.22 received for that permit category that the number represents. Whenever a report required
107.23 by this subdivision states the number of permits completed within a particular period, the
107.24 report must separately state completion data for industrial and municipal permits. The report
107.25 reports must be posted on the agency's website and submitted to the governor and the chairs
107.26 and ranking minority members of the house of representatives and senate committees having
107.27 jurisdiction over environment policy and finance.

107.28 (c) The commissioner shall allow electronic submission of environmental review and
107.29 permit documents to the agency.

107.30 (d) Within 30 business days of application for a permit subject to paragraph (a), the
107.31 commissioner of the Pollution Control Agency shall notify the permit applicant, in writing,
107.32 whether the application is complete or incomplete. If the commissioner determines that an
107.33 application is incomplete, the notice to the applicant must enumerate all deficiencies, citing
107.34 specific provisions of the applicable rules and statutes, and advise the applicant on how the
107.35 deficiencies can be remedied. If the commissioner determines that the application is complete,
108.1 the notice must confirm the application's tier 1 or tier 2 permit status. If the commissioner
108.2 believes that a complete application for a tier 2 construction permit cannot be issued within
108.3 the 150-day goal, the commissioner must provide notice to the applicant with the
108.4 commissioner's notice that the application is complete and, upon request of the applicant,
108.5 provide the permit applicant with a schedule estimating when the agency will begin drafting
108.6 the permit and issue the public notice of the draft permit. This paragraph does not apply to
108.7 an application for a permit that is subject to a grant or loan agreement under chapter 446A.

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

108.10 (1) has a professional license issued by the state of Minnesota in the subject area of the
108.11 permit;

108.12 (2) has at least ten years of experience in the subject area of the permit; and
108.13 (3) abides by the duty of candor applicable to employees of the Pollution Control Agency
108.14 under agency rules and complies with all applicable requirements under chapter 326.

108.15 (f) Upon the agency's request, an applicant relying on a permit professional must
108.16 participate in a meeting with the agency before submitting an application;

108.17 (1) at least two weeks prior to the preapplication meeting, the applicant must submit at
108.18 least the following:

108.19 (i) project description, including, but not limited to, scope of work, primary emissions
108.20 points, discharge outfalls, and water intake points;

108.21 (ii) location of the project, including county, municipality, and location on the site;

108.22 (iii) business schedule for project completion; and

108.23 (iv) other information requested by the agency at least four weeks prior to the scheduled
108.24 meeting; and

108.25 (2) during the preapplication meeting, the agency shall provide for the applicant at least
108.26 the following:

108.27 (i) an overview of the permit review program;

108.28 (ii) a determination of which specific application or applications will be necessary to
108.29 complete the project;

108.30 (iii) a statement notifying the applicant if the specific permit being sought requires a
108.31 mandatory public hearing or comment period;

109.1 (iv) a review of the timetable established in the permit review program for the specific
109.2 permit being sought; and

109.3 (v) a determination of what information must be included in the application, including
109.4 a description of any required modeling or testing.

109.5 (g) The applicant may select a permit professional to undertake the preparation of the
109.6 permit application and draft permit.

109.7 (h) If a preapplication meeting was held, the agency shall, within seven business days
109.8 of receipt of an application, notify the applicant and submitting permit professional that the
109.9 application is complete or is denied, specifying the deficiencies of the application.

109.10 (i) Upon receipt of notice that the application is complete, the permit professional shall
109.11 submit to the agency a timetable for submitting a draft permit. The permit professional shall
109.12 submit a draft permit on or before the date provided in the timetable. Within 60 days after
109.13 the close of the public comment period, the commissioner shall notify the applicant whether
109.14 the permit can be issued.

109.15 (j) Nothing in this section shall be construed to modify:

109.16 (1) any requirement of law that is necessary to retain federal delegation to or assumption

109.17 by the state; or

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

109.19 (k) The permit application and draft permit shall identify or include as an appendix all

109.20 studies and other sources of information used to substantiate the analysis contained in the

109.21 permit application and draft permit. The commissioner shall request additional studies, if

109.22 needed, and the permit applicant shall submit all additional studies and information necessary

109.23 for the commissioner to perform the commissioner's responsibility to review, modify, and

109.24 determine the completeness of the application and approve the draft permit.

109.25 Sec. 121. Minnesota Statutes 2020, section 116.06, subdivision 22, is amended to read:

109.26 Subd. 22. **Solid waste.** "Solid waste" means garbage, refuse, sludge from a water supply

109.27 treatment plant or air contaminant treatment facility, and other discarded waste materials

109.28 and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial,

109.29 commercial, mining, and agricultural operations; and from community activities, but does

109.30 not include:

109.31 (1) hazardous waste;

109.32 (2) animal waste used as fertilizer;

110.1 (3) earthen fill, boulders, or rock;

110.2 (4) concrete diamond grinding and saw slurry associated with the construction,

110.3 improvement, or repair of a road when deposited on the road project site in a manner that

110.4 is in compliance with best management practices and rules of the agency;

110.5 (5) sewage sludge;

110.6 (6) solid or dissolved material in domestic sewage or other common pollutants in water

110.7 resources, such as silt, dissolved or suspended solids in industrial wastewater effluents or

110.8 discharges which that are point sources subject to permits under section 402 of the Federal

110.9 Water Pollution Control Act, as amended, or dissolved materials in irrigation return flows;

110.10 or

161.13 Sec. 31. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to

161.14 read:

161.15 Subd. 6a. **Commissioner.** "Commissioner" means the commissioner of the Minnesota

161.16 Pollution Control Agency.

110.11 (7) source, special nuclear, or by-product material as defined by the Atomic Energy Act
110.12 of 1954, as amended; or

110.13 (8) post-use polymers or recovered feedstocks converted at an advanced recycling facility
110.14 or held at an advanced recycling facility before being converted.

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

161.17 Sec. 32. **[116.064] PERMITTING; ENVIRONMENTAL JUSTICE AREAS.**

161.18 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in this
161.19 subdivision have the meanings given.

161.20 (b) "Census block" means the smallest geographical unit for which the United States
161.21 Census Bureau tabulates decennial census data.

161.22 (c) "Cumulative impacts analysis" means the potential public health and environmental
161.23 impacts affecting a specific geographical area from past, present, and foreseeable future
161.24 exposure to pollutants from all media and incorporates the concept of a community's
161.25 vulnerability to withstand incremental environmental impacts.

161.26 (d) "Environmental justice" means that:

161.27 (1) communities of color, Indigenous communities, and low-income communities have
161.28 a healthy environment and are treated fairly when environmental statutes, rules, and policies
161.29 are developed, adopted, implemented, and enforced; and

161.30 (2) in all decisions that have the potential to affect the environment of an environmental
161.31 justice area or the public health of its residents, due consideration is given to the history of
162.1 those residents' cumulative exposure to pollutants and to any current socioeconomic
162.2 conditions that increase the physical sensitivity of those residents to additional exposure to
162.3 pollutants.

162.4 (e) "Environmental justice area" means one or more census blocks in Minnesota:

162.5 (1) in which, based on the most recent data published by the United States Census Bureau:

162.6 (i) 40 percent or more of the population is nonwhite;

162.7 (ii) 35 percent or more of the households have an income at or below 200 percent of the
162.8 federal poverty level; or

162.9 (iii) 40 percent or more of the population over the age of five have limited English
162.10 proficiency; or

162.11 (2) within Indian country, as defined in United State Code, title 18, section 1151.

162.12 Subd. 2. **Rulemaking.** No later than November 1, 2021, the commissioner must begin
162.13 the process to adopt rules under chapter 14 that implement the provisions of this section to

162.14 establish a process and decision-making criteria the agency must utilize to address the
162.15 permitting of facilities that have the potential to impact the environment of environmental
162.16 justice areas and the health of persons residing within them.

162.17 Subd. 3. **Application.** The provisions of this section apply to an application for a new
162.18 permit, permit renewal, or major permit amendment filed with the agency whose emissions
162.19 or releases of pollutants may affect an environmental justice area.

162.20 Subd. 4. **Environmental justice area; determination.** The agency has the responsibility
162.21 to determine the geographical boundaries of an environmental justice area. The agency's
162.22 determination of the boundaries of an environmental justice area may be appealed by the
162.23 filing of a petition signed by at least 50 residents filed with the commissioner that contains
162.24 evidence that one or more census blocks meet the definition of environmental justice area
162.25 in subdivision 1, paragraph (e). The commissioner may, after reviewing the petition, amend
162.26 the boundaries of an environmental justice area.

162.27 Subd. 5. **Process; cumulative impact analysis.** (a) The agency must ensure that residents
162.28 of an environmental justice area are notified about all steps in the permitting process and
162.29 the progress of the analysis required to be conducted under this section. Notification must
162.30 include but not be limited to postings on the agency's website and direct delivery of written
162.31 materials to environmental justice area residents in applicable languages in areas where
162.32 English proficiency is limited.

163.1 (b) When a new facility or a proposed expansion of an existing facility is located in an
163.2 environmental justice area, the owner or operator of the facility must:

163.3 (1) conduct an analysis of the cumulative impacts that the facility or expansion would
163.4 cause or contribute to in the environmental justice area; and

163.5 (2) if seeking a state permit under chapter 115 or 116, hold at least one public meeting
163.6 in the environmental justice area before the commissioner issues or denies a permit.

163.7 (c) The commissioner may require a permitted facility located in an environmental justice
163.8 area to hold in-person meetings with nearby residents to share information and discuss
163.9 community concerns. The commissioner may establish the number and frequency of required
163.10 meetings as permit conditions.

163.11 (d) A cumulative impact analysis must also describe demographic and socioeconomic
163.12 conditions that may make residents of an environmental justice area more vulnerable to the
163.13 effects of incremental exposure to environmental pollutants. The analysis, based on publicly
163.14 available or otherwise obtainable data, must include but is not limited to the following
163.15 factors:

163.16 (1) demographic factors, including the age distribution and racial and ethnic characteristics
163.17 of the population;

163.18 (2) hospital admission rates for respiratory and pulmonary disease, cancer, diabetes, and
 163.19 other conditions that may be exacerbated by exposure to pollutants;

163.20 (3) the proportion of the population without medical insurance;

163.21 (4) economic variables, including income and poverty levels, the rate of unemployment,
 163.22 the proportion of substandard housing, and the incidence of poor nutrition; and

163.23 (5) any available biomonitoring data indicating body burdens of pollutants.

163.24 (e) If requested, the agency shall provide any relevant information it has to a permit
 163.25 applicant conducting a cumulative impacts analysis under this section.

163.26 (f) The agency's reasonable costs of complying with this subdivision are to be reimbursed
 163.27 by the permit applicant.

163.28 (g) The agency shall maintain on its website a list of all environmental justice areas that
 163.29 undergo the analysis required under this subdivision.

163.30 Subd. 6. Permits; environmental justice area. (a) Notwithstanding the provisions of
 163.31 any other law, the agency must, after reviewing the permit application, the agency's analysis
 163.32 of cumulative pollution impacts conducted under subdivision 5, and any additional relevant
 164.1 information, including testimony and written comments received at a public meeting,
 164.2 determine whether the incremental environmental impacts that would result in an
 164.3 environmental justice area from approval of the permit will, in conjunction with the
 164.4 cumulative pollution impacts and the heightened sensitivity to additional pollution of
 164.5 residents of the environmental justice area, cause or contribute to increased levels of
 164.6 environmental or health impacts compared with denying the permit.

164.7 (b) If the agency determines that issuing the permit would cause or contribute to increased
 164.8 levels of environmental or health impacts compared with not issuing the permit, the
 164.9 commissioner must:

164.10 (1) deny the permit; or

164.11 (2) place conditions on the permit that eliminate any contribution to increased levels of
 164.12 environmental or health impacts from the permitted facility in an environmental justice
 164.13 area.

164.14 Subd. 7. Enforcement. The commissioner may enforce rules and regulations necessary
 164.15 to implement the provisions of this section.

110.16 Sec. 122. Minnesota Statutes 2020, section 116.07, subdivision 2, is amended to read:

110.17 Subd. 2. **Adopting standards.** (a) The Pollution Control Agency shall improve air
 110.18 quality by promoting, in the most practicable way possible, the use of energy sources and
 110.19 waste disposal methods which produce or emit the least air contaminants consistent with
 110.20 the agency's overall goal of reducing all forms of pollution. The agency shall also adopt
 110.21 standards of air quality, not including maximum allowable standards of emission of air

110.22 contaminants from motor vehicles, recognizing that due to variable factors, no single standard
110.23 of purity of air is applicable to all areas of the state. In adopting standards the Pollution
110.24 Control Agency shall give due recognition to the fact that the quantity or characteristics of
110.25 air contaminants or the duration of their presence in the atmosphere, which may cause air
110.26 pollution in one area of the state, may cause less or not cause any air pollution in another
110.27 area of the state, and it shall take into consideration in this connection such factors, including
110.28 others which it may deem proper, as existing physical conditions, zoning classifications,
110.29 topography, prevailing wind directions and velocities, and the fact that a standard of air
110.30 quality which may be proper as to an essentially residential area of the state, may not be
110.31 proper as to a highly developed industrial area of the state. Such standards of air quality
110.32 shall be premised upon scientific knowledge of causes as well as effects based on technically
110.33 substantiated criteria and commonly accepted practices. No local government unit shall set
111.1 standards of air quality which are more stringent than those set by the Pollution Control
111.2 Agency.

111.3 (b) The Pollution Control Agency shall promote solid waste disposal control by
111.4 encouraging the updating of collection systems, elimination of open dumps, and
111.5 improvements in incinerator practices. The agency shall also adopt standards for the control
111.6 of the collection, transportation, storage, processing, and disposal of solid waste and sewage
111.7 sludge for the prevention and abatement of water, air, and land pollution, recognizing that
111.8 due to variable factors, no single standard of control is applicable to all areas of the state.
111.9 In adopting standards, the Pollution Control Agency shall give due recognition to the fact
111.10 that elements of control which may be reasonable and proper in densely populated areas of
111.11 the state may be unreasonable and improper in sparsely populated or remote areas of the
111.12 state, and it shall take into consideration in this connection such factors, including others
111.13 which it may deem proper, as existing physical conditions, topography, soils and geology,
111.14 climate, transportation, and land use. Such standards of control shall be premised on technical
111.15 criteria and commonly accepted practices.

111.16 (c) The Pollution Control Agency shall also adopt standards describing the maximum
111.17 levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere,
111.18 recognizing that due to variable factors no single standard of sound pressure is applicable
111.19 to all areas of the state. Such standards shall give due consideration to such factors as the
111.20 intensity of noises, the types of noises, the frequency with which noises recur, the time
111.21 period for which noises continue, the times of day during which noises occur, and such
111.22 other factors as could affect the extent to which noises may be injurious to human health
111.23 or welfare, animal or plant life, or property, or could interfere unreasonably with the
111.24 enjoyment of life or property. In adopting standards, the Pollution Control Agency shall
111.25 give due recognition to the fact that the quantity or characteristics of noise or the duration
111.26 of its presence in the outdoor atmosphere, which may cause noise pollution in one area of
111.27 the state, may cause less or not cause any noise pollution in another area of the state, and
111.28 it shall take into consideration in this connection such factors, including others which it
111.29 may deem proper, as existing physical conditions, zoning classifications, topography,
111.30 meteorological conditions and the fact that a standard which may be proper in an essentially

111.31 residential area of the state, may not be proper as to a highly developed industrial area of
111.32 the state. Such noise standards shall be premised upon scientific knowledge as well as effects
111.33 based on technically substantiated criteria and commonly accepted practices. No local
111.34 governing unit shall set standards describing the maximum levels of sound pressure which
111.35 are more stringent than those set by the Pollution Control Agency.

112.1 (d) The Pollution Control Agency shall adopt standards for the identification of hazardous
112.2 waste and for the management, identification, labeling, classification, storage, collection,
112.3 transportation, processing, and disposal of hazardous waste, recognizing that due to variable
112.4 factors, a single standard of hazardous waste control may not be applicable to all areas of
112.5 the state. In adopting standards, the Pollution Control Agency shall recognize that elements
112.6 of control which may be reasonable and proper in densely populated areas of the state may
112.7 be unreasonable and improper in sparsely populated or remote areas of the state. The agency
112.8 shall consider existing physical conditions, topography, soils, and geology, climate,
112.9 transportation and land use. Standards of hazardous waste control shall be premised on
112.10 technical knowledge, and commonly accepted practices. Hazardous waste generator licenses
112.11 may be issued for a term not to exceed five years. No local government unit shall set
112.12 standards of hazardous waste control which are in conflict or inconsistent with those set by
112.13 the Pollution Control Agency.

112.14 (e) A person who generates less than 100 kilograms of hazardous waste per month is
112.15 exempt from the following agency hazardous waste rules:

112.16 (1) rules relating to transportation, manifesting, storage, and labeling for photographic
112.17 fixer and x-ray negative wastes that are hazardous solely because of silver content; and

112.18 (2) any rule requiring the generator to send to the agency or commissioner a copy of
112.19 each manifest for the transportation of hazardous waste for off-site treatment, storage, or
112.20 disposal, except that counties within the metropolitan area may require generators to provide
112.21 manifests.

112.22 Nothing in this paragraph exempts the generator from the agency's rules relating to on-site
112.23 accumulation or outdoor storage. A political subdivision or other local unit of government
112.24 may not adopt management requirements that are more restrictive than this paragraph.

112.25 (f) In any rulemaking proceeding under chapter 14 to adopt standards for air quality,
112.26 solid waste, or hazardous waste under this chapter, or standards for water quality under
112.27 chapter 115, the statement of need and reasonableness must include:

112.28 (1) an assessment of any differences between the proposed rule and:
112.29 (i) existing federal standards adopted under the Clean Air Act, United States Code, title
112.30 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a)
112.31 and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title
112.32 42, section 6921(b)(1);
112.33 (ii) similar standards in states bordering Minnesota; and

113.1 (iii) similar standards in states within the Environmental Protection Agency Region 5;
113.2 and

113.3 (2) a specific analysis of the need and reasonableness of each difference.

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

113.5 Sec. 123. Minnesota Statutes 2020, section 116.07, subdivision 4d, is amended to read:

113.6 Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater
113.7 than those necessary to cover the reasonable costs of developing, reviewing, and acting
113.8 upon applications for agency permits and implementing and enforcing the conditions of the
113.9 permits pursuant to agency rules. Permit fees ~~shall~~ must not include the costs of litigation.
113.10 The fee schedule must reflect reasonable and routine direct and indirect costs associated
113.11 with permitting, implementation, and enforcement. The agency may impose an additional
113.12 enforcement fee to be collected for a period of up to two years to cover the reasonable costs
113.13 of implementing and enforcing the conditions of a permit under the rules of the agency.
113.14 Water fees under this paragraph are subject to legislative approval under section 16A.1283.
113.15 Any money collected under this paragraph ~~shall~~ must be deposited in the environmental
113.16 fund.

113.17 (b) Notwithstanding paragraph (a), the agency shall collect an annual fee from the owner
113.18 or operator of all stationary sources, emission facilities, emissions units, air contaminant
113.19 treatment facilities, treatment facilities, potential air contaminant storage facilities, or storage
113.20 facilities subject to a notification, permit, or license requirement under this chapter,
113.21 subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401
113.22 et seq., or rules adopted thereunder. The annual fee ~~shall~~ must be used to pay for all direct
113.23 and indirect reasonable costs, including legal costs, required to develop and administer the
113.24 notification, permit, or license program requirements of this chapter, subchapters I and V
113.25 of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or rules
113.26 adopted thereunder. Those costs include the reasonable costs of reviewing and acting upon
113.27 an application for a permit; implementing and enforcing statutes, rules, and the terms and
113.28 conditions of a permit; emissions, ambient, and deposition monitoring; preparing generally
113.29 applicable regulations; responding to federal guidance; modeling, analyses, and
113.30 demonstrations; preparing inventories and tracking emissions; and providing information
113.31 to the public about these activities.

113.32 (c) The agency shall set fees that:

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

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

114.9 (3) shall collect, in the aggregate, from the sources listed in paragraph (b), the amount
114.10 needed to match grant funds received by the state under United States Code, title 42, section
114.11 7405 (section 105 of the federal Clean Air Act).

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

114.18 (d) To cover the reasonable costs described in paragraph (b), the agency shall provide
114.19 in the rules promulgated under paragraph (c) for an increase in the fee collected in each
114.20 year by the percentage, if any, by which the Consumer Price Index for the most recent
114.21 calendar year ending before the beginning of the year the fee is collected exceeds the
114.22 Consumer Price Index for the calendar year 1989. For purposes of this paragraph, the
114.23 Consumer Price Index for any calendar year is the average of the Consumer Price Index for
114.24 all-urban consumers published by the United States Department of Labor, as of the close
114.25 of the 12-month period ending on August 31 of each calendar year. The revision of the
114.26 Consumer Price Index that is most consistent with the Consumer Price Index for calendar
114.27 year 1989 shall must be used.

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

114.30 (f) Permit applicants who wish to construct, reconstruct, or modify a project may offer
114.31 to reimburse the agency for the costs of staff time or consultant services needed to expedite
114.32 the preapplication process and permit development process through the final decision on
114.33 the permit, including the analysis of environmental review documents. The reimbursement
114.34 shall be is in addition to permit application fees imposed by law. When the agency determines
115.1 that it needs additional resources to develop the permit application in an expedited manner,
115.2 and that expediting the development is consistent with permitting program priorities, the
115.3 agency may accept the reimbursement. The commissioner must give the applicant an estimate
115.4 of costs to be incurred by the commissioner. The estimate must include a brief description
115.5 of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for
115.6 each task. The applicant and the commissioner must enter into a written agreement detailing
115.7 the estimated costs for the expedited permit decision-making process to be incurred by the
115.8 agency. The agreement must also identify staff anticipated to be assigned to the project.
115.9 The commissioner must not issue a permit until the applicant has paid all fees in full. The
115.10 commissioner must refund any unobligated balance of fees paid. Reimbursements accepted
115.11 by the agency are appropriated to the agency for the purpose of developing the permit or
115.12 analyzing environmental review documents. Reimbursement by a permit applicant shall

115.13 must precede and not be contingent upon issuance of a permit; shall must not affect the
115.14 agency's decision on whether to issue or deny a permit, what conditions are included in a
115.15 permit, or the application of state and federal statutes and rules governing permit
115.16 determinations; and shall must not affect final decisions regarding environmental review.

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

164.16 Sec. 33. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
164.17 read:

164.18 Subd. 4l. Real property interests. (a) The commissioner may acquire interests in real
164.19 property at a solid waste disposal facility, limited to environmental covenants under chapter
164.20 114E and easements for the environmental covenants, when the commissioner determines
164.21 the property interests are related to:

164.22 (1) closure;

164.23 (2) postclosure care; and

164.24 (3) any other actions needed after the postclosure care period expires.

164.25 (b) The state is not liable under this chapter or any other law solely as a result of acquiring
164.26 an interest in real property under this section.

164.27 (c) An environmental covenant under this subdivision must be in accordance with chapter
164.28 114E and must be signed and acknowledged by every owner of the fee simple title to the
164.29 real property subject to the covenant.

165.1 Sec. 34. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
165.2 read:

165.3 Subd. 4m. Permit review denial. If the commissioner determines that a person's request
165.4 for the agency to review an existing permit is not warranted, the commissioner must state
165.5 the reasons for the determination in writing within 15 days of the determination.

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

165.7 Sec. 35. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
165.8 read:

165.9 Subd. 4n. Nonexpiring state individual permits; public informational meeting. (a)
165.10 For each facility issued a nonexpiring state individual air quality permit by the agency, the
165.11 agency must hold a separate public informational meeting at regular intervals to allow the
165.12 public to make comments or inquiries regarding any aspect of the permit, including but not
165.13 limited to permit conditions, testing results, the facility's operations, and permit compliance.
165.14 The public informational meeting must be held at a location near the permitted facility and
165.15 convenient to the public. Persons employed at the facility who are responsible for the facility

165.16 meeting the conditions of the permit and agency officials must be present at the public
165.17 informational meeting. For nonexpiring state individual air quality permits issued after
165.18 December 31, 2016, a public informational meeting must be held under this subdivision no
165.19 later than five years after the permit is issued and every five years thereafter. For nonexpiring
165.20 state individual air quality permits issued on or before December 31, 2015, a public
165.21 informational meeting must be held under this subdivision no later than December 31, 2022,
165.22 and every five years thereafter.

165.23 (b) For the purposes of this section, "state individual air quality permit" means an air
165.24 quality permit that is issued to an individual facility required to obtain a permit under
165.25 Minnesota Rules, part 7007.0250, subparts 2 to 6, and is not a general permit issued under
165.26 Minnesota Rules, part 7007.1100.

165.27 (c) As required under subdivision 4d, the agency's direct and indirect reasonable costs
165.28 of conducting the activities under this subdivision must be recovered through air quality
165.29 permit fees.

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

166.1 Sec. 36. Minnesota Statutes 2020, section 116.07, subdivision 6, is amended to read:

166.2 Subd. 6. **Pollution Control Agency; exercise of powers.** (a) In exercising all its powers,
166.3 the commissioner of the Pollution Control Agency shall give due consideration to must:

166.4 (1) consider the establishment, maintenance, operation and expansion of business,
166.5 commerce, trade, industry, traffic, and other economic factors and other material matters
166.6 affecting the feasibility and practicability of any proposed action, including, but not limited
166.7 to, the burden on a municipality of any tax which may result therefrom, and shall must take
166.8 or provide for such action as may be reasonable, feasible, and practical under the
166.9 circumstances; and

166.10 (2) to the extent reasonable, feasible, and practical under the circumstances:

166.11 (i) ensure that actions or programs that have a direct, indirect, or cumulative impact on
166.12 environmental justice areas incorporate community-focused practices and procedures in
166.13 agency processes, including communication, outreach, engagement, and education to enhance
166.14 meaningful, timely, and transparent community access;

166.15 (ii) collaborate with other state agencies to identify, develop, and implement means to
166.16 eliminate and reverse environmental and health inequities and disparities;

166.17 (iii) promote the utility and availability of environmental data and analysis for
166.18 environmental justice areas, other agencies, federally recognized Tribal governments, and
166.19 the public;

166.20 (iv) encourage coordination and collaboration with residents of environmental justice
166.21 areas to address environmental and health inequities and disparities; and

166.22 (v) ensure environmental justice values are represented to the agency from a
166.23 commissioner-appointed environmental justice advisory committee that is composed of
166.24 diverse members and that is developed and operated in a manner open to the public and in
166.25 accordance with the duties described in the bylaws and charter adopted and maintained by
166.26 the commissioner.

166.27 (b) For the purposes of this section, "environmental justice" and "environmental justice
166.28 area" have the meanings given under section 115A.03, subdivisions 10b and 10c.

115.18 Sec. 124. Minnesota Statutes 2020, section 116.07, subdivision 7, is amended to read:

115.19 Subd. 7. **Counties; processing applications for animal lot permits.** (a) Any Minnesota
115.20 county board may, by resolution, with approval of the Pollution Control Agency, assume
115.21 responsibility for processing applications for permits required by the Pollution Control
115.22 Agency under this section for livestock feedlots, poultry lots or other animal lots. The
115.23 responsibility for permit application processing, if assumed by a county, may be delegated
115.24 by the county board to any appropriate county officer or employee.

115.25 (b) For the purposes of this subdivision, the term "processing" includes:

115.26 (1) the distribution to applicants of forms provided by the Pollution Control Agency;
115.27 (2) the receipt and examination of completed application forms, and the certification,
115.28 in writing, to the Pollution Control Agency either that the animal lot facility for which a
115.29 permit is sought by an applicant will comply with applicable rules and standards, or, if the
115.30 facility will not comply, the respects in which a variance would be required for the issuance
115.31 of a permit; and

115.32 (3) rendering to applicants, upon request, assistance necessary for the proper completion
115.33 of an application.

116.1 (c) For the purposes of this subdivision, the term "processing" may include, at the option
116.2 of the county board, issuing, denying, modifying, imposing conditions upon, or revoking
116.3 permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject
116.4 to review, suspension, and reversal by the Pollution Control Agency. The Pollution Control
116.5 Agency shall, after written notification, have 15 days to review, suspend, modify, or reverse
116.6 the issuance of the permit. After this period, the action of the county board is final, subject
116.7 to appeal as provided in chapter 14. For permit applications filed after October 1, 2001,
116.8 section 15.99 applies to feedlot permits issued by the agency or a county pursuant to this
116.9 subdivision.

116.10 (d) For the purpose of administration of rules adopted under this subdivision, the
116.11 commissioner and the agency may provide exceptions for cases where the owner of a feedlot
116.12 has specific written plans to close the feedlot within five years. These exceptions include
116.13 waiving requirements for major capital improvements.

116.14 (e) For purposes of this subdivision, a discharge caused by an extraordinary natural event
116.15 such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado,
116.16 or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

116.17 (f) In adopting and enforcing rules under this subdivision, the commissioner shall
116.18 cooperate closely with other governmental agencies.

116.19 (g) The Pollution Control Agency shall work with the Minnesota Extension Service, the
116.20 Department of Agriculture, the Board of Water and Soil Resources, producer groups, local
116.21 units of government, as well as with appropriate federal agencies such as the Natural
116.22 Resources Conservation Service and the Farm Service Agency, to notify and educate
116.23 producers of rules under this subdivision at the time the rules are being developed and
116.24 adopted and at least every two years thereafter.

116.25 (h) The Pollution Control Agency shall adopt rules governing the issuance and denial
116.26 of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section.
116.27 Pastures are exempt from the rules authorized under this paragraph. No feedlot permit shall
116.28 include any terms or conditions that impose any requirements related to any pastures owned
116.29 or utilized by the feedlot operator other than restrictions under a manure management plan.
116.30 A feedlot permit is not required for livestock feedlots with more than ten but less than 50
116.31 animal units; provided they are not in shoreland areas. A livestock feedlot permit does not
116.32 become required solely because of a change in the ownership of the buildings, grounds, or
116.33 feedlot. These rules apply both to permits issued by counties and to permits issued by the
117.1 Pollution Control Agency directly. No feedlot permit issued by the Pollution Control Agency
117.2 shall include terms or conditions that:

117.3 (1) impose requirements related to pastures owned or used by the feedlot operator other
117.4 than restrictions under a manure management plan;

117.5 (2) prohibit application of solid manure during February and March;

117.6 (3) require establishing a cover crop as a condition of allowing application of manure
117.7 in September; or

117.8 (4) require implementing nitrogen best management practices as a condition of allowing
117.9 application of manure in October.

117.10 (i) The Pollution Control Agency shall exercise supervising authority with respect to
117.11 the processing of animal lot permit applications by a county.

117.12 (j) Any new rules or amendments to existing rules proposed under the authority granted
117.13 in this subdivision, or to implement new fees on animal feedlots, must be submitted to the
117.14 members of legislative policy and finance committees with jurisdiction over agriculture and
117.15 the environment prior to final adoption. The rules must not become effective until 90 days
117.16 after the proposed rules are submitted to the members.

117.17 (k) Until new rules are adopted that provide for plans for manure storage structures, any
117.18 plans for a liquid manure storage structure must be prepared or approved by a registered

117.19 professional engineer or a United States Department of Agriculture, Natural Resources
117.20 Conservation Service employee.

117.21 (l) A county may adopt by ordinance standards for animal feedlots that are more stringent
117.22 than standards in Pollution Control Agency rules.

117.23 (m) After January 1, 2001, a county that has not accepted delegation of the feedlot permit
117.24 program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot
117.25 facility with 300 or more animal units, unless another public meeting has been held with
117.26 regard to the feedlot facility to be permitted.

117.27 (n) After the proposed rules published in the State Register, volume 24, number 25, are
117.28 finally adopted, the agency may not impose additional conditions as a part of a feedlot
117.29 permit, unless specifically required by law or agreed to by the feedlot operator.

117.30 (o) For the purposes of feedlot permitting, a discharge from land-applied manure or a
117.31 manure stockpile that is managed according to agency rule must not be subject to a fine for
117.32 a discharge violation.

118.1 (p) For the purposes of feedlot permitting, manure that is land applied, or a manure
118.2 stockpile that is managed according to agency rule, must not be considered a discharge into
118.3 waters of the state, unless the discharge is to waters of the state, as defined by section
118.4 103G.005, subdivision 17, except type 1 or type 2 wetlands, as defined in section 103G.005,
118.5 subdivision 17b, and does not meet discharge standards established for feedlots under agency
118.6 rule.

118.7 (q) Unless the upgrade is needed to correct an immediate public health threat under
118.8 section 145A.04, subdivision 8, or the facility is determined to be a concentrated animal
118.9 feeding operation under Code of Federal Regulations, title 40, section 122.23, in effect on
118.10 April 15, 2003, the agency may not require a feedlot operator:

118.11 (1) to spend more than \$3,000 to upgrade an existing feedlot with less than 300 animal
118.12 units unless cost-share money is available to the feedlot operator for 75 percent of the cost
118.13 of the upgrade; or

118.14 (2) to spend more than \$10,000 to upgrade an existing feedlot with between 300 and
118.15 500 animal units, unless cost-share money is available to the feedlot operator for 75 percent
118.16 of the cost of the upgrade or \$50,000, whichever is less.

118.17 (r) A feedlot operator who stores and applies up to 100,000 gallons per calendar year of
118.18 private truck wash wastewater resulting from trucks that transport animals or supplies to
118.19 and from the feedlot does not require a permit to land-apply industrial by-products if the
118.20 feedlot operator stores and applies the wastewater in accordance with Pollution Control
118.21 Agency requirements for land applications of industrial by-product that do not require a
118.22 permit.

118.23 (s) A feedlot operator who holds a permit from the Pollution Control Agency to
118.24 land-apply industrial by-products from a private truck wash is not required to have a certified

118.25 land applicator apply the private truck wash wastewater if the wastewater is applied by the
118.26 feedlot operator to cropland owned or leased by the feedlot operator or by a commercial
118.27 animal waste technician licensed by the commissioner of agriculture under chapter 18C.
118.28 For purposes of this paragraph and paragraph (r), "private truck wash" means a truck washing
118.29 facility owned or leased, operated, and used only by a feedlot operator to wash trucks owned
118.30 or leased by the feedlot operator and used to transport animals or supplies to and from the
118.31 feedlot.

118.32 **EFFECTIVE DATE.** This section is effective retroactively from February 1, 2021.

166.29 Sec. 37. Minnesota Statutes 2020, section 116.07, subdivision 9, is amended to read:

166.30 Subd. 9. **Orders; investigations.** The agency shall have commissioner has the following
166.31 powers and duties for the enforcement of enforcing any provision of this chapter and chapter
166.32 114C, relating to air contamination or waste:

167.1 (1) to adopt, issue, reissue, modify, deny, revoke, reopen, enter into or enforce reasonable
167.2 orders, schedules of compliance and stipulation agreements;

167.3 (2) to require the owner or operator of any emission facility, air contaminant treatment
167.4 facility, potential air contaminant storage facility, or any system or facility related to the
167.5 storage, collection, transportation, processing, or disposal of waste to establish and maintain
167.6 records; to make reports; to install, use, and maintain monitoring equipment or methods;
167.7 and to make tests, including testing for odor where a nuisance may exist, in accordance with
167.8 methods, at locations, at intervals, and in a manner as the agency shall prescribe; and to
167.9 provide other information as the agency may reasonably require;

167.10 (3) to conduct investigations, issue notices, public and otherwise, and order hearings as
167.11 it may deem necessary or advisable for the discharge of its duties under this chapter and
167.12 chapter 114C, including but not limited to the issuance of permits; and to authorize any
167.13 member, employee, or agent appointed by it to conduct the investigations and issue the
167.14 notices; and

167.15 (4) to require parties who enter into a negotiated agreement to settle an enforcement
167.16 matter with the agency to reimburse the agency according to this clause for oversight costs
167.17 that are incurred by the agency and associated with implementing the negotiated agreement.
167.18 The agency may recover oversight costs exceeding \$25,000. Oversight costs include
167.19 personnel and direct costs associated with inspections, sampling, monitoring, modeling,
167.20 risk assessment, permit writing, engineering review, economic analysis and review, and
167.21 other record or document review. Only oversight costs incurred after executing the negotiated
167.22 agreement are covered by this clause. The agency's legal and litigation costs are not covered
167.23 by this clause. The commissioner has discretion as to whether to apply this clause in cases
167.24 where the agency is using schedules of compliance to bring a class of regulated parties into
167.25 compliance. Reimbursement amounts are appropriated to the commissioner.

167.26 Sec. 38. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
 167.27 **read:**

167.28 Subd. 9a. **Stipulation agreements.** In exercising enforcement powers over a term of a
 167.29 stipulation agreement when a party asserts a good cause or force majeure claim for an
 167.30 extension of time to comply with a stipulated term, the commissioner must not grant the
 167.31 extension if the assertion is based solely on increased costs.

168.1 Sec. 39. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to
 168.2 **read:**

168.3 Subd. 9b. **Compliance when required permit not obtained.** The commissioner may
 168.4 require a person or facility that fails to obtain a required permit to comply with any terms
 168.5 of a permit that would have been issued had the person or facility obtained a permit, including
 168.6 but not limited to reporting, monitoring, controlling pollutant discharge, and creating and
 168.7 implementing operations and maintenance plans. The person or facility is subject to liability
 168.8 and penalties, including criminal liability, for failing to operate in compliance with a permit
 168.9 not obtained beginning at the time a permit should have been obtained.

119.1 Sec. 125. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision
 119.2 **to read:**

119.3 Subd. 13. **Unadopted rules.** The commissioner of the Pollution Control Agency must
 119.4 not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision,
 119.5 "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive
 119.6 statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual
 119.7 standard, interpretive statement, policy plan, or similar pronouncement has not been adopted
 119.8 according to the rulemaking process provided under chapter 14. If an unadopted rule is
 119.9 challenged under section 14.381, the commissioner must cease enforcement of the unadopted
 119.10 rule and overcome a presumption that the unadopted rule must be adopted according to the
 119.11 rulemaking process provided under chapter 14.

168.10 Sec. 40. **[116.0735] AUTHORITY TO REQUIRE INFORMATION ON**
 168.11 **CONTAMINANTS.**

168.12 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in this
 168.13 subdivision have the meanings given them.

168.14 (b) "Activities" means actions by a person that produce, emit, discharge, release, threaten
 168.15 to release, or otherwise cause a contaminant to enter the environment or the human body
 168.16 and that occurred at a point in time or continue to occur. Activities includes but is not limited
 168.17 to manufacturing, distributing, using, or selling products.

168.18 (c) "Agency" means the Minnesota Pollution Control Agency.

168.19 (d) "Agency action" means investigating, monitoring, surveying, testing, or other similar
168.20 action necessary or appropriate to identify the existence and extent of a release of a
168.21 contaminant or threat of a release, the source and nature of the contaminant, and the extent
168.22 of danger to the public health or welfare or the environment.

168.23 (e) "Biomonitoring" means the process by which chemicals and their metabolites are
168.24 identified and measured in a biospecimen.

168.25 (f) "Biospecimen" means a sample of human fluid, serum, or tissue that is reasonably
168.26 available as a medium to measure the presence and concentration of chemicals or their
168.27 metabolites in a human body.

168.28 (g) "Commissioner" means the commissioner of the agency.

168.29 (h) "Contaminant" means a substance with a distinct molecular composition or a group
168.30 of structurally related substances, including the breakdown products of the substance or
168.31 substances that form through decomposition, degradation, or metabolism, that may:

168.32 (1) harm normal development of a fetus or child or cause other developmental toxicity;

169.1 (2) cause cancer, genetic damage, or reproductive harm;

169.2 (3) disrupt the endocrine or hormone system;

169.3 (4) damage the nervous system, immune system, or organs or cause other systemic
169.4 toxicity;

169.5 (5) be persistent, bioaccumulative, or toxic; or

169.6 (6) be very persistent or very bioaccumulative.

169.7 (i) "Monitoring" means sampling environmental media and analyzing general and specific
169.8 data relating to the presence of contaminants.

169.9 (j) "Person" means an individual, partnership, association, public or private corporation,
169.10 or other entity, including the United States government; any association, commission, or
169.11 interstate body; the state and any agency, department, or political subdivision of the state;
169.12 and any officer or governing or managing body of a municipality, governmental subdivision,
169.13 public or private corporation, or other entity.

169.14 (k) "Supplier" means a person who provides goods or services that lead to or are
169.15 incorporated into a finished product used in commerce or by consumers.

169.16 Subd. 2. **Agency action.** The commissioner may take agency action whenever:

169.17 (1) the commissioner detects a contaminant;

169.18 (i) during the agency's monitoring of Minnesota's environment;

169.19 (ii) through receipt of environmental monitoring data from a local, state, or federal
169.20 agency or nongovernmental organization in the United States; or

169.21 (iii) through receipt of biomonitoring data of residents of the United States; or

169.22 (2) the commissioner has reason to believe that:

169.23 (i) a release of a contaminant has occurred, is about to occur, or is connected to a person's
169.24 activities; or

169.25 (ii) illness, disease, environmental harm, or complaints thereof may be attributable to
169.26 exposure to a contaminant connected to a person's activities.

169.27 Subd. 3. **Duty to provide information.** (a) When requested by the commissioner or the
169.28 commissioner's designee, a person the commissioner has reason to believe is engaged in
169.29 activities where agency action is proposed to be taken must furnish to the commissioner
169.30 any information that the person may have or may reasonably obtain that is relevant to the
169.31 contaminant under investigation.

170.1 (b) For purposes of this subdivision, the commissioner may:

170.2 (1) request in writing that a person produce electronic or physical documents, papers,
170.3 books, or other tangible items in the possession, custody, or control of the person;

170.4 (2) request in writing that a person provide information submitted to the person from a
170.5 supplier or within the supply chain for production of a commercial or consumer good;

170.6 (3) examine and copy books, papers, records, memoranda, and other electronic or physical
170.7 data of a person who has a duty to provide information under this subdivision; and

170.8 (4) enter upon public or private property to take an action authorized under this section,
170.9 including to obtain information from a person who has a duty to provide the information
170.10 under this subdivision and to conduct agency action.

170.11 (c) A person must submit requested information to the commissioner within the time
170.12 specified in the commissioner's written request. If a person fails or refuses to comply with
170.13 the commissioner's request for information, the commissioner may petition the district court
170.14 for an order to compel compliance with the request or take other enforcement action
170.15 authorized by law.

170.16 Subd. 4. **Classifying data.** Except as otherwise provided in this subdivision, data obtained
170.17 from a person under this section are public data as defined in section 13.02. Upon certification
170.18 by the subject of the data that the data relate to sales figures, processes or methods of
170.19 production unique to that person, or information that would tend to adversely affect the
170.20 competitive position of that person, the commissioner must classify the data as private or
170.21 nonpublic data as defined in section 13.02. Notwithstanding any other law to the contrary,
170.22 data classified as private or nonpublic under this subdivision may be disclosed when relevant:

170.23 (1) in any proceeding under this section;
170.24 (2) in further agency actions, including permitting, setting local water quality standards,
170.25 or other similar actions; and
170.26 (3) to other public agencies involved in protecting human health, welfare, or the
170.27 environment.
170.28 Sec. 41. Minnesota Statutes 2020, section 116.11, is amended to read:
170.29 **116.11 EMERGENCY POWERS.**
170.30 Subdivision 1. **Imminent and substantial danger.** If there is imminent and substantial
170.31 danger to the health and welfare of the people of the state, or of any of them, as a result of
170.32 the pollution of air, land, or water, the agency commissioner may by emergency order direct
171.1 the immediate discontinuance or abatement of the pollution without notice and without a
171.2 hearing or at the request of the agency commissioner, the attorney general may bring an
171.3 action in the name of the state in the appropriate district court for a temporary restraining
171.4 order to immediately abate or prevent the pollution. The agency commissioner's order or
171.5 temporary restraining order shall remain is effective until notice, hearing, and determination
171.6 pursuant to other provisions of law, or, in the interim, as otherwise ordered. A final order
171.7 of the agency commissioner in these cases shall be is appealable in accordance with chapter
171.8 14.
171.9 Subd. 2. **Other acts of concern.** (a) The commissioner may exercise the authority under
171.10 paragraph (b) when the commissioner has evidence of a pattern of behavior that includes
171.11 any of the following:
171.12 (1) falsification of records;
171.13 (2) a history of noncompliance with schedules of compliance or terms of a stipulation
171.14 agreement;
171.15 (3) chronic or substantial permit violations; or
171.16 (4) operating with or without a permit where there is evidence of danger to the health
171.17 or welfare of the people of the state or evidence of environmental harm.
171.18 (b) When the commissioner has evidence of a pattern of behavior specified in paragraph
171.19 (a), then regardless of the presence of imminent and substantial danger, the commissioner
171.20 may investigate and may:
171.21 (1) exercise emergency powers according to subdivision 1;
171.22 (2) suspend or revoke a permit;
171.23 (3) issue an order to cease operation or activities;
171.24 (4) require financial assurances;

		171.25	<u>(5) reopen and modify a permit to require additional terms;</u>
		171.26	<u>(6) require additional agency oversight; or</u>
		171.27	<u>(7) pursue other actions deemed necessary to abate pollution and protect human health.</u>
119.12	Sec. 126. Minnesota Statutes 2020, section 116.155, is amended by adding a subdivision		
119.13	<u>to read:</u>		
119.14	<u>Subd. 5c. Closed landfill emergency account.</u> The closed landfill emergency account		
119.15	<u>is as described in section 115B.422.</u>		
119.16	Sec. 127. [116.157] REDUCTION OF AIR POLLUTION THROUGH SUPPORT		
119.17	OF ZERO EMISSION VEHICLE CHOICE.		
119.18	Subdivision 1. Policy. It is the policy of this state:		
119.19	(1) to reduce air pollution by supporting the market for zero emission vehicles;		
119.20	(2) to do so by ensuring consumers have access to the most desirable zero emission		
119.21	<u>vehicles; and</u>		
119.22	(3) to maximize consumer access to desirable zero emission vehicles by ensuring that		
119.23	<u>undesirable zero emission vehicles do not take up space on automobile dealer lots that could</u>		
119.24	<u>be used to offer more desirable zero emission vehicles.</u>		
119.25	Subd. 2. Duty to purchase vehicle. In order to further the policies described in		
119.26	<u>subdivision 1, if the Pollution Control Agency adopts a requirement that a certain percentage</u>		
119.27	<u>of the passenger cars and light duty trucks that each automobile manufacturer annually</u>		
119.28	<u>delivers for sale in Minnesota must be vehicles with zero tailpipe emissions, then the agency</u>		
119.29	<u>must purchase from an automobile dealer any zero emission vehicle that has remained</u>		
119.30	<u>unsold on the dealer's lot for more than 90 days if requested to do so by the automobile</u>		
119.31	<u>dealer.</u>		
120.1	Subd. 3. Appropriation. There is annually appropriated from the environmental fund		
120.2	<u>to the commissioner of the Pollution Control Agency a sum sufficient to purchase vehicles</u>		
120.3	<u>as required under subdivision 2.</u>		
120.4	Sec. 128. Minnesota Statutes 2020, section 116D.04, subdivision 2a, is amended to read:		
120.5	Subd. 2a. When prepared. (a) Where there is potential for significant environmental		
120.6	<u>effects resulting from any major governmental action, the action must be preceded by a</u>		
120.7	<u>detailed environmental impact statement prepared by the responsible governmental unit.</u>		
120.8	<u>The environmental impact statement must be an analytical rather than an encyclopedic</u>		
120.9	<u>document that describes the proposed action in detail, analyzes its significant environmental</u>		
120.10	<u>impacts, discusses appropriate alternatives to the proposed action and their impacts, and</u>		
120.11	<u>explores methods by which adverse environmental impacts of an action could be mitigated.</u>		
120.12	<u>The environmental impact statement must also analyze those economic, employment, and</u>		
120.13	<u>sociological effects that cannot be avoided should the action be implemented. To ensure its</u>		

120.14 ~~use in the decision-making process, the environmental impact statement must be prepared~~
120.15 ~~as early as practical in the formulation of an action.~~

120.16 (b) The board shall by rule establish categories of actions for which environmental
120.17 ~~impact statements and for which environmental assessment worksheets must be prepared~~
120.18 ~~as well as categories of actions for which no environmental review is required under this~~
120.19 ~~section. A mandatory environmental assessment worksheet is not required for the expansion~~
120.20 ~~of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the~~
120.21 ~~conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol~~
120.22 ~~facility as defined in section 41A.15, subdivision 2d, based on the capacity of the expanded~~
120.23 ~~or converted facility to produce alcohol fuel, but must be required if the ethanol plant or~~
120.24 ~~biobutanol facility meets or exceeds thresholds of other categories of actions for which~~
120.25 ~~environmental assessment worksheets must be prepared. The responsible governmental unit~~
120.26 ~~for an ethanol plant or biobutanol facility project for which an environmental assessment~~
120.27 ~~worksheet is prepared is the state agency with the greatest responsibility for supervising or~~
120.28 ~~approving the project as a whole.~~

120.29 (c) A mandatory environmental impact statement is not required for a facility or plant
120.30 ~~located outside the seven-county metropolitan area that produces less than 125,000,000~~
120.31 ~~gallons of ethanol, biobutanol, or cellulosic biofuel annually, or produces less than 400,000~~
120.32 ~~tons of chemicals annually, if the facility or plant is: an ethanol plant, as defined in section~~
120.33 ~~41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined in section 41A.15,~~
120.34 ~~subdivision 2d; or a cellulosic biofuel facility. A facility or plant that only uses a cellulosic~~
121.1 ~~feedstock to produce chemical products for use by another facility as a feedstock is not~~
121.2 ~~considered a fuel conversion facility as used in rules adopted under this chapter.~~

121.3 (d) The responsible governmental unit shall promptly publish notice of the completion
121.4 ~~of an environmental assessment worksheet by publishing the notice in at least one newspaper~~
121.5 ~~of general circulation in the geographic area where the project is proposed, by posting the~~
121.6 ~~notice on a website that has been designated as the official publication site for publication~~
121.7 ~~of proceedings, public notices, and summaries of a political subdivision in which the project~~
121.8 ~~is proposed, or in any other manner determined by the board and shall provide copies of~~
121.9 ~~the environmental assessment worksheet to the board and its member agencies. Comments~~
121.10 ~~on the need for an environmental impact statement may be submitted to the responsible~~
121.11 ~~governmental unit during a 30-day period following publication of the notice that an~~
121.12 ~~environmental assessment worksheet has been completed. The responsible governmental~~
121.13 ~~unit may extend the 30-day comment period for an additional 30 days one time. Further~~
121.14 ~~extensions of the comment period may not be made unless approved by the project's proposer.~~
121.15 ~~The responsible governmental unit's decision on the need for an environmental impact~~
121.16 ~~statement must be based on the environmental assessment worksheet and the comments~~
121.17 ~~received during the comment period, and must be made within 15 days after the close of~~
121.18 ~~the comment period. The board's chair may extend the 15-day period by not more than 15~~
121.19 ~~additional days upon the request of the responsible governmental unit.~~

121.20 (e) An environmental assessment worksheet must also be prepared for a proposed action
121.21 whenever material evidence accompanying a petition by not less than 100 individuals who
121.22 reside or own property in the state a county where the proposed action will be undertaken
121.23 or in one or more adjoining counties, submitted before the proposed project has received
121.24 final approval by the appropriate governmental units, demonstrates that, because of the
121.25 nature or location of a proposed action, there may be potential for significant environmental
121.26 effects. Petitions requesting the preparation of an environmental assessment worksheet must
121.27 be submitted to the board. The chair of the board shall determine the appropriate responsible
121.28 governmental unit and forward the petition to it. A decision on the need for an environmental
121.29 assessment worksheet must be made by the responsible governmental unit within 15 days
121.30 after the petition is received by the responsible governmental unit. The board's chair may
121.31 extend the 15-day period by not more than 15 additional days upon request of the responsible
121.32 governmental unit.

121.33 (f) Except in an environmentally sensitive location where Minnesota Rules, part
121.34 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental
121.35 review under this chapter and rules of the board, if:

122.1 (1) the proposed action is:

122.2 (i) an animal feedlot facility with a capacity of less than 1,000 animal units; or
122.3 (ii) an expansion of an existing animal feedlot facility with a total cumulative capacity
122.4 of less than 1,000 animal units;

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

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

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

122.17 (h) An early and open process must be used to limit the scope of the environmental
122.18 impact statement to a discussion of those impacts that, because of the nature or location of
122.19 the project, have the potential for significant environmental effects. The same process must
122.20 be used to determine the form, content, and level of detail of the statement as well as the
122.21 alternatives that are appropriate for consideration in the statement. In addition, the permits
122.22 that will be required for the proposed action must be identified during the scoping process.
122.23 Further, the process must identify those permits for which information will be developed

122.24 concurrently with the environmental impact statement. The board shall provide in its rules
122.25 for the expeditious completion of the scoping process. The determinations reached in the
122.26 process must be incorporated into the order requiring the preparation of an environmental
122.27 impact statement.

122.28 (i) The responsible governmental unit shall, to the extent practicable, avoid duplication
122.29 and ensure coordination between state and federal environmental review and between
122.30 environmental review and environmental permitting. Whenever practical, information
122.31 needed by a governmental unit for making final decisions on permits or other actions required
122.32 for a proposed project must be developed in conjunction with the preparation of an
122.33 environmental impact statement. When an environmental impact statement is prepared for
122.34 a project requiring multiple permits for which two or more agencies' decision processes
123.1 include either mandatory or discretionary hearings before a hearing officer before the
123.2 agencies' decision on the permit, the agencies may, notwithstanding any law or rule to the
123.3 contrary, conduct the hearings in a single consolidated hearing process if requested by the
123.4 proposer. All agencies having jurisdiction over a permit that is included in the consolidated
123.5 hearing shall participate. The responsible governmental unit shall establish appropriate
123.6 procedures for the consolidated hearing process, including procedures to ensure that the
123.7 consolidated hearing process is consistent with the applicable requirements for each permit
123.8 regarding the rights and duties of parties to the hearing, and shall use the earliest applicable
123.9 hearing procedure to initiate the hearing. All agencies having jurisdiction over a permit
123.10 identified in the draft environmental assessment worksheet scoping document must begin
123.11 reviewing any permit application upon publication of the notice of preparation of the
123.12 environmental impact statement.

123.13 (j) An environmental impact statement must be prepared and its adequacy determined
123.14 within 280 days after notice of its preparation unless the time is extended by consent of the
123.15 parties or by the governor for good cause. The responsible governmental unit shall determine
123.16 the adequacy of an environmental impact statement, unless within 60 days after notice is
123.17 published that an environmental impact statement will be prepared, the board chooses to
123.18 determine the adequacy of an environmental impact statement. If an environmental impact
123.19 statement is found to be inadequate, the responsible governmental unit has 60 days to prepare
123.20 an adequate environmental impact statement.

123.21 (k) The proposer of a specific action may include in the information submitted to the
123.22 responsible governmental unit a preliminary draft environmental impact statement under
123.23 this section on that action for review, modification, and determination of completeness and
123.24 adequacy by the responsible governmental unit. A preliminary draft environmental impact
123.25 statement prepared by the project proposer and submitted to the responsible governmental
123.26 unit must identify or include as an appendix all studies and other sources of information
123.27 used to substantiate the analysis contained in the preliminary draft environmental impact
123.28 statement. The responsible governmental unit shall require additional studies, if needed,
123.29 and obtain from the project proposer all additional studies and information necessary for
123.30 the responsible governmental unit to perform its responsibility to review, modify, and
123.31 determine the completeness and adequacy of the environmental impact statement.

124.1 Sec. 129. Minnesota Statutes 2020, section 116G.07, is amended by adding a subdivision
 124.2 to read:

124.3 **Subd. 4. Exemption; Mississippi River Corridor Critical Area.** Plans and regulations
 124.4 of local units of government within the Mississippi River Corridor Critical Area are exempt
 124.5 from subdivisions 1 to 3 and are subject to section 116G.15, subdivision 8.

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

124.7 Sec. 130. Minnesota Statutes 2020, section 116G.15, is amended by adding a subdivision
 124.8 to read:

124.9 **Subd. 8. Reviewing and approving local plans and regulations.** (a) In the Mississippi
 124.10 River Corridor Critical Area, the commissioner of natural resources is responsible for
 124.11 carrying out the duties of the board and the Metropolitan Council is responsible for carrying
 124.12 out the duties of the regional development commission under sections 116G.07 to 116G.10.
 124.13 Notwithstanding sections 116G.07, subdivisions 2 and 3, and 116G.10, subdivision 3, the
 124.14 responsibilities and procedures for reviewing and approving local plans and regulations in
 124.15 the Mississippi River Corridor Critical Area, and amendments thereto, are subject to this
 124.16 subdivision.

124.17 (b) Within 60 days of receiving a draft plan from a local unit of government, the
 124.18 commissioner, in coordination with the Metropolitan Council, must review the plan to
 124.19 determine the plan's consistency with:

124.20 (1) this section;

124.21 (2) Minnesota Rules, chapter 6106; and

124.22 (3) the local unit of government's comprehensive plan.

124.23 (c) Within 60 days of receiving draft regulations from a local unit of government, the
 124.24 commissioner must review the regulations to determine the regulations' consistency with:

124.25 (1) Minnesota Rules, chapter 6106; and

124.26 (2) the commissioner-approved plan adopted by the local unit of government under
 124.27 paragraph (b).

124.28 (d) Upon review of a draft plan and regulations under paragraphs (b) and (c), the
 124.29 commissioner must:

124.30 (1) conditionally approve the draft plan and regulations by written decision; or

125.1 (2) return the draft plan and regulations to the local unit of government for modification,
 125.2 along with a written explanation of the need for modification.

125.3 (i) When the commissioner returns a draft plan and regulations to the local unit of
 125.4 government for modification, the local unit of government must revise the draft plan and

215.19 Sec. 89. Minnesota Statutes 2020, section 116G.07, is amended by adding a subdivision
 215.20 to read:

215.21 **Subd. 4. Exemption; Mississippi River Corridor Critical Area.** Plans and regulations
 215.22 of local units of government within the Mississippi River Corridor Critical Area are exempt
 215.23 from subdivisions 1 to 3 and are subject to section 116G.15, subdivision 8.

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

215.25 Sec. 90. Minnesota Statutes 2020, section 116G.15, is amended by adding a subdivision
 215.26 to read:

215.27 **Subd. 8. Reviewing and approving local plans and regulations.** (a) In the Mississippi
 215.28 River Corridor Critical Area, the commissioner of natural resources is responsible for
 215.29 carrying out the duties of the board and the Metropolitan Council is responsible for carrying
 215.30 out the duties of the regional development commission under sections 116G.07 to 116G.10.
 215.31 Notwithstanding sections 116G.07, subdivisions 2 and 3, and 116G.10, subdivision 3, the
 216.1 responsibilities and procedures for reviewing and approving local plans and regulations in
 216.2 the Mississippi River Corridor Critical Area, and amendments thereto, are subject to this
 216.3 subdivision.

216.4 (b) Within 60 days of receiving a draft plan from a local unit of government, the
 216.5 commissioner, in coordination with the Metropolitan Council, must review the plan to
 216.6 determine the plan's consistency with:

216.7 (1) this section;

216.8 (2) Minnesota Rules, chapter 6106; and

216.9 (3) the local unit of government's comprehensive plan.

216.10 (c) Within 60 days of receiving draft regulations from a local unit of government, the
 216.11 commissioner must review the regulations to determine the regulations' consistency with:

216.12 (1) Minnesota Rules, chapter 6106; and

216.13 (2) the commissioner-approved plan adopted by the local unit of government under
 216.14 paragraph (b).

216.15 (d) Upon review of a draft plan and regulations under paragraphs (b) and (c), the
 216.16 commissioner must:

216.17 (1) conditionally approve the draft plan and regulations by written decision; or

216.18 (2) return the draft plan and regulations to the local unit of government for modification,
 216.19 along with a written explanation of the need for modification.

216.20 (i) When the commissioner returns a draft plan and regulations to the local unit of
 216.21 government for modification, the local unit of government must revise the draft plan and

125.5 regulations within 60 days after receiving the commissioner's written explanation and must
125.6 resubmit the revised draft plan and regulations to the commissioner.

125.7 (ii) The Metropolitan Council and the commissioner must review the revised draft plan
125.8 and regulations upon receipt from the local unit of government as provided under paragraphs
125.9 (b) and (c).

125.10 (iii) If the local unit of government or the Metropolitan Council requests a meeting, a
125.11 final revision need not be made until a meeting is held with the commissioner on the draft
125.12 plan and regulations. The request extends the 60-day time limit specified in item (i) until
125.13 after the meeting is held.

125.14 (e) Only plans and regulations receiving final approval from the commissioner have the
125.15 force and effect of law. The commissioner must grant final approval under this section only
125.16 if:

125.17 (1) the plan is an element of a comprehensive plan that is authorized by the Metropolitan
125.18 Council according to sections 473.175 and 473.858; and

125.19 (2) the local unit of government adopts a plan and regulations that are consistent with
125.20 the draft plan and regulations conditionally approved under paragraph (d).

125.21 (f) The local unit of government must implement and enforce the commissioner-approved
125.22 plan and regulations after the plan and regulations take effect.

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

125.24 Sec. 131. Minnesota Statutes 2020, section 127A.353, subdivision 4, is amended to read:

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

125.26 (1) take an oath of office before assuming any duties as the director;

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

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

125.29 (4) advise the governor, Executive Council, commissioner of natural resources, and the
125.30 Legislative Permanent School Fund Commission on the management of school trust lands,
125.31 including:

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

126.2 (ii) leases of school trust lands;

126.3 (iii) royalty agreements on school trust lands;

126.4 (iv) land sales and exchanges;

126.5 (v) cost certification; and

216.22 regulations within 60 days after receiving the commissioner's written explanation and must
216.23 resubmit the revised draft plan and regulations to the commissioner.

216.24 (ii) The Metropolitan Council and the commissioner must review the revised draft plan
216.25 and regulations upon receipt from the local unit of government as provided under paragraphs
216.26 (b) and (c).

216.27 (iii) If the local unit of government or the Metropolitan Council requests a meeting, a
216.28 final revision need not be made until a meeting is held with the commissioner on the draft
216.29 plan and regulations. The request extends the 60-day time limit specified in item (i) until
216.30 after the meeting is held.

217.1 (e) Only plans and regulations receiving final approval from the commissioner have the
217.2 force and effect of law. The commissioner must grant final approval under this section only
217.3 if:

217.4 (1) the plan is an element of a comprehensive plan that is authorized by the Metropolitan
217.5 Council according to sections 473.175 and 473.858; and

217.6 (2) the local unit of government adopts a plan and regulations that are consistent with
217.7 the draft plan and regulations conditionally approved under paragraph (d).

217.8 (f) The local unit of government must implement and enforce the commissioner-approved
217.9 plan and regulations after the plan and regulations take effect.

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

126.6 (vi) revenue generating options;

126.7 (5) propose to the Legislative Permanent School Fund Commission legislative changes
126.8 that will improve the asset allocation of the school trust lands;

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

126.12 (i) retain core real estate assets;

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

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

126.16 (iv) establish priorities for management actions; and

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

126.18 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;

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

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

126.24 (b) In carrying out the duties under paragraph (a), the school trust lands director shall
126.25 have the authority to:

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

126.27 (2) establish job descriptions and employ up to five employees in the unclassified service,
126.28 within the limitations of money appropriated to the director;

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

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

127.2 (5) evaluate and initiate real estate development projects on school trust lands with the
127.3 advice of the Legislative Permanent School Fund Commission in order to generate long-term
127.4 economic return to the permanent school fund;

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

127.7 (7) submit recommendations on strategies for school trust land leases, sales, or exchanges
127.8 to the commissioner of natural resources and the Legislative Permanent School Fund
127.9 Commission.

127.10 Sec. 132. Minnesota Statutes 2020, section 282.08, is amended to read:

282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.

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

127.15 (1) the portion required to pay any amounts included in the appraised value under section
 127.16 282.01, subdivision 3, as representing increased value due to any public improvement made
 127.17 after forfeiture of the parcel to the state, but not exceeding the amount certified by the
 127.18 appropriate governmental authority must be apportioned to the governmental subdivision
 127.19 entitled to it;

127.20 (2) the portion required to pay any amount included in the appraised value under section
 127.21 282.019, subdivision 5, representing increased value due to response actions taken after
 127.22 forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by
 127.23 the Pollution Control Agency or the commissioner of agriculture, must be apportioned to
 127.24 the agency or the commissioner of agriculture and deposited in the fund from which the
 127.25 expenses were paid;

217.11 Sec. 91. Minnesota Statutes 2020, section 168.1295, subdivision 1, is amended to read:

217.12 Subdivision 1. **General requirements and procedures.** (a) The commissioner shall
 217.13 issue state parks and trails plates to an applicant who:

217.14 (1) is a registered owner of a passenger automobile, recreational vehicle, one-ton pickup
 217.15 truck, or motorcycle;

217.16 (2) pays a fee in the amount specified for special plates under section 168.12, subdivision
 217.17 5;

217.18 (3) pays the registration tax required under section 168.013;

217.19 (4) pays the fees required under this chapter;

217.20 (5) contributes a minimum of \$60 \$70 annually to the state parks and trails donation
 217.21 account established in section 85.056; and

217.22 (6) complies with this chapter and rules governing registration of motor vehicles and
 217.23 licensing of drivers.

217.24 (b) The state parks and trails plate application must indicate that the contribution specified
 217.25 under paragraph (a), clause (5), is a minimum contribution to receive the plate and that the
 217.26 applicant may make an additional contribution to the account.

217.27 (c) State parks and trails plates may be personalized according to section 168.12,
 217.28 subdivision 2a.

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

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

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

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

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

128.9 (A) according to section 282.09, subdivision 2;

128.10 (B) for remediating contamination at tax-forfeited properties; or

128.11 (C) for correcting blighted conditions at tax-forfeited properties.

128.12 An election made under this item is effective for a minimum of five years, unless the county
128.13 board specifies a shorter duration.

128.14 (iv) Any balance remaining must be apportioned as follows: county, 40 percent; town
128.15 or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized
128.16 territory that portion which would have accrued to the township must be administered by
128.17 the county board of commissioners.

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

218.1 Sec. 92. Minnesota Statutes 2020, section 290C.01, is amended to read:

218.2 **290C.01 PURPOSE.**

218.3 It is the policy of this state to promote sustainable forest resource management on the
218.4 state's public and private lands. The state's private forests comprise approximately one-half
218.5 of the state forest land resources. These forests play a critical role in protecting water quality
218.6 and soil resources, and provide extensive wildlife habitat, natural carbon sequestration,
218.7 diverse recreational experiences, and significant forest products that support the state's
218.8 economy. Ad valorem property taxes represent a significant annual cost that can discourage
218.9 long-term forest management investments. In order to foster silviculture investments and
218.10 retain these forests for their economic and ecological benefits, this chapter, hereafter referred

218.11 ~~to as the "Sustainable Forest Incentive Act," is enacted to encourage the state's private forest~~
218.12 ~~landowners to make a long-term commitment to sustainable forest management.~~

128.19 Sec. 133. Minnesota Statutes 2020, section 290C.04, is amended to read:

128.20 **290C.04 APPLICATIONS.**

128.21 (a) A landowner may apply to enroll forest land for the sustainable forest incentive
128.22 program under this chapter. The claimant must complete, sign, and submit an application
128.23 to the commissioner by October 31 in order for the land to become eligible beginning in
128.24 the next year. The application shall be on a form prescribed by the commissioners of revenue
128.25 and natural resources and must include the information the commissioners deem necessary.
128.26 At a minimum, the application must show the following information for the land and the
128.27 claimant: (i) the claimant's Social Security number or state or federal business tax registration
128.28 number and date of birth, (ii) the claimant's address, (iii) the claimant's signature, (iv) the
128.29 county's parcel identification numbers for the tax parcels that completely contain the
128.30 claimant's forest land that is sought to be enrolled, (v) the number of acres eligible for
128.31 enrollment in the program, (vi) the approved plan writer's signature and identification
128.32 number, (vii) proof, in a form specified by the commissioner, that the claimant has
129.1 executed and acknowledged in the manner required by law for a deed, and recorded, a
129.2 covenant that the land is not and shall not be developed in a manner inconsistent with the
129.3 requirements and conditions of this chapter, and (viii) a registration number for the
129.4 forest management plan, issued by the commissioner of natural resources. The covenant
129.5 shall state in writing that the covenant is binding on the claimant and the claimant's successor
129.6 or assignee, and that it runs with the land for a period of not less than eight years unless the
129.7 claimant requests termination of the covenant after a reduction in payments due to changes
129.8 in the payment formula under section 290C.07 or as a result of executive action, the amount
129.9 of payment a claimant is eligible to receive under section 290C.07 is reduced or limited.
129.10 The commissioner shall specify the form of the covenant and provide copies upon request.
129.11 The covenant must include a legal description that encompasses all the forest land that the
129.12 claimant wishes to enroll under this section or the certificate of title number for that land if
129.13 it is registered land. The commissioner of natural resources shall record the area eligible
129.14 for enrollment into the Sustainable Forest Incentive Act as electronic geospatial data, as
129.15 defined in section 16E.30, subdivision 10.

129.16 (b) The commissioner shall provide by electronic means data sufficient for the
129.17 commissioner of natural resources to determine whether the land qualifies for enrollment.
129.18 The commissioner must make the data available within 30 days of receipt of the application
129.19 filed by the claimant or by October 1, whichever is sooner. The commissioner of natural
129.20 resources must notify the commissioner whether the land qualifies for enrollment within
129.21 30 days of the data being available, and if the land qualifies for enrollment, the commissioner
129.22 of natural resources shall specify the number of qualifying acres per tax parcel.

129.23 (c) The commissioner shall notify the claimant within 90 days after receipt of a completed
129.24 application that either the land has or has not been approved for enrollment. A claimant
129.25 whose application is denied may appeal the denial as provided in section 290C.13.

129.26 (d) Within 90 days after the denial of an application, or within 90 days after the final
 129.27 resolution of any appeal related to the denial, the commissioner shall execute and
 129.28 acknowledge a document releasing the land from the covenant required under this chapter.
 129.29 The document must be mailed to the claimant and is entitled to be recorded.

129.30 (e) The Social Security numbers collected from individuals under this section are private
 129.31 data as provided in section 13.355. The federal business tax registration number and date
 129.32 of birth data collected under this section are also private data on individuals or nonpublic
 129.33 data, as defined in section 13.02, subdivisions 9 and 12, but may be shared with county
 129.34 assessors for purposes of tax administration and with county treasurers for purposes of the
 129.35 revenue recapture under chapter 270A.

172.1 Sec. 42. Minnesota Statutes 2020, section 325E.046, is amended to read:

172.2 **325E.046 STANDARDS FOR LABELING PLASTIC BAGS, FOOD OR**
 172.3 **BEVERAGE PRODUCTS, AND PACKAGING.**

172.4 Subdivision 1. **"Biodegradable" label.** A manufacturer, distributor, or wholesaler may
 172.5 not sell or offer for sale and any other person may not knowingly sell or offer for sale in
 172.6 this state a plastic bag covered product labeled "biodegradable," "degradable,"
 172.7 "decomposable," or any form of those terms, or in any way imply that the bag covered
 172.8 product will chemically decompose into innocuous elements in a reasonably short period
 172.9 of time in a landfill, composting, or other terrestrial environment unless a scientifically
 172.10 based standard for biodegradability is developed and the bags are certified as meeting the
 172.11 standard, break down, fragment, degrade, biodegrade, or decompose in a landfill or other
 172.12 environment, unless an ASTM standard specification is adopted for the term claimed and
 172.13 the specification is approved by the legislature.

172.14 Subd. 2. **"Compostable" label.** (a) A manufacturer, distributor, or wholesaler may not
 172.15 sell or offer for sale and any other person may not knowingly sell or offer for sale in this
 172.16 state a plastic bag covered product labeled "compostable" unless, at the time of sale or offer
 172.17 for sale, the bag covered product:

172.18 (1) meets the ASTM Standard Specification for Compostable Labeling of Plastics
 172.19 Designed to be Aerobically Composted in Municipal or Industrial Facilities (D6400); Each
 172.20 bag must be labeled to reflect that it meets the standard. For purposes of this subdivision,
 172.21 "ASTM" has the meaning given in section 296A.01, subdivision 6., or its successor, or the
 172.22 ASTM Standard Specification for Labeling of End Items that Incorporate Plastics and
 172.23 Polymers as Coatings or Additives with Paper and Other Substrates Designed to be
 172.24 Aerobically Composted in Municipal or Industrial Facilities (D6868), or its successor, and
 172.25 the covered product is labeled to reflect that it meets the specification;

172.26 (2) is comprised of only wood without any coatings or additives; or

172.27 (3) is comprised of only paper without any coatings or additives.

172.28 (b) A covered product labeled "compostable" and meeting the criteria under paragraph

172.29 (a) must be clearly and prominently labeled on the product, or on the product's smallest unit

172.30 of sale, to reflect that it is intended for an industrial or commercial compost facility. The

172.31 label required under this paragraph must be in a legible text size and font.

172.32 Subd. 2a. Certification of compostable products. Beginning January 1, 2024, a

172.33 manufacturer, distributor, or wholesaler may not sell or offer for sale and any other person

173.1 may not knowingly sell or offer for sale in this state a covered product labeled as

173.2 "compostable" unless the covered product is certified as meeting the requirements of

173.3 subdivision 2 by an entity that:

173.4 (1) is a nonprofit corporation;

173.5 (2) as its primary focus of operation, promotes the production, use, and appropriate end

173.6 of life for materials and products that are designed to fully biodegrade in specific biologically

173.7 active environments such as industrial composting; and

173.8 (3) is technically capable of and willing to perform analysis necessary to determine a

173.9 product's compliance with subdivision 2.

173.10 Subd. 3. Enforcement; civil penalty; injunctive relief. (a) A manufacturer, distributor,

173.11 or wholesaler person who violates subdivision 1 or 2 this section is subject to a civil or

173.12 administrative penalty of \$100 for each prepackaged saleable unit sold or offered for sale

173.13 up to a maximum of \$5,000 and may be enjoined from those violations.

173.14 (b) The attorney general may bring an action in the name of the state in a court of

173.15 competent jurisdiction for recovery of civil penalties or for injunctive relief as provided in

173.16 this subdivision. The attorney general may accept an assurance of discontinuance of acts

173.17 in violation of subdivision 1 or 2 this section in the manner provided in section 8.31,

173.18 subdivision 2b.

173.19 (c) The commissioner of the Pollution Control Agency may enforce this section under

173.20 sections 115.071 and 116.072.

173.21 (d) When requested by the attorney general or the commissioner of the Pollution Control

173.22 Agency, a person selling or offering for sale a covered product labeled as "compostable"

173.23 must furnish to the attorney general or the commissioner any information that the person

173.24 may have or may reasonably obtain that is relevant to show compliance with this section.

173.25 Subd. 4. Definitions. For purposes of this section, the following terms have the meanings

173.26 given:

173.27 (1) "ASTM" has the meaning given in section 296A.01, subdivision 6;

173.28 (2) "covered product" means a bag, food or beverage product, or packaging;

173.29 (3) "food or beverage product" means a product that is used to wrap, package, contain,
 173.30 serve, store, prepare, or consume a food or beverage, such as plates, bowls, cups, lids, trays,
 173.31 straws, utensils, and hinged or lidded containers; and

173.32 (4) "packaging" has the meaning given in section 115A.03, subdivision 22b.

174.1 **EFFECTIVE DATE.** This section is effective January 1, 2023.

174.2 Sec. 43. **[325F.075] FOOD PACKAGING; PFAS.**

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

174.5 (b) "Food package" means a container applied to or providing a means to market, protect,
 174.6 handle, deliver, serve, contain, or store a food or beverage. Food package includes:

174.7 (1) a unit package, an intermediate package, and a shipping container;

174.8 (2) unsealed receptacles, such as carrying cases, crates, cups, plates, bowls, pails, rigid
 174.9 foil and other trays, wrappers and wrapping films, bags, and tubs; and

174.10 (3) an individual assembled part of a food package, such as any interior or exterior
 174.11 blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures, inks,
 174.12 and labels.

174.13 (c) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of
 174.14 fluorinated organic chemicals containing at least one fully fluorinated carbon atom.

174.15 Subd. 2. **Prohibition.** No person shall manufacture, knowingly sell, offer for sale,
 174.16 distribute for sale, distribute, or offer for use in Minnesota a food package that contains
 174.17 PFAS.

174.18 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may
 174.19 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate
 174.20 with the commissioners of commerce and health in enforcing this section.

174.21 (b) When requested by the commissioner of the Pollution Control Agency, a person
 174.22 must furnish to the commissioner any information that the person may have or may
 174.23 reasonably obtain that is relevant to show compliance with this section.

174.24 **EFFECTIVE DATE.** This section is effective January 1, 2023.

248.3 Sec. 9. Laws 2016, chapter 154, section 16, is amended to read:

248.4 Sec. 16. **EXCHANGE OF STATE LAND; AITKIN, BELTRAMI, AND**
 248.5 **KOOCHICHING COUNTIES.**

248.6 (a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342,
 248.7 subdivision 3, and subject to the valuation restrictions described in paragraph (c), the
 248.8 commissioner of natural resources may, with the approval of the Land Exchange Board as
 248.9 required under the Minnesota Constitution, article XI, section 10, and according to the

130.1 Sec. 134. Laws 2016, chapter 154, section 16, is amended to read:

130.2 Sec. 16. **EXCHANGE OF STATE LAND; AITKIN, BELTRAMI, AND**
 130.3 **KOOCHICHING COUNTIES.**

130.4 (a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342,
 130.5 subdivision 3, and subject to the valuation restrictions described in paragraph (c), the
 130.6 commissioner of natural resources may, with the approval of the Land Exchange Board as
 130.7 required under the Minnesota Constitution, article XI, section 10, and according to the

130.8 remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the
 130.9 state-owned land leased for farming wild rice described in paragraph (b).

130.10 (b) The state land that may be exchanged is held under the following state leases for
 130.11 farming of wild rice:

- 130.12 (1) Lease LAGR001305, covering 175.1 acres in Aitkin County;
- 130.13 (2) Lease LMIS010040, covering 107.1 acres in Beltrami County;
- 130.14 (3) Lease LMIS010096, covering 137.4 acres in Beltrami County; and
- 130.15 (4) Lease LAGR001295, covering 264.40 acres in Koochiching County.

130.16 (c) For the appraisal of the land, no improvements paid for by the lessee shall be included
 130.17 in the estimate of market value.

130.18 (d) Additional adjoining state lands may be added to the exchanges if mutually agreed
 130.19 upon by the commissioner and the exchange partner to avoid leaving unmanageable parcels
 130.20 of land in state ownership after an exchange or to meet county zoning standards or other
 130.21 regulatory needs for the wild rice farming operations.

130.22 (e) The state land administered by the commissioner of natural resources in Koochiching
 130.23 County borders the Lost River. The lands to be exchanged are not required to provide at
 130.24 least equal opportunity for access to waters by the public, but the lands must be at least
 130.25 equal in value and have the potential to generate revenue for the school trust lands.

130.26 (f) Notwithstanding Minnesota Statutes, section 94.343, subdivision 8a, lessees must
 130.27 pay to the commissioner all costs, as determined by the commissioner, that are associated
 130.28 with each exchange transaction, including valuation expenses; legal fees; survey expenses;
 130.29 costs of title work, advertising, and public hearings; transactional staff costs; and closing
 130.30 costs.

131.1 Sec. 135. Laws 2016, chapter 154, section 48, is amended to read:

131.2 Sec. 48. EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.

131.3 **Subdivision 1. Exchange of land.** (a) Notwithstanding the riparian restrictions in
 131.4 Minnesota Statutes, section 94.342, subdivision 3, the commissioner of natural resources
 131.5 may, with the approval of the Land Exchange Board as required under the Minnesota
 131.6 Constitution, article XI, section 10, and according to the remaining provisions of Minnesota
 131.7 Statutes, sections 94.342 to 94.347, exchange the riparian land described in paragraph (b).

131.8 (b) The state land that may be exchanged is located in St. Louis County and is described
 131.9 as: Government Lot 5, Section 35, Township 64 North, Range 12 West.

131.10 (c) The state land administered by the commissioner of natural resources borders Low
 131.11 Lake. The land to be exchanged is forest land that includes areas bordering the Whiteface
 131.12 River. While the land does not provide at least equal opportunity for access to waters by

248.10 remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the
 248.11 state-owned land leased for farming wild rice described in paragraph (b).

248.12 (b) The state land that may be exchanged is held under the following state leases for
 248.13 farming of wild rice:

- 248.14 (1) Lease LAGR001305, covering 175.1 acres in Aitkin County;
- 248.15 (2) Lease LMIS010040, covering 107.1 acres in Beltrami County;
- 248.16 (3) Lease LMIS010096, covering 137.4 acres in Beltrami County; and
- 248.17 (4) Lease LAGR001295, covering 264.40 acres in Koochiching County.

248.18 (c) For the appraisal of the land, no improvements paid for by the lessee shall be included
 248.19 in the estimate of market value.

248.20 (d) Additional adjoining state lands may be added to the exchanges if mutually agreed
 248.21 upon by the commissioner and the exchange partner to avoid leaving unmanageable parcels
 248.22 of land in state ownership after an exchange or to meet county zoning standards or other
 248.23 regulatory needs for the wild rice farming operations.

248.24 (e) The state land administered by the commissioner of natural resources in Koochiching
 248.25 County borders the Lost River. The lands to be exchanged are not required to provide at
 248.26 least equal opportunity for access to waters by the public, but the lands must be at least
 248.27 equal in value and have the potential to generate revenue for the school trust lands.

248.28 (f) Notwithstanding Minnesota Statutes, section 94.343, subdivision 8a, lessees must
 248.29 pay to the commissioner all costs, as determined by the commissioner, that are associated
 248.30 with each exchange transaction, including valuation expenses; legal fees; survey expenses;
 249.1 costs of title work, advertising, and public hearings; transactional staff costs; and closing
 249.2 costs.

249.3 Sec. 10. Laws 2016, chapter 154, section 48, is amended to read:

249.4 Sec. 48. EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.

249.5 **Subdivision 1. Exchange of land.** (a) Notwithstanding the riparian restrictions in
 249.6 Minnesota Statutes, section 94.342, subdivision 3, the commissioner of natural resources
 249.7 may, with the approval of the Land Exchange Board as required under the Minnesota
 249.8 Constitution, article XI, section 10, and according to the remaining provisions of Minnesota
 249.9 Statutes, sections 94.342 to 94.347, exchange the riparian land described in paragraph (b).

249.10 (b) The state land that may be exchanged is located in St. Louis County and is described
 249.11 as: Government Lot 5, Section 35, Township 64 North, Range 12 West.

249.12 (c) The state land administered by the commissioner of natural resources borders Low
 249.13 Lake. The land to be exchanged is forest land that includes areas bordering the Whiteface
 249.14 River. While the land does not provide at least equal opportunity for access to waters by

131.13 the public, the land to be acquired by the commissioner in the exchange will improve access
 131.14 to adjacent state forest lands.

131.15 Subd. 2. Gifts of land. Notwithstanding Minnesota Statutes, section 94.342 or 94.343,
131.16 or any other law to the contrary, the Land Exchange Board may consider a gift of land from
131.17 the exchange partner pursuant to Minnesota Statutes, section 84.085, subdivision 1, paragraph
131.18 (d), in addition to land proposed for exchange with the state land referenced in subdivision
131.19 1, paragraph (b), in determining whether the proposal is in the best interests of the school
131.20 trust.

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

131.22 Sec. 136. Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 9,
 131.23 is amended to read:

131.24 Subd. 9. **Environmental Quality Board** 1,774,000 1,274,000

131.25 **Appropriations by Fund**

	<u>2020</u>	<u>2021</u>
131.27 General	1,081,000	1,081,000
131.28 Environmental	393,000	193,000
131.29 Remediation	300,000	-0-

131.30 (a) \$200,000 the first year is from the
 131.31 environmental fund to begin to develop and
 131.32 assemble the material required under Code of
 132.1 Federal Regulations, title 40, section 233.10,
 132.2 to have the state of Minnesota assume the
 132.3 section 404 permitting program of the Federal
 132.4 Clean Water Act. The Board may execute
 132.5 contracts or interagency agreements to
 132.6 facilitate developing the required agreements
 132.7 and materials. By February 1, 2024 2022, the
 132.8 board must submit a report on the additional
 132.9 funding necessary to secure section 404
 132.10 assumption and the additional funding needed
 132.11 to fully implement the state-assumed program
 132.12 to the chairs and ranking minority members
 132.13 of the legislative committees and divisions
 132.14 with jurisdiction over the environment and
 132.15 natural resources. This is a onetime

249.15 the public, the land to be acquired by the commissioner in the exchange will improve access
 249.16 to adjacent state forest lands.

249.17 Subd. 2. Gifts of land. Notwithstanding Minnesota Statutes, section 94.342 or 94.343,
249.18 or any other law to the contrary, the Land Exchange Board may consider a gift of land from
249.19 the exchange partner pursuant to Minnesota Statutes, section 84.085, subdivision 1, paragraph
249.20 (d), in addition to land proposed for exchange with the state land referenced in subdivision
249.21 1, paragraph (b), in determining whether the proposal is in the best interests of the school
249.22 trust.

132.16 appropriation and is available until June 30,
132.17 2022.

132.18 (b) \$300,000 the first year is from the
132.19 remediation fund to conduct a study of the
132.20 potential to deploy solar photovoltaic devices
132.21 on closed landfill program sites. This is a
132.22 onetime appropriation. By December 1, 2020,
132.23 the board, in consultation with the Pollution
132.24 Control Agency and the commissioners of
132.25 administration, commerce, and management
132.26 and budget, must provide to the chairs and
132.27 ranking minority members of the legislative
132.28 committees and divisions with jurisdiction
132.29 over environment and natural resources policy
132.30 and finance and energy policy and finance a
132.31 report on the use of properties in the state's
132.32 closed landfill program for solar energy
132.33 production. The report must include:

133.1 (1) identification and assessment of properties
133.2 in the closed landfill program with the highest
133.3 potential for solar energy production;

133.4 (2) identification of potential barriers to solar
133.5 energy production and potential ways to
133.6 address those barriers; and

133.7 (3) policy recommendations that would
133.8 facilitate solar energy production on closed
133.9 landfill program sites in a manner that would
133.10 contribute to state and local government
133.11 sustainability goals.

133.12 **EFFECTIVE DATE.** This section is effective retroactively from January 31, 2021.

133.13 Sec. 137. Laws 2019, First Special Session chapter 4, article 3, section 109, as amended
133.14 by Laws 2020, chapter 83, article 1, section 100, is amended to read:
133.15 Sec. 109. **APPLYING STORM WATER RULES TO CITIES AND TOWNSHIPS.**

133.16 Until the Pollution Control Agency amends rules for storm water, Minnesota Rules, part
133.17 7090.1010, subpart 1, item B, subitem (1), applies only to the portions of a city, a town,
133.18 and unorganized areas of counties or township that are designated as urbanized under Code
133.19 of Federal Regulations, title 40, section 122.26 (a)(9)(i)(A), and other platted areas within
133.20 that jurisdiction those jurisdictions.

133.21 Sec. 138. ADDITIONS TO STATE PARKS.

133.22 Subdivision 1. **[85.012] [Subd. 18.] Fort Snelling State Park, Dakota County.** The
133.23 following areas are added to Fort Snelling State Park, Dakota County:

133.24 (1) that part of Section 28, Township 28 North, Range 23 West, Dakota County,
133.25 Minnesota, bounded by the Dakota County line along the Minnesota River and the following
133.26 described lines:

133.27 Beginning at the intersection of the south line of Lot 18 of Auditor's Subdivision Number
133.28 29 of Mendota, according to the plat on file in the Office of the Dakota County Recorder,
133.29 with the westerly right-of-way line of the existing Sibley Memorial Highway; thence
133.30 northerly along said westerly right-of-way line to the north line of said Lot 18; thence
133.31 westerly along the north line of said Lot 18 to the easterly right-of-way line of the
134.1 Chicago and Northwestern Railroad; thence northerly and northeasterly along said
134.2 easterly right-of-way to the east line of said Section 28;

134.3 (2) that part of Section 33, Township 28 North, Range 23 West, Dakota County,
134.4 Minnesota, lying westerly of the easterly right-of-way of the Chicago and Northwestern
134.5 Railroad;

134.6 (3) that part of Government Lot 6 of Section 33, Township 28 North, Range 23 West,
134.7 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and
134.8 Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway
134.9 and North of the South 752 feet of said Government Lot 6;

134.10 (4) the North 152 feet of the South 752 feet of that part of Government Lot 6 of Section
134.11 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the
134.12 easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly
134.13 right-of-way of Sibley Memorial Highway;

134.14 (5) the North 270 feet of the South 600 feet of that part of Government Lot 6 lying
134.15 between the westerly right-of-way of Sibley Memorial Highway and the easterly right-of-way
134.16 of the Chicago and Northwestern Railroad in Section 33, Township 28 North, Range 23
134.17 West, Dakota County, Minnesota;

134.18 (6) that part of the South 20 rods of Government Lot 6 of Section 33, Township 28
134.19 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way
134.20 of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley
134.21 Memorial Highway, excepting therefrom that part described as follows:

134.22 Commencing at the southeast corner of said Government Lot 6; thence North 89 degrees
134.23 56 minutes 54 seconds West assumed bearing along the south line of said Government
134.24 Lot 6 a distance of 260.31 feet to the point of beginning of the property to be described;
134.25 thence continue North 89 degrees 56 minutes 54 seconds West a distance of 71.17 feet;
134.26 thence northwesterly a distance of 37.25 feet along a nontangential curve concave to
134.27 the East having a radius of 4,098.00 feet and a central angle of 00 degrees 31 minutes

249.23 Sec. 11. ADDITIONS TO STATE PARKS.

249.24 Subdivision 1. **[85.012] [Subd. 18.] Fort Snelling State Park, Dakota County.** The
249.25 following areas are added to Fort Snelling State Park, Dakota County:

249.26 (1) that part of Section 28, Township 28 North, Range 23 West, Dakota County,
249.27 Minnesota, bounded by the Dakota County line along the Minnesota River and the following
249.28 described lines:

249.29 Beginning at the intersection of the south line of Lot 18 of Auditor's Subdivision Number
249.30 29 of Mendota, according to the plat on file in the Office of the Dakota County Recorder,
249.31 with the westerly right-of-way line of the existing Sibley Memorial Highway; thence
250.1 northerly along said westerly right-of-way line to the north line of said Lot 18; thence
250.2 westerly along the north line of said Lot 18 to the easterly right-of-way line of the
250.3 Chicago and Northwestern Railroad; thence northerly and northeasterly along said
250.4 easterly right-of-way to the east line of said Section 28;

250.5 (2) that part of Section 33, Township 28 North, Range 23 West, Dakota County,
250.6 Minnesota, lying westerly of the easterly right-of-way of the Chicago and Northwestern
250.7 Railroad;

250.8 (3) that part of Government Lot 6 of Section 33, Township 28 North, Range 23 West,
250.9 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and
250.10 Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway
250.11 and North of the South 752 feet of said Government Lot 6;

250.12 (4) the North 152 feet of the South 752 feet of that part of Government Lot 6 of Section
250.13 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the
250.14 easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly
250.15 right-of-way of Sibley Memorial Highway;

250.16 (5) the North 270 feet of the South 600 feet of that part of Government Lot 6 lying
250.17 between the westerly right-of-way of Sibley Memorial Highway and the easterly right-of-way
250.18 of the Chicago and Northwestern Railroad in Section 33, Township 28 North, Range 23
250.19 West, Dakota County, Minnesota;

250.20 (6) that part of the South 20 rods of Government Lot 6 of Section 33, Township 28
250.21 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way
250.22 of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley
250.23 Memorial Highway, excepting therefrom that part described as follows:

250.24 Commencing at the southeast corner of said Government Lot 6; thence North 89 degrees
250.25 56 minutes 54 seconds West assumed bearing along the south line of said Government
250.26 Lot 6 a distance of 260.31 feet to the point of beginning of the property to be described;
250.27 thence continue North 89 degrees 56 minutes 54 seconds West a distance of 71.17 feet;
250.28 thence northwesterly a distance of 37.25 feet along a nontangential curve concave to
250.29 the East having a radius of 4,098.00 feet and a central angle of 00 degrees 31 minutes

134.28 15 seconds the chord of said curve bears North 23 degrees 31 minutes 27 seconds West; thence northerly a distance of 127.39 feet along a compound curve concave to the East having a radius of 2,005.98 feet and a central angle of 03 degrees 38 minutes 19 seconds; thence North 70 degrees 22 minutes 29 seconds East not tangent to said curve a distance of 65.00 feet; thence southerly a distance of 123.26 feet along a nontangential curve concave to the East having a radius of 1,940.98 feet and a central angle of 03 degrees 38 minutes 19 seconds the chord of said curve bears South 21 degrees 26 minutes 40 seconds East; thence southerly a distance of 65.42 feet to the point of beginning along a compound curve concave to the East having a radius of 4,033.00 feet and a central angle of 00 degrees 55 minutes 46 seconds;

135.4 (7) that part of Government Lot 5 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway, excepting therefrom that part described as follows:

135.8 Commencing at the southeast corner of said Government Lot 5; thence North 89 degrees 56 minutes 18 seconds West assumed bearing along the south line of said Government Lot 5 a distance of 70.48 feet to the point of beginning of the property to be described; thence continue North 89 degrees 56 minutes 18 seconds West along said south line of Government Lot 5 a distance of 40.01 feet; thence North 01 degree 30 minutes 25 seconds East a distance of 6.08 feet; thence northerly a distance of 185.58 feet along a tangential curve concave to the West having a radius of 4,427.00 feet and a central angle of 02 degrees 24 minutes 07 seconds; thence South 89 degrees 06 minutes 18 seconds West not tangent to said curve a distance of 25.00 feet; thence North 00 degrees 53 minutes 42 seconds West a distance of 539.13 feet; thence northerly a distance of 103.77 feet along a tangential curve concave to the West having a radius of 1,524.65 feet and a central angle of 03 degrees 53 minutes 59 seconds; thence northerly a distance of 159.33 feet along a compound curve concave to the West having a radius of 522.45 feet and a central angle of 17 degrees 28 minutes 23 seconds; thence northwesterly a distance of 86.78 feet along a tangential curve concave to the West having a radius of 1,240.87 feet and a central angle of 04 degrees 00 minutes 25 seconds; thence North 26 degrees 16 minutes 30 seconds West tangent to said curve a distance of 92.39 feet; thence northwesterly a distance of 178.12 feet along a tangential curve concave to the East having a radius of 4,098.00 feet and a central angle of 02 degrees 29 minutes 25 seconds to a point on the north line of said Government Lot 5 which is 331.48 feet from the northeast corner thereof as measured along said north line; thence South 89 degrees 56 minutes 54 seconds East along said north line of Government Lot 5 a distance of 71.17 feet; thence southeasterly a distance of 146.53 feet along a nontangential curve concave to the East having a radius of 4,033.00 feet and a central angle of 02 degrees 04 minutes 54 seconds the chord of said curve bears South 25 degrees 14 minutes 03 seconds East; thence South 26 degrees 16 minutes 30 seconds East tangent to said curve a distance of 92.39 feet; thence southerly a distance of 91.33 feet along a tangential curve concave to the West having a radius of 1,305.87 feet and a central angle of 04 degrees 00 minutes

250.30 15 seconds the chord of said curve bears North 23 degrees 31 minutes 27 seconds West; thence northerly a distance of 127.39 feet along a compound curve concave to the East having a radius of 2,005.98 feet and a central angle of 03 degrees 38 minutes 19 seconds; thence North 70 degrees 22 minutes 29 seconds East not tangent to said curve a distance of 65.00 feet; thence southerly a distance of 123.26 feet along a nontangential curve concave to the East having a radius of 1,940.98 feet and a central angle of 03 degrees 38 minutes 19 seconds the chord of said curve bears South 21 degrees 26 minutes 40 seconds East; thence southerly a distance of 65.42 feet to the point of beginning along a compound curve concave to the East having a radius of 4,033.00 feet and a central angle of 00 degrees 55 minutes 46 seconds;

251.6 (7) that part of Government Lot 5 of Section 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway, excepting therefrom that part described as follows:

251.10 Commencing at the southeast corner of said Government Lot 5; thence North 89 degrees 56 minutes 18 seconds West assumed bearing along the south line of said Government Lot 5 a distance of 70.48 feet to the point of beginning of the property to be described; thence continue North 89 degrees 56 minutes 18 seconds West along said south line of Government Lot 5 a distance of 40.01 feet; thence North 01 degree 30 minutes 25 seconds East a distance of 6.08 feet; thence northerly a distance of 185.58 feet along a tangential curve concave to the West having a radius of 4,427.00 feet and a central angle of 02 degrees 24 minutes 07 seconds; thence South 89 degrees 06 minutes 18 seconds West not tangent to said curve a distance of 25.00 feet; thence North 00 degrees 53 minutes 42 seconds West a distance of 539.13 feet; thence northerly a distance of 103.77 feet along a tangential curve concave to the West having a radius of 1,524.65 feet and a central angle of 03 degrees 53 minutes 59 seconds; thence northerly a distance of 159.33 feet along a compound curve concave to the West having a radius of 522.45 feet and a central angle of 17 degrees 28 minutes 23 seconds; thence northwesterly a distance of 86.78 feet along a tangential curve concave to the West having a radius of 1,240.87 feet and a central angle of 04 degrees 00 minutes 25 seconds; thence North 26 degrees 16 minutes 30 seconds West tangent to said curve a distance of 92.39 feet; thence northwesterly a distance of 178.12 feet along a tangential curve concave to the East having a radius of 4,098.00 feet and a central angle of 02 degrees 29 minutes 25 seconds to a point on the north line of said Government Lot 5 which is 331.48 feet from the northeast corner thereof as measured along said north line; thence South 89 degrees 56 minutes 54 seconds East along said north line of Government Lot 5 a distance of 71.17 feet; thence southeasterly a distance of 146.53 feet along a nontangential curve concave to the East having a radius of 4,033.00 feet and a central angle of 02 degrees 04 minutes 54 seconds the chord of said curve bears South 25 degrees 14 minutes 03 seconds East; thence South 26 degrees 16 minutes 30 seconds East tangent to said curve a distance of 92.39 feet; thence southerly a distance of 91.33 feet along a tangential curve concave to the West having a radius of 1,305.87 feet and a central angle of 04 degrees 00 minutes

136.1 25 seconds; thence southerly a distance of 179.15 feet along a tangential curve concave
 136.2 to the West having a radius of 587.45 feet and a central angle of 17 degrees 28 minutes
 136.3 23 seconds; thence southerly a distance of 108.20 feet along a compound curve concave
 136.4 to the West having a radius of 1,589.65 feet and a central angle of 03 degrees 53 minutes
 136.5 59 seconds; thence South 00 degrees 53 minutes 42 seconds East tangent to said curve
 136.6 a distance of 539.13 feet; thence southerly a distance of 187.26 feet along a tangential
 136.7 curve concave to the West having a radius of 4,467.00 feet and a central angle of 02
 136.8 degrees 24 minutes 07 seconds; thence South 01 degree 30 minutes 25 seconds West
 136.9 tangent to said curve a distance of 5.07 feet to the point of beginning; and

136.10 (8) that part of Government Lot 4 of Section 33, Township 28 North, Range 23 West,
 136.11 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and
 136.12 Northwestern Railroad and northerly of the following described line:

136.13 Commencing at the southeast corner of said Government Lot 4; thence North 89 degrees
 136.14 55 minutes 42 seconds West assumed bearing along the south line of said Government
 136.15 Lot 4 a distance of 312.44 feet to corner B205, MNDOT Right-of-Way Plat No. 19-93,
 136.16 according to the recorded map thereof; thence continue North 89 degrees 55 minutes 42
 136.17 seconds West along said south line of Government Lot 4 a distance of 318.00 feet to the
 136.18 easterly right-of-way of Chicago and Northwestern Railroad; thence northerly along
 136.19 said railroad right-of-way a distance of 387.97 feet along a nontangential curve concave
 136.20 to the West having a radius of 2,963.54 feet and a central angle of 07 degrees 30 minutes
 136.21 03 seconds, the chord of said curve bears North 00 degrees 42 minutes 41 seconds East;
 136.22 thence North 03 degrees 02 minutes 21 seconds West tangent to said curve along said
 136.23 railroad right-of-way a distance of 619.45 feet to the point of beginning of the line to
 136.24 be described; thence North 89 degrees 35 minutes 27 seconds East a distance of 417.92
 136.25 feet; thence North 18 degrees 18 minutes 58 seconds East a distance of 317.52 feet to a
 136.26 point on the north line of said Government Lot 4 which is 135.00 feet from the northeast
 136.27 corner thereof as measured along said north line and there terminating.

136.28 Subd. 2. [85.012] [Subd. 38A.] **Lake Vermilion-Soudan Underground Mine State**
 136.29 **Park, St. Louis County.** The following areas are added to Lake Vermilion-Soudan
 136.30 Underground Mine State Park, St. Louis County, and are designated as the Granelda Unit:

136.31 (1) Lot 3 of Section 28 and Lot 5 of Section 29 in Township 63 North of Range 17, all
 136.32 West of the 4th Principal Meridian, according to the United States Government Survey
 136.33 thereof;

137.1 (2) the Northeast Quarter of the Southwest Quarter, the Northwest Quarter, the Southeast
 137.2 Quarter of the Northeast Quarter, the Northeast Quarter of the Northeast Quarter, and Lots
 137.3 numbered 1, 2, 3, and 4 of Section 29 in Township 63 North of Range 17, all West of the
 137.4 4th Principal Meridian, according to the United States Government survey thereof;

137.5 (3) Lots 1 and 2 of Section 32 in Township 63 North of Range 17, all West of the 4th
 137.6 Principal Meridian, according to the United States Government Survey thereof; and

252.3 25 seconds; thence southerly a distance of 179.15 feet along a tangential curve concave
 252.4 to the West having a radius of 587.45 feet and a central angle of 17 degrees 28 minutes
 252.5 23 seconds; thence southerly a distance of 108.20 feet along a compound curve concave
 252.6 to the West having a radius of 1,589.65 feet and a central angle of 03 degrees 53 minutes
 252.7 59 seconds; thence South 00 degrees 53 minutes 42 seconds East tangent to said curve
 252.8 a distance of 539.13 feet; thence southerly a distance of 187.26 feet along a tangential
 252.9 curve concave to the West having a radius of 4,467.00 feet and a central angle of 02
 252.10 degrees 24 minutes 07 seconds; thence South 01 degree 30 minutes 25 seconds West
 252.11 tangent to said curve a distance of 5.07 feet to the point of beginning; and

252.12 (8) that part of Government Lot 4 of Section 33, Township 28 North, Range 23 West,
 252.13 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and
 252.14 Northwestern Railroad and northerly of the following described line:

252.15 Commencing at the southeast corner of said Government Lot 4; thence North 89 degrees
 252.16 55 minutes 42 seconds West assumed bearing along the south line of said Government
 252.17 Lot 4 a distance of 312.44 feet to corner B205, MNDOT Right-of-Way Plat No. 19-93,
 252.18 according to the recorded map thereof; thence continue North 89 degrees 55 minutes 42
 252.19 seconds West along said south line of Government Lot 4 a distance of 318.00 feet to the
 252.20 easterly right-of-way of Chicago and Northwestern Railroad; thence northerly along
 252.21 said railroad right-of-way a distance of 387.97 feet along a nontangential curve concave
 252.22 to the West having a radius of 2,963.54 feet and a central angle of 07 degrees 30 minutes
 252.23 03 seconds, the chord of said curve bears North 00 degrees 42 minutes 41 seconds East;
 252.24 thence North 03 degrees 02 minutes 21 seconds West tangent to said curve along said
 252.25 railroad right-of-way a distance of 619.45 feet to the point of beginning of the line to
 252.26 be described; thence North 89 degrees 35 minutes 27 seconds East a distance of 417.92
 252.27 feet; thence North 18 degrees 18 minutes 58 seconds East a distance of 317.52 feet to a
 252.28 point on the north line of said Government Lot 4 which is 135.00 feet from the northeast
 252.29 corner thereof as measured along said north line and there terminating.

252.30 Subd. 2. [85.012] [Subd. 38A.] **Lake Vermilion-Soudan Underground Mine State**
 252.31 **Park, St. Louis County.** The following areas are added to Lake Vermilion-Soudan
 252.32 Underground Mine State Park, St. Louis County, and are designated as the Granelda Unit:

252.33 (1) Lot 3 of Section 28 and Lot 5 of Section 29 in Township 63 North of Range 17, all
 252.34 West of the 4th Principal Meridian, according to the United States Government Survey
 252.35 thereof;

253.1 (2) the Northeast Quarter of the Southwest Quarter, the Northwest Quarter, the Southeast
 253.2 Quarter of the Northeast Quarter, the Northeast Quarter of the Northeast Quarter, and Lots
 253.3 numbered 1, 2, 3, and 4 of Section 29 in Township 63 North of Range 17, all West of the
 253.4 4th Principal Meridian, according to the United States Government survey thereof;

253.5 (3) Lots 1 and 2 of Section 32 in Township 63 North of Range 17, all West of the 4th
 253.6 Principal Meridian, according to the United States Government Survey thereof; and

137.7 (4) Lot 4 of Section 23 in Township 63 North of Range 18, all West of the 4th Principal
137.8 Meridian, according to the United States Government Survey thereof.

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

137.10 Sec. 139. **ADDITION TO STATE RECREATION AREA.**

137.11 [85.013] [Subd. 12a.] Iron Range Off-Highway Vehicle Recreation Area, St. Louis
137.12 County. The following area is added to Iron Range Off-Highway Vehicle Recreation Area,
137.13 St. Louis County: that part of the South Half of the Northwest Quarter of Section 15,
137.14 Township 58 North, Range 17 West, St. Louis County, Minnesota, lying northerly of the
137.15 following described line:

137.16 Commencing at the West quarter corner of said Section 15; thence North 01 degree 24
137.17 minutes 27 seconds West, bearing assumed, along the west line of said South Half of
137.18 the Northwest Quarter a distance of 1,034.09 feet to a 3/4-inch rebar with plastic cap
137.19 stamped "MN DNR LS 44974" (DM) and the point of beginning; thence South 62 degrees
137.20 44 minutes 07 seconds East 405.24 feet to a DM; thence South 82 degrees 05 minutes
137.21 24 seconds East 314.95 feet to a DM; thence South 86 degrees 18 minutes 01 second
137.22 East 269.23 feet to a DM; thence North 81 degrees 41 minutes 24 seconds East 243.61
137.23 feet to a DM; thence North 71 degrees 48 minutes 05 seconds East 478.17 feet to a DM;
137.24 thence North 60 degrees 53 minutes 38 seconds East 257.32 feet to a DM; thence South
137.25 09 degrees 16 minutes 07 seconds East 179.09 feet to a DM; thence South 49 degrees
137.26 16 minutes 00 seconds East 127.27 feet to a DM; thence South 50 degrees 16 minutes
137.27 11 seconds East 187.13 feet to a DM; thence South 67 degrees 11 minutes 35 seconds
137.28 East 189.33 feet to a DM; thence South 67 degrees 13 minutes 16 seconds East 209.43
137.29 feet to a DM; thence South 80 degrees 39 minutes 19 seconds East 167.59 feet to a DM
137.30 on the east line of said South Half of the Northwest Quarter, and there terminating.

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

138.1 Sec. 140. **DELETIONS FROM STATE PARKS.**

138.2 Subdivision 1. [85.012] [Subd. 18.] Fort Snelling State Park, Dakota County. The
138.3 following areas are deleted from Fort Snelling State Park, Dakota County:

138.4 (1) all of Section 33, Township 28 North, Range 23 West of the 4th Principal Meridian
138.5 lying westerly of the westerly right-of-way line of the existing Minnesota Trunk Highway
138.6 No. 13, excepting the right-of-way owned by the Chicago and Northwestern railway
138.7 company; and

138.8 (2) all of Section 28, Township 28 North, Range 23 West of the 4th Principal Meridian
138.9 bounded by the Dakota County line along the Minnesota River and the following described
138.10 lines: Beginning at the south line of said Section 28 at its intersection with the westerly
138.11 right-of-way line of the existing Minnesota Trunk Highway No. 13; thence northerly along
138.12 the said westerly right-of-way line of existing Minnesota Trunk Highway No. 13 to the
138.13 southerly right-of-way line of existing Minnesota Trunk Highway Nos. 55 and 100; thence

253.7 (4) Lot 4 of Section 23 in Township 63 North of Range 18, all West of the 4th Principal
253.8 Meridian, according to the United States Government Survey thereof.

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

253.10 Sec. 12. **ADDITION TO STATE RECREATION AREA.**

253.11 [85.013] [Subd. 12a.] Iron Range Off-Highway Vehicle Recreation Area, St. Louis
253.12 County. The following area is added to Iron Range Off-Highway Vehicle Recreation Area,
253.13 St. Louis County: that part of the South Half of the Northwest Quarter of Section 15,
253.14 Township 58 North, Range 17 West, St. Louis County, Minnesota, lying northerly of the
253.15 following described line:

253.16 Commencing at the West quarter corner of said Section 15; thence North 01 degree 24
253.17 minutes 27 seconds West, bearing assumed, along the west line of said South Half of
253.18 the Northwest Quarter a distance of 1,034.09 feet to a 3/4-inch rebar with plastic cap
253.19 stamped "MN DNR LS 44974" (DM) and the point of beginning; thence South 62 degrees
253.20 44 minutes 07 seconds East 405.24 feet to a DM; thence South 82 degrees 05 minutes
253.21 24 seconds East 314.95 feet to a DM; thence South 86 degrees 18 minutes 01 second
253.22 East 269.23 feet to a DM; thence North 81 degrees 41 minutes 24 seconds East 243.61
253.23 feet to a DM; thence North 71 degrees 48 minutes 05 seconds East 478.17 feet to a DM;
253.24 thence North 60 degrees 53 minutes 38 seconds East 257.32 feet to a DM; thence South
253.25 09 degrees 16 minutes 07 seconds East 179.09 feet to a DM; thence South 49 degrees
253.26 16 minutes 00 seconds East 127.27 feet to a DM; thence South 50 degrees 16 minutes
253.27 11 seconds East 187.13 feet to a DM; thence South 67 degrees 11 minutes 35 seconds
253.28 East 189.33 feet to a DM; thence South 67 degrees 13 minutes 16 seconds East 209.43
253.29 feet to a DM; thence South 80 degrees 39 minutes 19 seconds East 167.59 feet to a DM
253.30 on the east line of said South Half of the Northwest Quarter, and there terminating.

254.1 Sec. 13. **DELETIONS FROM STATE PARKS.**

254.2 Subdivision 1. [85.012] [Subd. 18.] Fort Snelling State Park, Dakota County. The
254.3 following areas are deleted from Fort Snelling State Park, Dakota County:

254.4 (1) all of Section 33, Township 28 North, Range 23 West of the 4th Principal Meridian
254.5 lying westerly of the westerly right-of-way line of the existing Minnesota Trunk Highway
254.6 No. 13, excepting the right-of-way owned by the Chicago and Northwestern railway
254.7 company; and

254.8 (2) all of Section 28, Township 28 North, Range 23 West of the 4th Principal Meridian
254.9 bounded by the Dakota County line along the Minnesota River and the following described
254.10 lines: Beginning at the south line of said Section 28 at its intersection with the westerly
254.11 right-of-way line of the existing Minnesota Trunk Highway No. 13; thence northerly along
254.12 the said westerly right-of-way line of existing Minnesota Trunk Highway No. 13 to the
254.13 southerly right-of-way line of existing Minnesota Trunk Highway Nos. 55 and 100; thence

138.14 along the existing southerly right-of-way line of Minnesota Trunk Highway Nos. 55 and
 138.15 100 to the westerly right-of-way line owned by the Chicago and Northwestern railway
 138.16 company; thence northeasterly along the said westerly right-of-way line of the Chicago and
 138.17 Northwestern railway to the east line of said Section 28, excepting therefrom the right-of-way
 138.18 owned by the Chicago and Northwestern railway company.

138.19 Subd. 2. [85.012] [Subd. 43.] **Minneopa State Park, Blue Earth County.** The following
 138.20 area is deleted from Minneopa State Park, Blue Earth County: a tract of land located in the
 138.21 Northwest Quarter of the Northwest Quarter of Section 21, Township 108 North, Range 27
 138.22 West of the Fifth Principal Meridian, Blue Earth County, Minnesota, more particularly
 138.23 described as follows:

138.24 Commencing at the northwest corner of said Section 21; thence on an assumed bearing
 138.25 of South 01 degree 31 minutes 27 seconds East, along the west line of the Northwest
 138.26 Quarter of the Northwest Quarter of said Section 21, a distance of 545.00 feet, to the
 138.27 south line of the North 545.00 feet of the Northwest Quarter of the Northwest Quarter
 138.28 of said Section 21, also being the south line of Minneopa Cemetery and the point of
 138.29 beginning of the tract to be herein described; thence North 88 degrees 22 minutes 26
 138.30 seconds East, along said south line of Minneopa Cemetery, a distance of 228.95 feet;
 138.31 thence southwesterly 58.5 feet, more or less, to the intersection of the west line of Block
 138.32 188 and the northerly line of the railroad right-of-way, said point of intersection being
 138.33 31.90 feet distant, measured at right angles from the south line of said Minneopa
 138.34 Cemetery; thence continue southwesterly along said railroad right-of-way 187 feet, more
 139.1 or less, to a point on the west line of the Northwest Quarter of the Northwest Quarter of
 139.2 said Section 21; thence North 01 degree 31 minutes 27 seconds West, along said west
 139.3 line to the point of beginning.

139.4 Subd. 3. [85.012] [Subd. 60.] **William O'Brien State Park, Washington County.** The
 139.5 following areas are deleted from William O'Brien State Park, Washington County:

139.6 (1) those parts of Section 25, Township 32 North, Range 20 West, Washington County,
 139.7 Minnesota, described as follows:

139.8 The West two rods of the Southwest Quarter of the Northeast Quarter, the West two
 139.9 rods of the North two rods of the Northwest Quarter of the Southeast Quarter, and the
 139.10 East two rods of the Southeast Quarter of the Northwest Quarter; and

139.11 (2) the East two rods over and across the Northeast Quarter of the Northwest Quarter,
 139.12 excepting therefrom the North 200 feet of said Northeast Quarter of the Northwest Quarter.
 139.13 Also, the West 2 rods of the Northwest Quarter of the Northeast Quarter, excepting therefrom
 139.14 the North 266 feet of said Northwest Quarter of the Northeast Quarter. Also, the South 66
 139.15 feet of the North 266 feet of that part of said Northwest Quarter of the Northeast Quarter
 139.16 lying southwesterly of the existing public road known as 199th Street North.

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

254.14 along the existing southerly right-of-way line of Minnesota Trunk Highway Nos. 55 and
 254.15 100 to the westerly right-of-way line owned by the Chicago and Northwestern railway
 254.16 company; thence northeasterly along the said westerly right-of-way line of the Chicago and
 254.17 Northwestern railway to the east line of said Section 28, excepting therefrom the right-of-way
 254.18 owned by the Chicago and Northwestern railway company.

254.19 Subd. 2. [85.012] [Subd. 43.] **Minneopa State Park, Blue Earth County.** The following
 254.20 area is deleted from Minneopa State Park, Blue Earth County: a tract of land located in the
 254.21 Northwest Quarter of the Northwest Quarter of Section 21, Township 108 North, Range 27
 254.22 West of the Fifth Principal Meridian, Blue Earth County, Minnesota, more particularly
 254.23 described as follows:

254.24 Commencing at the northwest corner of said Section 21; thence on an assumed bearing
 254.25 of South 01 degree 31 minutes 27 seconds East, along the west line of the Northwest
 254.26 Quarter of the Northwest Quarter of said Section 21, a distance of 545.00 feet, to the
 254.27 south line of the North 545.00 feet of the Northwest Quarter of the Northwest Quarter
 254.28 of said Section 21, also being the south line of Minneopa Cemetery and the point of
 254.29 beginning of the tract to be herein described; thence North 88 degrees 22 minutes 26
 254.30 seconds East, along said south line of Minneopa Cemetery, a distance of 228.95 feet;
 254.31 thence southwesterly 58.5 feet, more or less, to the intersection of the west line of Block
 254.32 188 and the northerly line of the railroad right-of-way, said point of intersection being
 254.33 31.90 feet distant, measured at right angles from the south line of said Minneopa
 254.34 Cemetery; thence continue southwesterly along said railroad right-of-way 187 feet, more
 255.1 or less, to a point on the west line of the Northwest Quarter of the Northwest Quarter of
 255.2 said Section 21; thence North 01 degree 31 minutes 27 seconds West, along said west
 255.3 line to the point of beginning.

255.4 Subd. 3. [85.012] [Subd. 60.] **William O'Brien State Park, Washington County.** The
 255.5 following areas are deleted from William O'Brien State Park, Washington County:

255.6 (1) those parts of Section 25, Township 32 North, Range 20 West, Washington County,
 255.7 Minnesota, described as follows:

255.8 The West two rods of the Southwest Quarter of the Northeast Quarter, the West two
 255.9 rods of the North two rods of the Northwest Quarter of the Southeast Quarter, and the
 255.10 East two rods of the Southeast Quarter of the Northwest Quarter; and

255.11 (2) the East two rods over and across the Northeast Quarter of the Northwest Quarter,
 255.12 excepting therefrom the North 200 feet of said Northeast Quarter of the Northwest Quarter.
 255.13 Also, the West 2 rods of the Northwest Quarter of the Northeast Quarter, excepting therefrom
 255.14 the North 266 feet of said Northwest Quarter of the Northeast Quarter. Also, the South 66
 255.15 feet of the North 266 feet of that part of said Northwest Quarter of the Northeast Quarter
 255.16 lying southwesterly of the existing public road known as 199th Street North.

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

139.18 Sec. 141. PRIVATE SALE OF SURPLUS STATE LAND; CASS COUNTY.

139.19 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of
139.20 natural resources may sell by private sale the surplus land that is described in paragraph (c).

139.21 (b) The commissioner may make necessary changes to the legal description to correct
139.22 errors and ensure accuracy.

139.23 (c) The land to be conveyed is located in Cass County and is described as: the westerly
139.24 20.00 feet of the West Half of the Northeast Quarter, Section 16, Township 139 North,
139.25 Range 30 West, Cass County, Minnesota. The Grantor, its employees and agents only,
139.26 reserves a perpetual easement for ingress and egress over and across the above described
139.27 land.

139.28 (d) The Department of Natural Resources has determined that the land is not needed for
139.29 natural resource purposes and that the state's land management interests would best be
139.30 served if the land was returned to private ownership.

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

**140.1 Sec. 142. PRIVATE SALE OF SURPLUS STATE LAND; LAKE OF THE WOODS
140.2 COUNTY.**

140.3 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of
140.4 natural resources may sell by private sale the surplus land that is described in paragraph (c).

140.5 (b) The commissioner may make necessary changes to the legal description to correct
140.6 errors and ensure accuracy.

140.7 (c) The land to be conveyed is located in Lake of the Woods County and is described
140.8 as: a strip of land lying in Government Lot 3, Section 5, Township 163 North, Range 34
140.9 West of the Fifth Principal Meridian, Lake of the Woods County, Minnesota; said strip of
140.10 land being 33.00 feet in width lying 16.50 feet on each side of the following described
140.11 centerline:

140.12 Commencing at the southeast corner of said Government Lot 3; thence North 00 degrees
140.13 09 minutes 28 seconds West, assumed bearing, along the east line of said Government
140.14 Lot 3, a distance of 690 feet, more or less, to the south line of that particular tract of land
140.15 deeded to the State of Minnesota according to Document No. 75286, on file and of record
140.16 in the Office of the Recorder, Lake of the Woods County, Minnesota; thence South 89
140.17 degrees 50 minutes 32 seconds West, along said south line of that particular tract of
140.18 land, a distance of 200.00 feet; thence South 00 degrees 09 minutes 28 seconds East,
140.19 parallel with the east line of said Government Lot 3, a distance of 40.00 feet; thence
140.20 South 89 degrees 50 minutes 32 seconds West, a distance of 16.50 feet to the point of
140.21 beginning of the centerline to be herein described; thence South 00 degrees 09 minutes
140.22 28 seconds East, parallel with the east line of said Government Lot 3, a distance of 650.5

271.23 Sec. 17. PRIVATE SALE OF SURPLUS STATE LAND; CASS COUNTY.

271.24 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of
271.25 natural resources may sell by private sale the surplus land that is described in paragraph (c).

271.26 (b) The commissioner may make necessary changes to the legal description to correct
271.27 errors and ensure accuracy.

271.28 (c) The land to be conveyed is located in Cass County and is described as: the westerly
271.29 20.00 feet of the West Half of the Northeast Quarter, Section 16, Township 139 North,
271.30 Range 30 West, Cass County, Minnesota. The Grantor, its employees and agents only,
272.1 reserves a perpetual easement for ingress and egress over and across the above described
272.2 land.

272.3 (d) The Department of Natural Resources has determined that the land is not needed for
272.4 natural resource purposes and that the state's land management interests would best be
272.5 served if the land was returned to private ownership.

**273.8 Sec. 20. PRIVATE SALE OF SURPLUS STATE LAND; LAKE OF THE WOODS
273.9 COUNTY.**

273.10 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of
273.11 natural resources may sell by private sale the surplus land that is described in paragraph (c).

273.12 (b) The commissioner may make necessary changes to the legal description to correct
273.13 errors and ensure accuracy.

273.14 (c) The land to be conveyed is located in Lake of the Woods County and is described
273.15 as: a strip of land lying in Government Lot 3, Section 5, Township 163 North, Range 34
273.16 West of the Fifth Principal Meridian, Lake of the Woods County, Minnesota; said strip of
273.17 land being 33.00 feet in width lying 16.50 feet on each side of the following described
273.18 centerline:

273.19 Commencing at the southeast corner of said Government Lot 3; thence North 00 degrees
273.20 09 minutes 28 seconds West, assumed bearing, along the east line of said Government
273.21 Lot 3, a distance of 690 feet, more or less, to the south line of that particular tract of land
273.22 deeded to the State of Minnesota according to Document No. 75286, on file and of record
273.23 in the Office of the Recorder, Lake of the Woods County, Minnesota; thence South 89
273.24 degrees 50 minutes 32 seconds West, along said south line of that particular tract of
273.25 land, a distance of 200.00 feet; thence South 00 degrees 09 minutes 28 seconds East,
273.26 parallel with the east line of said Government Lot 3, a distance of 40.00 feet; thence
273.27 South 89 degrees 50 minutes 32 seconds West, a distance of 16.50 feet to the point of
273.28 beginning of the centerline to be herein described; thence South 00 degrees 09 minutes
273.29 28 seconds East, parallel with the east line of said Government Lot 3, a distance of 650.5

140.23 feet, more or less, to the south line of said Government Lot 3 and said centerline there
 140.24 terminating.

140.25 (d) The Department of Natural Resources has determined that the land is not needed for
 140.26 natural resource purposes and that the state's land management interests would best be
 140.27 served if the land was returned to private ownership.

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

140.29 Sec. 143. **PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.**

140.30 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of
 140.31 natural resources may convey the surplus land that is described in paragraph (c) to a local
 140.32 unit of government for no consideration.

141.1 (b) The commissioner may make necessary changes to the legal description to correct
 141.2 errors and ensure accuracy.

141.3 (c) The land to be conveyed is located in St. Louis County and is described as: that part
 141.4 of the Southwest Quarter of the Northwest Quarter of Section 27, Township 52 North, Range
 141.5 17 West, St. Louis County, Minnesota, described as follows:

141.6 Commencing at the quarter corner between Sections 27 and 28 of said Township 52
 141.7 North, Range 17 West; thence running East 624 feet; thence North 629 feet to the point
 141.8 of beginning; thence North 418 feet; thence East 208 feet; thence South 418 feet; thence
 141.9 West 208 feet to the point of beginning.

141.10 (d) The Department of Natural Resources has determined that the land is not needed for
 141.11 natural resource purposes and that the state's land management interests would best be
 141.12 served if the land were conveyed to a local unit of government.

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

141.14 Sec. 144. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

141.15 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 141.16 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands
 141.17 described in paragraph (c).

141.18 (b) The conveyances must be in a form approved by the attorney general. The attorney
 141.19 general may make changes to the land descriptions to correct errors and ensure accuracy.

141.20 (c) The lands to be sold are located in St. Louis County and are described as:

141.21 (1) Lot 5, Block 9, including part of vacated Seafield Street adjacent, Bristol Beach 1st
 141.22 Division, Duluth (parcel 010-0300-01030); and

141.23 (2) that part of the Southeast Quarter of the Northwest Quarter, Township 58, Range
 141.24 15, Section 5, lying northerly of the northerly right-of-way line of the town of White road
 141.25 running in an east-west direction connecting County Road No. 138 with State Highway No.

273.30 feet, more or less, to the south line of said Government Lot 3 and said centerline there
 273.31 terminating.

274.1 (d) The Department of Natural Resources has determined that the land is not needed for
 274.2 natural resource purposes and that the state's land management interests would best be
 274.3 served if the land was returned to private ownership.

274.27 Sec. 22. **PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.**

274.28 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of
 274.29 natural resources may convey the surplus land that is described in paragraph (c) to a local
 274.30 unit of government for no consideration.

274.31 (b) The commissioner may make necessary changes to the legal description to correct
 274.32 errors and ensure accuracy.

275.1 (c) The land to be conveyed is located in St. Louis County and is described as: that part
 275.2 of the Southwest Quarter of the Northwest Quarter of Section 27, Township 52 North, Range
 275.3 17 West, St. Louis County, Minnesota, described as follows:

275.4 Commencing at the quarter corner between Sections 27 and 28 of said Township 52
 275.5 North, Range 17 West; thence running East 624 feet; thence North 629 feet to the point
 275.6 of beginning; thence North 418 feet; thence East 208 feet; thence South 418 feet; thence
 275.7 West 208 feet to the point of beginning.

275.8 (d) The Department of Natural Resources has determined that the land is not needed for
 275.9 natural resource purposes and that the state's land management interests would best be
 275.10 served if the land were conveyed to a local unit of government.

275.11 Sec. 23. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

275.12 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 275.13 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands
 275.14 described in paragraph (c).

275.15 (b) The conveyances must be in a form approved by the attorney general. The attorney
 275.16 general may make changes to the land descriptions to correct errors and ensure accuracy.

275.17 (c) The lands to be sold are located in St. Louis County and are described as:

275.18 (1) Lot 5, Block 9, including part of vacated Seafield Street adjacent, Bristol Beach 1st
 275.19 Division, Duluth (parcel 010-0300-01030); and

275.20 (2) that part of the Southeast Quarter of the Northwest Quarter, Township 58, Range
 275.21 15, Section 5, lying northerly of the northerly right-of-way line of the town of White road
 275.22 running in an east-west direction connecting County Road No. 138 with State Highway No.

141.26 135 and lying westerly of the following described line: commencing at the northeast corner
 141.27 of Government Lot 3; thence South 89 degrees 46 minutes 22 seconds West along the north
 141.28 line of Government Lot 3 558.28 feet; thence South 27 degrees 50 minutes 01 second West
 141.29 102.75 feet; thence South 41 degrees 51 minutes 46 seconds West 452.29 feet; thence South
 141.30 28 degrees 19 minutes 22 seconds West 422.74 feet; thence South 30 degrees 55 minutes
 141.31 42 seconds West 133.79 feet; thence southwesterly 210.75 feet along a tangential curve
 141.32 concave to the southeast having a radius of 300 feet and a central angle of 40 degrees 15
 142.1 minutes 00 seconds; thence South 09 degrees 19 minutes 19 seconds East tangent to said
 142.2 curve 100.30 feet, more or less, to the north line of said Southeast Quarter of the Northwest
 142.3 Quarter; thence North 89 degrees 09 minutes 31 seconds East along said north line 40.44
 142.4 feet to the point of beginning of the line; thence South 09 degrees 19 minutes 19 seconds
 142.5 East 148 feet, more or less, to said right-of-way line and said line there terminating. Surface
 142.6 only (parcel 570-0021-00112).

142.7 (d) The county has determined that the county's land management interests would best
 142.8 be served if the lands were returned to private ownership.

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

142.10 Sec. 145. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
 142.11 **WATER; WADENA COUNTY.**

142.12 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
 142.13 resources may sell by public sale the surplus land bordering public water that is described
 142.14 in paragraph (c).

142.15 (b) The commissioner may make necessary changes to the legal description to correct
 142.16 errors and ensure accuracy.

142.17 (c) The land that may be sold is located in Wadena County and is described as: the
 142.18 Northeast Quarter of the Southwest Quarter of Section 26, Township 136 North, Range 34
 142.19 West, Wadena County, Minnesota, except that part described as follows:

142.20 Beginning at the northeast corner of said Northeast Quarter of the Southwest Quarter;
 142.21 thence West 10 rods; thence South 8 rods; thence East 10 rods; thence North 8 rods to
 142.22 the point of beginning and there terminating.

142.23 (d) The land borders the Redeye River. The Department of Natural Resources has
 142.24 determined that the land is not needed for natural resource purposes and that the state's land
 142.25 management interests would best be served if the land were returned to private ownership.

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

142.27 Sec. 146. **RIVERLANDS STATE FOREST; BOUNDARIES.**

142.28 [89.021] [Subd. 42a.] **Riverlands State Forest.** The following areas are designated as
 142.29 the Riverlands State Forest:

275.23 135 and lying westerly of the following described line: commencing at the northeast corner
 275.24 of Government Lot 3; thence South 89 degrees 46 minutes 22 seconds West along the north
 275.25 line of Government Lot 3 558.28 feet; thence South 27 degrees 50 minutes 01 second West
 275.26 102.75 feet; thence South 41 degrees 51 minutes 46 seconds West 452.29 feet; thence South
 275.27 28 degrees 19 minutes 22 seconds West 422.74 feet; thence South 30 degrees 55 minutes
 275.28 42 seconds West 133.79 feet; thence southwesterly 210.75 feet along a tangential curve
 275.29 concave to the southeast having a radius of 300 feet and a central angle of 40 degrees 15
 275.30 minutes 00 seconds; thence South 09 degrees 19 minutes 19 seconds East tangent to said
 275.31 curve 100.30 feet, more or less, to the north line of said Southeast Quarter of the Northwest
 275.32 Quarter; thence North 89 degrees 09 minutes 31 seconds East along said north line 40.44
 275.33 feet to the point of beginning of the line; thence South 09 degrees 19 minutes 19 seconds
 276.1 East 148 feet, more or less, to said right-of-way line and said line there terminating. Surface
 276.2 only (parcel 570-0021-00112).

276.3 (d) The county has determined that the county's land management interests would best
 276.4 be served if the lands were returned to private ownership.

277.27 Sec. 27. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**
 277.28 **WATER; WADENA COUNTY.**

277.29 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
 277.30 resources may sell by public sale the surplus land bordering public water that is described
 277.31 in paragraph (c).

278.1 (b) The commissioner may make necessary changes to the legal description to correct
 278.2 errors and ensure accuracy.

278.3 (c) The land that may be sold is located in Wadena County and is described as: the
 278.4 Northeast Quarter of the Southwest Quarter of Section 26, Township 136 North, Range 34
 278.5 West, Wadena County, Minnesota, except that part described as follows:

278.6 Beginning at the northeast corner of said Northeast Quarter of the Southwest Quarter;
 278.7 thence West 10 rods; thence South 8 rods; thence East 10 rods; thence North 8 rods to
 278.8 the point of beginning and there terminating.

278.9 (d) The land borders the Redeye River. The Department of Natural Resources has
 278.10 determined that the land is not needed for natural resource purposes and that the state's land
 278.11 management interests would best be served if the land were returned to private ownership.

255.18 Sec. 14. **RIVERLANDS STATE FOREST; BOUNDARIES.**

255.19 [89.021] [Subd. 42a.] **Riverlands State Forest.** The following areas are designated as
 255.20 the Riverlands State Forest:

142.30 (1) those parts of Carlton County in Township 49 North, Range 16 West, described as
 142.31 follows:

143.1 (i) Government Lots 4, 5, and 6, the westerly 50 feet of Government Lot 3, the easterly
 143.2 50 feet of Government Lot 8, and Government Lot 7 except that part conveyed to the State
 143.3 of Minnesota for highway right-of-way, Section 30;

143.4 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 and all of Government Lot
 143.5 14 except the North 890 feet of the West 765 feet and except the railroad right-of-way,
 143.6 Section 31; and

143.7 (iii) the South Half of the Northwest Quarter and the Southwest Quarter of Section 32;

143.8 (2) those parts of St. Louis County in Township 50 North, Range 17 West, described as
 143.9 follows:

143.10 (i) Government Lots 1, 2, 3, and 6 and the Southeast Quarter of the Northwest Quarter
 143.11 of Section 7;

143.12 (ii) Government Lots 1, 2, and 3, that part of the Northeast Quarter of the Northeast
 143.13 Quarter lying south of Township Road 5703, the Northwest Quarter of the Northwest
 143.14 Quarter, the Northeast Quarter of the Southeast Quarter, the Southwest Quarter of the
 143.15 Southeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter
 143.16 of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, Section 15;

143.17 (iii) Government Lots 1, 2, 3, and 4, Section 16;

143.18 (iv) Government Lots 1, 2, 3, and 4, Section 17;

143.19 (v) Government Lots 1 and 2, Section 18;

143.20 (vi) Government Lots 3, 7, 8, and 9, Section 22;

143.21 (vii) that part of the Southwest Quarter of the Southwest Quarter lying within 50 feet of
 143.22 the St. Louis River in Section 23;

143.23 (viii) Government Lots 11 and 12 and that part of Government Lot 6 lying South of the
 143.24 North 700 feet, except the railroad right-of-way, Section 26; and

143.25 (ix) Government Lot 3 in Section 27;

143.26 (3) those parts of St. Louis County in Township 50 North, Range 18 West, described as
 143.27 follows:

143.28 (i) Government Lots 2, 3, 4, 7, 9, and 10, the Southwest Quarter of the Northeast Quarter,
 143.29 the Southeast Quarter of the Northwest Quarter, the Northwest Quarter of the Southeast
 143.30 Quarter, the Northeast Quarter of the Southwest Quarter, reserving a 66-foot-wide access
 143.31 easement across Government Lot 2 for access to Grantor's property in Section 31, Township

255.21 (1) those parts of Carlton County in Township 49 North, Range 16 West, described as
 255.22 follows:

255.23 (i) Government Lots 4, 5, and 6, the westerly 50 feet of Government Lot 3, the easterly
 255.24 50 feet of Government Lot 8, and Government Lot 7 except that part conveyed to the State
 255.25 of Minnesota for highway right-of-way, Section 30;

255.26 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 and all of Government Lot
 255.27 14 except the North 890 feet of the West 765 feet and except the railroad right-of-way,
 255.28 Section 31; and

255.29 (iii) the South Half of the Northwest Quarter and the Southwest Quarter of Section 32;

255.30 (2) those parts of St. Louis County in Township 50 North, Range 17 West, described as
 255.31 follows:

256.1 (i) Government Lots 1, 2, 3, and 6 and the Southeast Quarter of the Northwest Quarter
 256.2 of Section 7;

256.3 (ii) Government Lots 1, 2, and 3, that part of the Northeast Quarter of the Northeast
 256.4 Quarter lying south of Township Road 5703, the Northwest Quarter of the Northwest
 256.5 Quarter, the Northeast Quarter of the Southeast Quarter, the Southwest Quarter of the
 256.6 Southeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter
 256.7 of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, Section 15;

256.8 (iii) Government Lots 1, 2, 3, and 4, Section 16;

256.9 (iv) Government Lots 1, 2, 3, and 4, Section 17;

256.10 (v) Government Lots 1 and 2, Section 18;

256.11 (vi) Government Lots 3, 7, 8, and 9, Section 22;

256.12 (vii) that part of the Southwest Quarter of the Southwest Quarter lying within 50 feet of
 256.13 the St. Louis River in Section 23;

256.14 (viii) Government Lots 11 and 12 and that part of Government Lot 6 lying South of the
 256.15 North 700 feet except the railroad right-of-way, Section 26; and

256.16 (ix) Government Lot 3 in Section 27;

256.17 (3) those parts of St. Louis County in Township 50 North, Range 18 West, described as
 256.18 follows:

256.19 (i) Government Lots 2, 3, 4, 7, 9, and 10, the Southwest Quarter of the Northeast Quarter,
 256.20 the Southeast Quarter of the Northwest Quarter, the Northwest Quarter of the Southeast
 256.21 Quarter, the Northeast Quarter of the Southwest Quarter, reserving a 66-foot-wide access
 256.22 easement across Government Lot 2 for access to Grantor's property in Section 31, Township

144.1 51 North, Range 17 West, and that part of Government Lot 6, Section 1, and Government
 144.2 Lot 6, Section 2, described as follows:

144.3 Commencing at an iron pin at the centerline curve point of Trunk Highway No. 2, being
 144.4 the Minnesota Department of Transportation Station No. 2637 + 00, said point bears
 144.5 North 76 degrees 18 minutes 00 seconds West, assumed bearing 762.00 feet from the
 144.6 point of intersection of the tangent of said Trunk Highway No. 2, being an
 144.7 aluminum-capped monument on the cap of which are stamped the figures "2644 62.0"
 144.8 and the letters "PI," "Minn Highway Dept. Monument," thence South 13 degrees 42
 144.9 minutes 00 seconds West 100.00 feet along the prolongation of the radial line from said
 144.10 curve point, to the southerly right-of-way line of said Trunk Highway No. 2, the point
 144.11 of beginning of the tract to be herein described; thence easterly 622.50 feet along said
 144.12 southerly right-of-way line, along a nontangential curve, concave to the North, having
 144.13 a radius of 5,830.00 feet, a central angle of 6 degrees 07 minutes 04 seconds, and the
 144.14 chord of said curve bears South 79 degrees 21 minutes 32 seconds East; thence South
 144.15 26 degrees 25 minutes 57 seconds West 284.19 feet; thence South 88 degrees 07 minutes
 144.16 14 seconds West 769 feet, more or less, to the shore of the St. Louis River; thence
 144.17 northerly along said shore to its intersection with a line that bears North 76 degrees 18
 144.18 minutes 00 seconds West from the point of beginning; thence South 76 degrees 18
 144.19 minutes 00 seconds East 274 feet, more or less, to the point of beginning, Section 1; and

144.20 (ii) Government Lot 1, Section 12;

144.21 (4) those parts of St. Louis County in Township 51 North, Range 17 West, described as
 144.22 follows:

144.23 (i) Government Lots 3, 4, 5, 6, and 8, Section 3;

144.24 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Northwest Quarter of the
 144.25 Northeast Quarter, Southeast Quarter of the Northwest Quarter, and East Half of the Southeast
 144.26 Quarter, Section 9;

144.27 (iii) Government Lots 1, 2, 5, and 8 and the Southwest Quarter of the Southeast Quarter,
 144.28 Section 16;

144.29 (iv) Government Lots 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the Southeast
 144.30 Quarter of the Northwest Quarter of the Northwest Quarter, Section 20;

144.31 (v) Government Lot 1 and the Southwest Quarter of the Southwest Quarter, Section 29;

144.32 (vi) Government Lots 4, 5, 6, 7, 8, 9, 10, 11, and 12 and the Northeast Quarter of
 144.33 Southwest Quarter, Section 30; and

145.1 (vii) Government Lots 1, 2, 3, 4, 5, and 6, Section 31;

145.2 (5) those parts of St. Louis County in Township 51 North, Range 18 West, described as
 145.3 follows:

256.23 51 North, Range 17 West, and that part of Government Lot 6, Section 1, and Government
 256.24 Lot 6, Section 2, described as follows:

256.25 Commencing at an iron pin at the centerline curve point of Trunk Highway No. 2, being
 256.26 the Minnesota Department of Transportation Station No. 2637 + 00, said point bears
 256.27 North 76 degrees 18 minutes 00 seconds West, assumed bearing 762.00 feet from the
 256.28 point of intersection of the tangent of said Trunk Highway No. 2, being an
 256.29 aluminum-capped monument on the cap of which are stamped the figures "2644 62.0"
 256.30 and the letters "PI," "Minn Highway Dept. Monument," thence South 13 degrees 42
 256.31 minutes 00 seconds West 100.00 feet along the prolongation of the radial line from said
 256.32 curve point, to the southerly right-of-way line of said Trunk Highway No. 2, the point
 257.1 of beginning of the tract to be herein described; thence easterly 622.50 feet along said
 257.2 southerly right-of-way line, along a nontangential curve, concave to the North, having
 257.3 a radius of 5,830.00 feet, a central angle of 6 degrees 07 minutes 04 seconds, and the
 257.4 chord of said curve bears South 79 degrees 21 minutes 32 seconds East; thence South
 257.5 26 degrees 25 minutes 57 seconds West 284.19 feet; thence South 88 degrees 07 minutes
 257.6 14 seconds West 769 feet, more or less, to the shore of the St. Louis River; thence
 257.7 northerly along said shore to its intersection with a line that bears North 76 degrees 18
 257.8 minutes 00 seconds West from the point of beginning; thence South 76 degrees 18
 257.9 minutes 00 seconds East 274 feet, more or less, to the point of beginning, Section 1; and

257.10 (ii) Government Lot 1, Section 12;

257.11 (4) those parts of St. Louis County in Township 51 North, Range 17 West, described as
 257.12 follows:

257.13 (i) Government Lots 3, 4, 5, 6, and 8, Section 3;

257.14 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Northwest Quarter of the
 257.15 Northeast Quarter, Southeast Quarter of the Northwest Quarter, and East Half of the Southeast
 257.16 Quarter, Section 9;

257.17 (iii) Government Lots 1, 2, 5, and 8 and the Southwest Quarter of the Southeast Quarter,
 257.18 Section 16;

257.19 (iv) Government Lots 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the Southeast
 257.20 Quarter of the Northwest Quarter of the Northwest Quarter, Section 20;

257.21 (v) Government Lot 1 and the Southwest Quarter of the Southwest Quarter, Section 29;

257.22 (vi) Government Lots 4, 5, 6, 7, 8, 9, 10, 11, and 12 and the Northeast Quarter of
 257.23 Southwest Quarter, Section 30; and

257.24 (vii) Government Lots 1, 2, 3, 4, 5, and 6, Section 31;

257.25 (5) those parts of St. Louis County in Township 51 North, Range 18 West, described as
 257.26 follows:

145.4 (i) Government Lots 1 and 2, Section 27;
 145.5 (ii) Government Lot 1, Section 28, except railroad right-of-way;
 145.6 (iii) Government Lots 2, 3, and 4, Section 28;
 145.7 (iv) Government Lots 3 and 4, Section 29;
 145.8 (v) Government Lots 2, 3, and 4, Section 30;
 145.9 (vi) Government Lots 3 and 4, Section 35; and
 145.10 (vii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest
 145.11 Quarter, Northeast Quarter of the Southeast Quarter, Southeast Quarter of the Southeast
 145.12 Quarter, and Southwest Quarter of the Southeast Quarter, Section 36, reserving a
 145.13 66-foot-wide access easement across Government Lots 5 and 6 and the Southwest Quarter
 145.14 of the Southeast Quarter for access to Grantor's property in Section 31, Township 51 North,
 145.15 Range 17 West;
 145.16 (6) those parts of St. Louis County in Township 51 North, Range 19 West, described as
 145.17 follows:
 145.18 (i) that part of Government Lots 1, 2, and 3, Section 26, lying North of the St. Louis
 145.19 River and Government Lot 7, Section 28;
 145.20 (ii) Government Lot 8, Section 28, lying northerly of G.N. right-of-way and Government
 145.21 Lot 5, Section 30;
 145.22 (iii) Government Lots 7 and 10, Section 30, except right-of-way;
 145.23 (iv) Government Lot 9, Section 30; and
 145.24 (v) Government Lot 1, Section 31, lying northerly of the northerly railroad right-of-way
 145.25 line;
 145.26 (7) those parts of St. Louis County in Township 51 North, Range 20 West, described as
 145.27 follows:
 145.28 (i) Government Lot 2, Section 16;
 145.29 (ii) Government Lot 8, Section 22;
 145.30 (iii) Government Lot 3, Section 26;
 146.1 (iv) Government Lots 1, 2, 3, and 4, Section 36; and
 146.2 (v) Government Lots 6, 7, and 8, Section 36, except railroad right-of-way;
 146.3 (8) those parts of St. Louis County in Township 52 North, Range 15 West, described as
 146.4 follows:

257.27 (i) Government Lots 1 and 2, Section 27;
 257.28 (ii) Government Lot 1, Section 28, except railroad right-of-way;
 257.29 (iii) Government Lots 2, 3, and 4, Section 28;
 257.30 (iv) Government Lots 3 and 4, Section 29;
 257.31 (v) Government Lots 2, 3, and 4, Section 30;
 258.1 (vi) Government Lots 3 and 4, Section 35; and
 258.2 (vii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest
 258.3 Quarter, Northeast Quarter of the Southeast Quarter, Southeast Quarter of the Southeast
 258.4 Quarter, and Southwest Quarter of the Southeast Quarter, Section 36, reserving a
 258.5 66-foot-wide access easement across Government Lots 5 and 6 and the Southwest Quarter
 258.6 of the Southeast Quarter for access to Grantor's property in Section 31, Township 51 North,
 258.7 Range 17 West;
 258.8 (6) those parts of St. Louis County in Township 51 North, Range 19 West, described as
 258.9 follows:
 258.10 (i) that part of Government Lots 1, 2, and 3, Section 26, lying North of the St. Louis
 258.11 River and Government Lot 7, Section 28;
 258.12 (ii) Government Lot 8, Section 28, lying northerly of G.N. right-of-way and Government
 258.13 Lot 5, Section 30;
 258.14 (iii) Government Lots 7 and 10, Section 30, except right-of-way;
 258.15 (iv) Government Lot 9, Section 30; and
 258.16 (v) Government Lot 1, Section 31, lying northerly of the northerly railroad right-of-way
 258.17 line;
 258.18 (7) those parts of St. Louis County in Township 51 North, Range 20 West, described as
 258.19 follows:
 258.20 (i) Government Lot 2, Section 16;
 258.21 (ii) Government Lot 8, Section 22;
 258.22 (iii) Government Lot 3, Section 26;
 258.23 (iv) Government Lots 1, 2, 3, and 4, Section 36; and
 258.24 (v) Government Lots 6, 7, and 8, Section 36, except railroad right-of-way;
 258.25 (8) those parts of St. Louis County in Township 52 North, Range 15 West, described as
 258.26 follows:

146.5 (i) Government Lots 3, 4, 5, and 6, Section 16;
 146.6 (ii) Government Lots 1, 2, 3, 4, 5, 7, and 8, Section 17, and Government Lot 6, Section
 146.7 17, except the West 330 feet; and
 146.8 (iii) Government Lots 3, 4, 5, 6, and 7, Section 19;
 146.9 (9) those parts of St. Louis County in Township 52 North, Range 16 West, described as
 146.10 follows:
 146.11 (i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter,
 146.12 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,
 146.13 Section 21;
 146.14 (ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the
 146.15 Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;
 146.16 (iii) Government Lot 3, Section 23;
 146.17 (iv) Government Lot 2, Section 24;
 146.18 (v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;
 146.19 (vi) Government Lot 1, Section 26;
 146.20 (vii) Government Lots 2 and 7, Section 26;
 146.21 (viii) Government Lots 3 and 4, Section 27, reserving unto Grantor and Grantor's
 146.22 successors and assigns a 66-foot-wide access road easement across said Government Lot 3
 146.23 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's
 146.24 presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section
 146.25 27, said access road being measured 33 feet from each side of the centerline of that road
 146.26 that is presently existing at various widths and running in a generally
 146.27 southwesterly-northeasterly direction;
 146.28 (ix) Government Lots 1 and 2, Section 28;
 146.29 (x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter
 146.30 and Southwest Quarter of the Northeast Quarter, Section 29;
 147.1 (xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto Grantor and Grantor's
 147.2 successors and assigns a 66-foot-wide access road easement across said Government Lots
 147.3 1, 2, and 3 for the purpose of access to Grantor's or Grantor's successors or assigns land and
 147.4 Grantor's presently owned lands that may be sold, assigned, or transferred in Government
 147.5 Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline
 147.6 of that road that is presently existing at various widths and running in a generally East-West
 147.7 direction and any future extensions thereof as may be reasonably necessary to provide the
 147.8 access contemplated herein;

258.27 (i) Government Lots 3, 4, 5, and 6, Section 16;
 258.28 (ii) Government Lots 1, 2, 3, 4, 5, 7, and 8, Section 17, and Government Lot 6, Section
 258.29 17, except the West 330 feet; and
 258.30 (iii) Government Lots 3, 4, 5, 6, and 7, Section 19;
 259.1 (9) those parts of St. Louis County in Township 52 North, Range 16 West, described as
 259.2 follows:
 259.3 (i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter,
 259.4 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,
 259.5 Section 21;
 259.6 (ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the
 259.7 Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;
 259.8 (iii) Government Lot 3, Section 23;
 259.9 (iv) Government Lot 2, Section 24;
 259.10 (v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;
 259.11 (vi) Government Lot 1, Section 26;
 259.12 (vii) Government Lots 2 and 7, Section 26;
 259.13 (viii) Government Lots 3 and 4, Section 27, reserving unto Grantor and Grantor's
 259.14 successors and assigns a 66-foot-wide access road easement across said Government Lot 3
 259.15 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's
 259.16 presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section
 259.17 27, said access road being measured 33 feet from each side of the centerline of that road
 259.18 that is presently existing at various widths and running in a generally
 259.19 southwesterly-northeasterly direction;
 259.20 (ix) Government Lots 1 and 2, Section 28;
 259.21 (x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter
 259.22 and Southwest Quarter of the Northeast Quarter, Section 29;
 259.23 (xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto Grantor and Grantor's
 259.24 successors and assigns a 66-foot-wide access road easement across said Government Lots
 259.25 1, 2, and 3 for the purpose of access to Grantor's or Grantor's successors or assigns land and
 259.26 Grantor's presently owned lands that may be sold, assigned, or transferred in Government
 259.27 Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline
 259.28 of that road that is presently existing at various widths and running in a generally East-West
 259.29 direction and any future extensions thereof as may be reasonably necessary to provide the
 259.30 access contemplated herein;

147.9 (xii) Government Lots 5, 7, 8, and 9, Section 31;

147.10 (xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter
 147.11 of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the
 147.12 Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the
 147.13 Northwest Quarter, Section 32, reserving unto Grantor and Grantor's successors and assigns
 147.14 an access road easement across the West 66 feet of the North 66 feet of said Government
 147.15 Lot 1 for the purpose of access to Grantor's or Grantor's successors or assigns land and
 147.16 Grantor's presently owned land that may be sold, assigned, or transferred in Government
 147.17 Lot 4, Section 29; and

147.18 (xiv) Northeast Quarter of Northeast Quarter, Section 35;

147.19 (10) those parts of St. Louis County in Township 52 North, Range 17 West, described
 147.20 as follows:

147.21 (i) the Southwest Quarter of the Southeast Quarter and Southeast Quarter of the Southwest
 147.22 Quarter, Section 24, reserving unto Grantor and Grantor's successors and assigns a
 147.23 66-foot-wide access road easement across said Southwest Quarter of the Southeast Quarter
 147.24 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's
 147.25 presently owned land that may be sold, assigned, or transferred in Government Lot 4, Section
 147.26 29, Township 52 North, Range 16 West, said access road being measured 33 feet from each
 147.27 side of the centerline of that road that is presently existing at various widths and running in
 147.28 a generally North-South direction;

147.29 (ii) Government Lots 2, 3, 4, 5, and 7 and the Southwest Quarter of the Northeast Quarter,
 147.30 Section 25, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide
 147.31 access road easement across said Government Lots 2 and 5 for the purpose of access to
 147.32 Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that
 147.33 may be sold, assigned, or transferred in Government Lot 6, Section 25, said access road
 147.34 being measured 33 feet from each side of the centerline of that road that is presently existing
 148.1 at various widths and running in a generally northwesterly-southeasterly direction and any
 148.2 future extensions thereof as may be reasonably necessary to provide the access contemplated
 148.3 herein;

148.4 (iii) Government Lots 2, 4, 5, and 6 and all that part of Government Lot 3 lying East of
 148.5 U.S. Highway 53, Section 26, reserving unto Grantor and Grantor's successors and assigns
 148.6 a 66-foot-wide access road easement across said Government Lots 2 and 3 for the purpose
 148.7 of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned
 148.8 land that may be sold, assigned, or transferred in Government Lot 1, Section 26, said access
 148.9 road being measured 33 feet from each side of the centerline of that road that is presently
 148.10 existing at various widths and running in a generally southwesterly-northeasterly direction
 148.11 and reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road
 148.12 easement across said Government Lots 4, 5, and 6 for the purpose of access to Grantor's or
 148.13 Grantor's successors or assigns land and Grantor's presently owned land that may be sold,
 148.14 assigned, or transferred in Government Lot 6, Section 25, said access road being measured

259.31 (xii) Government Lots 5, 7, 8, and 9, Section 31;

260.1 (xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter
 260.2 of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the
 260.3 Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the
 260.4 Northwest Quarter, Section 32, reserving unto Grantor and Grantor's successors and assigns
 260.5 an access road easement across the West 66 feet of the North 66 feet of said Government
 260.6 Lot 1 for the purpose of access to Grantor's or Grantor's successors or assigns land and
 260.7 Grantor's presently owned land that may be sold, assigned, or transferred in Government
 260.8 Lot 4, Section 29; and

260.9 (xiv) Northeast Quarter of Northeast Quarter, Section 35;

260.10 (10) those parts of St. Louis County in Township 52 North, Range 17 West, described
 260.11 as follows:

260.12 (i) the Southwest Quarter of the Southeast Quarter and Southeast Quarter of the Southwest
 260.13 Quarter, Section 24, reserving unto Grantor and Grantor's successors and assigns a
 260.14 66-foot-wide access road easement across said Southwest Quarter of the Southeast Quarter
 260.15 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's
 260.16 presently owned land that may be sold, assigned, or transferred in Government Lot 4, Section
 260.17 29, Township 52 North, Range 16 West, said access road being measured 33 feet from each
 260.18 side of the centerline of that road that is presently existing at various widths and running in
 260.19 a generally North-South direction;

260.20 (ii) Government Lots 2, 3, 4, 5, and 7 and the Southwest Quarter of the Northeast Quarter,
 260.21 Section 25, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide
 260.22 access road easement across said Government Lots 2 and 5 for the purpose of access to
 260.23 Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that
 260.24 may be sold, assigned, or transferred in Government Lot 6, Section 25, said access road
 260.25 being measured 33 feet from each side of the centerline of that road that is presently existing
 260.26 at various widths and running in a generally northwesterly-southeasterly direction and any
 260.27 future extensions thereof as may be reasonably necessary to provide the access contemplated
 260.28 herein;

260.29 (iii) Government Lots 2, 4, 5, and 6 and all that part of Government Lot 3 lying East of
 260.30 U.S. Highway 53, Section 26, reserving unto Grantor and Grantor's successors and assigns
 260.31 a 66-foot-wide access road easement across said Government Lots 2 and 3 for the purpose
 260.32 of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned
 260.33 land that may be sold, assigned, or transferred in Government Lot 1, Section 26, said access
 260.34 road being measured 33 feet from each side of the centerline of that road that is presently
 261.1 existing at various widths and running in a generally southwesterly-northeasterly direction
 261.2 and reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road
 261.3 easement across said Government Lots 4, 5, and 6 for the purpose of access to Grantor's or
 261.4 Grantor's successors or assigns land and Grantor's presently owned land that may be sold,
 261.5 assigned, or transferred in Government Lot 6, Section 25, said access road being measured

148.15 33 feet from each side of the centerline of that road that is presently existing at various
 148.16 widths and running in a generally southwesterly-northeasterly direction and any future
 148.17 extensions thereof as may be reasonably necessary to provide the access contemplated
 148.18 herein; and

148.19 (iv) Government Lots 1, 2, and 3, Section 36, reserving unto Grantor and Grantor's
 148.20 successors and assigns an access road easement across the West 66 feet of said Government
 148.21 Lot 2 for the purpose of access to Grantor's or Grantor's successors or assigns land and
 148.22 Grantor's presently owned land that may be sold, assigned, or transferred in the Southwest
 148.23 Quarter of the Northeast Quarter, Section 36;

148.24 (11) those parts of St. Louis County in Township 52 North, Range 19 West, described
 148.25 as follows:

148.26 (i) Government Lot 1, Section 16;
 148.27 (ii) Government Lots 1 and 2, Section 17; and

148.28 (iii) Government Lot 1, Section 19;

148.29 (12) those parts of St. Louis County in Township 52 North, Range 20 West, described
 148.30 as follows:

148.31 (i) Government Lots 2, 3, and 4, Section 13;

148.32 (ii) Government Lot 6, Section 24;

148.33 (iii) that part of Government Lot 8, Section 24, described as follows:

149.1 Commencing at the West Quarter corner of said Section 24, which is also the northwest
 149.2 corner of Government Lot 8; thence South 01 degree 36 minutes 01 second East (bearing
 149.3 assigned) 1,230.11 feet along the west line of Government Lot 8 to the centerline of St.
 149.4 Louis County Highway 29 and the point of beginning; thence North 46 degrees 59
 149.5 minutes 59 seconds East along said centerline 445.91 feet; thence South 43 degrees 00
 149.6 minutes 01 second East 82.57 feet to an iron pipe monument on the westerly bank of
 149.7 the St. Louis River; thence continuing South 43 degrees 00 minutes 01 second East 30
 149.8 feet, more or less, to the water's edge of the St. Louis River; thence southwesterly along
 149.9 said water's edge to the west line of said Government Lot 8; thence North 01 degree 36
 149.10 minutes 01 second West along the west line of said Government Lot 8 to the point of
 149.11 beginning;

149.12 (iv) Government Lots 3, 4, and 5 and the Southeast Quarter of the Southwest Quarter,
 149.13 Section 26; and

149.14 (v) Government Lots 1, 2, 3, and 4, Section 34;

149.15 (13) those parts of St. Louis County in Township 53 North, Range 13 West, described
 149.16 as follows:

261.6 33 feet from each side of the centerline of that road that is presently existing at various
 261.7 widths and running in a generally southwesterly-northeasterly direction and any future
 261.8 extensions thereof as may be reasonably necessary to provide the access contemplated
 261.9 herein; and

261.10 (iv) Government Lots 1, 2, and 3, Section 36, reserving unto Grantor and Grantor's
 261.11 successors and assigns an access road easement across the West 66 feet of said Government
 261.12 Lot 2 for the purpose of access to Grantor's or Grantor's successors or assigns land and
 261.13 Grantor's presently owned land that may be sold, assigned, or transferred in the Southwest
 261.14 Quarter of the Northeast Quarter, Section 36;

261.15 (11) those parts of St. Louis County in Township 52 North, Range 19 West, described
 261.16 as follows:

261.17 (i) Government Lot 1, Section 16;

261.18 (ii) Government Lots 1 and 2, Section 17; and

261.19 (iii) Government Lot 1, Section 19;

261.20 (12) those parts of St. Louis County in Township 52 North, Range 20 West, described
 261.21 as follows:

261.22 (i) Government Lots 2, 3, and 4, Section 13;

261.23 (ii) Government Lot 6, Section 24;

261.24 (iii) that part of Government Lot 8, Section 24, described as follows:

261.25 Commencing at the West Quarter corner of said Section 24, which is also the northwest
 261.26 corner of Government Lot 8; thence South 01 degree 36 minutes 01 second East (bearing
 261.27 assigned) 1,230.11 feet along the west line of Government Lot 8 to the centerline of St.
 261.28 Louis County Highway 29 and the point of beginning; thence North 46 degrees 59
 261.29 minutes 59 seconds East along said centerline 445.91 feet; thence South 43 degrees 00
 261.30 minutes 01 second East 82.57 feet to an iron pipe monument on the westerly bank of
 261.31 the St. Louis River; thence continuing South 43 degrees 00 minutes 01 second East 30
 261.32 feet, more or less, to the water's edge of the St. Louis River; thence southwesterly along
 261.33 said water's edge to the west line of said Government Lot 8; thence North 01 degree 36
 262.1 minutes 01 second West along the west line of said Government Lot 8 to the point of
 262.2 beginning;

262.3 (iv) Government Lots 3, 4, and 5 and the Southeast Quarter of the Southwest Quarter,
 262.4 Section 26; and

262.5 (v) Government Lots 1, 2, 3, and 4, Section 34;

262.6 (13) those parts of St. Louis County in Township 53 North, Range 13 West, described
 262.7 as follows:

149.17 (i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West
 149.18 of the Little Cloquet River, Section 4;

149.19 (ii) Government Lots 1, 2, 3, 4, and 5, the Northeast Quarter of the Northeast Quarter,
 149.20 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,
 149.21 Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter,
 149.22 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter,
 149.23 Section 5;

149.24 (iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter,
 149.25 Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter,
 149.26 Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,
 149.27 Section 6;

149.28 (iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast
 149.29 Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest
 149.30 Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest
 149.31 Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest
 149.32 Quarter, Section 7;

150.1 (v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,
 150.2 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,
 150.3 Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,
 150.4 Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest
 150.5 Quarter, Section 8;

150.6 (vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest
 150.7 Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest
 150.8 Quarter, Section 17;

150.9 (vii) Government Lots 1 and 4, Section 29;

150.10 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,
 150.11 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,
 150.12 Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest Quarter,
 150.13 Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest Quarter,
 150.14 Section 30; and

150.15 (ix) Government Lots 1, 2, 3, and 4, Section 31;

150.16 (14) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Section 36, Township 53 North,
 150.17 Range 14 West, St. Louis County;

150.18 (15) those parts of St. Louis County in Township 53 North, Range 18 West, described
 150.19 as follows:

150.20 (i) Government Lots 3, 6, 7, and 8, Section 6; and

262.8 (i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West
 262.9 of the Little Cloquet River, Section 4;

262.10 (ii) Government Lots 1, 2, 3, 4, and 5, the Northeast Quarter of the Northeast Quarter,
 262.11 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,
 262.12 Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter,
 262.13 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter,
 262.14 Section 5;

262.15 (iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter,
 262.16 Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter,
 262.17 Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,
 262.18 Section 6;

262.19 (iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast
 262.20 Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest
 262.21 Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest
 262.22 Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest
 262.23 Quarter, Section 7;

262.24 (v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,
 262.25 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,
 262.26 Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,
 262.27 Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest
 262.28 Quarter, Section 8;

262.29 (vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest
 262.30 Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest
 262.31 Quarter, Section 17;

262.32 (vii) Government Lots 1 and 4, Section 29;

263.1 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,
 263.2 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,
 263.3 Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest Quarter,
 263.4 Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest Quarter,
 263.5 Section 30; and

263.6 (ix) Government Lots 1, 2, 3, and 4, Section 31;

263.7 (14) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Section 36, Township 53 North,
 263.8 Range 14 West, St. Louis County;

263.9 (15) those parts of St. Louis County in Township 53 North, Range 18 West, described
 263.10 as follows:

263.11 (i) Government Lots 3, 6, 7, and 8, Section 6; and

150.21 (ii) Government Lots 1 and 2, Section 7;

150.22 (16) those parts of St. Louis County in Township 53 North, Range 19 West, described
150.23 as follows:

150.24 (i) all that part of Government Lot 5 lying within 50 feet of the St. Louis River, Section
150.25 5, and Government Lots 1, 2, 5, 6, 7, and 8, Section 12;

150.26 (ii) Government Lots 1, 2, 3, 5, 8, and 9, Section 13;

150.27 (iii) all that portion of Government Lot 1, Section 23, that lies within 50 feet of the East
150.28 bank of the Whiteface River at mean stage of water;

150.29 (iv) all that portion of Government Lots 2, 4, and 5, Section 23, that lies within 50 feet
150.30 of the West bank of the Whiteface River at mean stage of water;

151.1 (v) all that part of Government Lot 7, Section 23, lying West of the former DM&IR
151.2 railroad right-of-way;

151.3 (vi) Government Lots 8 and 10, Section 23;

151.4 (vii) all that part of the Northwest Quarter of the Southeast Quarter, Section 23, lying
151.5 West of the former DM&IR railroad right-of-way;

151.6 (viii) Government Lots 5, 7, and 8, Section 31; and

151.7 (ix) Government Lot 5, Section 33;

151.8 (17) those parts of St. Louis County in Township 54 North, Range 13 West, described
151.9 as follows:

151.10 (i) Government Lots 1, 4, 5, 6, and 7, Section 20;

151.11 (ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter,
151.12 Section 21;

151.13 (iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;

151.14 (iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and

151.15 (v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter,
151.16 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,
151.17 Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter,
151.18 Section 31;

151.19 (18) those parts of St. Louis County in Township 54 North, Range 16 West, described
151.20 as follows:

263.12 (ii) Government Lots 1 and 2, Section 7;

263.13 (16) those parts of St. Louis County in Township 53 North, Range 19 West, described
263.14 as follows:

263.15 (i) all that part of Government Lot 5 lying within 50 feet of the St. Louis River, Section
263.16 5, and Government Lots 1, 2, 5, 6, 7, and 8, Section 12;

263.17 (ii) Government Lots 1, 2, 3, 5, 8, and 9, Section 13;

263.18 (iii) all that portion of Government Lot 1, Section 23, that lies within 50 feet of the East
263.19 bank of the Whiteface River at mean stage of water;

263.20 (iv) all that portion of Government Lots 2, 4, and 5, Section 23, that lies within 50 feet
263.21 of the West bank of the Whiteface River at mean stage of water;

263.22 (v) all that part of Government Lot 7, Section 23, lying West of the former DM&IR
263.23 railroad right-of-way;

263.24 (vi) Government Lots 8 and 10, Section 23;

263.25 (vii) all that part of the Northwest Quarter of the Southeast Quarter, Section 23, lying
263.26 West of the former DM&IR railroad right-of-way;

263.27 (viii) Government Lots 5, 7, and 8, Section 31; and

263.28 (ix) Government Lot 5, Section 33;

263.29 (17) those parts of St. Louis County in Township 54 North, Range 13 West, described
263.30 as follows:

264.1 (i) Government Lots 1, 4, 5, 6, and 7, Section 20;

264.2 (ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter,
264.3 Section 21;

264.4 (iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;

264.5 (iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and

264.6 (v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter,
264.7 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,
264.8 Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter,
264.9 Section 31;

264.10 (18) those parts of St. Louis County in Township 54 North, Range 16 West, described
264.11 as follows:

151.21 (i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter,
 151.22 Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter,
 151.23 and Southwest Quarter of the Northeast Quarter, Section 1;

151.24 (ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast
 151.25 Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast
 151.26 Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest
 151.27 Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;

151.28 (iii) all that part of Government Lot 9 lying South of the Whiteface River and West of
 151.29 County Road 547, also known as Comstock Lake Road, Section 3; and

151.30 (iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and
 151.31 Southwest Quarter of the Northeast Quarter, Section 10;

152.1 (19) those parts of St. Louis County in Township 54 North, Range 18 West, described
 152.2 as follows:

152.3 (i) the South Half of the Southwest Quarter, except the railroad right-of-way, Section
 152.4 15;

152.5 (ii) Government Lot 2, except the North 660 feet of the East 990 feet, Section 16;

152.6 (iii) Government Lots 1, 3, 4, 5, 6, 7, and 8, Section 16;

152.7 (iv) Government Lot 3, Section 20;

152.8 (v) Government Lots 1, 2, 3, 4, and 5, Section 21;

152.9 (vi) Government Lots 1, 4, 5, and 7, Section 22;

152.10 (vii) those parts of Government Lots 2 and 9, except railroad right-of-way, Section 22;

152.11 (viii) all that part of Government Lot 6, Section 22, lying West of the Duluth Mesaba
 152.12 and Northern Railway Company's right-of-way;

152.13 (ix) Government Lot 9, Section 22, except the following parcels:

152.14 (A) beginning at a point where the south line of company road, called Kelsey Road,
 152.15 intersects with the west line of the right-of-way of the Duluth, Missabe and Northern Railway
 152.16 on the Northeast Quarter of the Southeast Quarter, Section 22, Township 54, Range 18;
 152.17 thence West along the south line of said company road 627 feet; thence South 348 1/3 feet;
 152.18 thence East 627 feet to the west line of the right-of-way of the Duluth, Missabe and Northern
 152.19 Railway; thence North on the west line of said right-of-way 348 1/3 feet to commencement;

152.20 (B) beginning at the quarter corner between Sections 22 and 23, Township 54, Range
 152.21 18; thence running North along the section line 114 feet, 6 inches, to the south line of Kelsey
 152.22 Road; thence northwesterly along the south line of Kelsey Road 348 feet, 8 inches, to the
 152.23 boundary of the right-of-way of the Duluth, Missabe and Northern Railway, thence South
 152.24 along the easterly boundary of the right-of-way of the Duluth, Missabe and Northern Railway

264.12 (i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter,
 264.13 Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter,
 264.14 and Southwest Quarter of the Northeast Quarter, Section 1;

264.15 (ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast
 264.16 Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast
 264.17 Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest
 264.18 Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;

264.19 (iii) all that part of Government Lot 9 lying South of the Whiteface River and West of
 264.20 County Road 547, also known as Comstock Lake Road, Section 3; and

264.21 (iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and
 264.22 Southwest Quarter of the Northeast Quarter, Section 10;

264.23 (19) those parts of St. Louis County in Township 54 North, Range 18 West, described
 264.24 as follows:

264.25 (i) the South Half of the Southwest Quarter, except the railroad right-of-way, Section
 264.26 15;

264.27 (ii) Government Lot 2, except the North 660 feet of the East 990 feet, Section 16;

264.28 (iii) Government Lots 1, 3, 4, 5, 6, 7, and 8, Section 16;

264.29 (iv) Government Lot 3, Section 20;

264.30 (v) Government Lots 1, 2, 3, 4, and 5, Section 21;

264.31 (vi) Government Lots 1, 4, 5, and 7, Section 22;

265.1 (vii) those parts of Government Lots 2 and 9, except railroad right-of-way, Section 22;

265.2 (viii) all that part of Government Lot 6, Section 22, lying West of the Duluth Mesaba
 265.3 and Northern Railway Company's right-of-way;

265.4 (ix) Government Lot 9, Section 22, except the following parcels:

265.5 (A) beginning at a point where the south line of company road, called Kelsey Road,
 265.6 intersects with the west line of the right-of-way of the Duluth, Missabe and Northern Railway
 265.7 on the Northeast Quarter of the Southeast Quarter, Section 22, Township 54, Range 18;
 265.8 thence West along the south line of said company road 627 feet; thence South 348 1/3 feet;
 265.9 thence East 627 feet to the west line of the right-of-way of the Duluth, Missabe and Northern
 265.10 Railway; thence North on the west line of said right-of-way 348 1/3 feet to commencement;

265.11 (B) beginning at the quarter corner between Sections 22 and 23, Township 54, Range
 265.12 18; thence running North along the section line 114 feet, 6 inches, to the south line of Kelsey
 265.13 Road; thence northwesterly along the south line of Kelsey Road 348 feet, 8 inches, to the
 265.14 boundary of the right-of-way of the Duluth, Missabe and Northern Railway, thence South
 265.15 along the easterly boundary of the right-of-way of the Duluth, Missabe and Northern Railway

152.25 274 feet to the quarter line on Section 22; thence easterly along said quarter line 304 feet,
 152.26 6 inches, to the point of beginning; and

152.27 (C) commencing at the southwest corner of Riverside Cemetery as recorded in "P" of
 152.28 Plats, Page 15; thence easterly along the south line of said cemetery to a point where said
 152.29 cemetery line intersects the westerly line of Highway No. 7, also known as Mesaba Trunk
 152.30 Highway; thence southerly along the westerly line of said Highway No. 7 to a point where
 152.31 said westerly line of said Highway No. 7 intersects the south line of Lot 9, Section 22,
 152.32 Township 54, Range 18; thence westerly along the southerly line of said Lot 9 to a point
 153.1 where the southerly line intersects the easterly line of the DM & N Railway Company's
 153.2 right-of-way; thence northerly along the easterly side of said DM & N Railway Company's
 153.3 right-of-way to beginning;

153.4 (x) Government Lots 2, 3, 4, 5, 6, 7, and 8, Section 29;

153.5 (xi) Government Lots 5 and 6, Section 30; and

153.6 (xii) Government Lots 3, 4, 5, 6, 9, 10, 11, and 12, Section 31;

153.7 (20) those parts of St. Louis County in Township 54 North, Range 19 West, described
 153.8 as follows:

153.9 (i) Government Lots 5, 6, 7, 8, and 9, Section 5;

153.10 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 8;

153.11 (iii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 20;

153.12 (iv) Government Lots 2 and 3, Section 29;

153.13 (v) Government Lot 1, Section 32;

153.14 (vi) Government Lot 5, except the South 1,320 feet, Section 32; and

153.15 (vii) Government Lot 2, Section 33;

153.16 (21) those parts of St. Louis County in Township 55 North, Range 15 West, described
 153.17 as follows:

153.18 (i) Governments Lot 1 and 2, Section 11;

153.19 (ii) Government Lot 9, except Highway 4 right-of-way, Section 11;

153.20 (iii) Government Lot 10, except Highway 4 right-of-way, Section 11;

153.21 (iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;

153.22 (v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of Southwest Quarter,
 153.23 Section 21;

265.16 274 feet to the quarter line on Section 22; thence easterly along said quarter line 304 feet,
 265.17 6 inches, to the point of beginning; and

265.18 (C) commencing at the southwest corner of Riverside Cemetery as recorded in "P" of
 265.19 Plats, Page 15; thence easterly along the south line of said cemetery to a point where said
 265.20 cemetery line intersects the westerly line of Highway No. 7, also known as Mesaba Trunk
 265.21 Highway; thence southerly along the westerly line of said Highway No. 7 to a point where
 265.22 said westerly line of said Highway No. 7 intersects the south line of Lot 9, Section 22,
 265.23 Township 54, Range 18; thence westerly along the southerly line of said Lot 9 to a point
 265.24 where the southerly line intersects the easterly line of the DM & N Railway Company's
 265.25 right-of-way; thence northerly along the easterly side of said DM & N Railway Company's
 265.26 right-of-way to beginning;

265.27 (x) Government Lots 2, 3, 4, 5, 6, 7, and 8, Section 29;

265.28 (xi) Government Lots 5 and 6, Section 30; and

265.29 (xii) Government Lots 3, 4, 5, 6, 9, 10, 11, and 12, Section 31;

265.30 (20) those parts of St. Louis County in Township 54 North, Range 19 West, described
 265.31 as follows:

265.32 (i) Government Lots 5, 6, 7, 8, and 9, Section 5;

266.1 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 8;

266.2 (iii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 20;

266.3 (iv) Government Lots 2 and 3, Section 29;

266.4 (v) Government Lot 1, Section 32;

266.5 (vi) Government Lot 5, except the South 1,320 feet, Section 32; and

266.6 (vii) Government Lot 2, Section 33;

266.7 (21) those parts of St. Louis County in Township 55 North, Range 15 West, described
 266.8 as follows:

266.9 (i) Governments Lot 1 and 2, Section 11;

266.10 (ii) Government Lot 9, except Highway 4 right-of-way, Section 11;

266.11 (iii) Government Lot 10, except Highway 4 right-of-way, Section 11;

266.12 (iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;

266.13 (v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of Southwest Quarter,
 266.14 Section 21;

153.24 (vi) the Southwest Quarter of the Northeast Quarter, reserving unto Grantor and Grantor's
 153.25 successors and assigns a 66-foot-wide access easement across said Southwest Quarter of
 153.26 the Northeast Quarter for the purpose of access to Grantor's or Grantor's successors or
 153.27 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred
 153.28 in Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road
 153.29 being measured 33 feet on each side of the centerline of that road that is presently existing
 153.30 and known as the Whiteface Truck Trail, Section 21;

154.1 (vii) Government Lots 1, 2, and 3, Section 22;

154.2 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter,
 154.3 Section 28;

154.4 (ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter,
 154.5 Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter,
 154.6 Section 29;

154.7 (x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter,
 154.8 Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter,
 154.9 Section 30;

154.10 (xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the
 154.11 Southwest Quarter, Section 31; and

154.12 (xii) Government Lot 1, Section 32;

154.13 (22) those parts of St. Louis County in Township 55 North, Range 16 West, described
 154.14 as follows:

154.15 (i) the Southwest Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's
 154.16 successors and assigns a 66-foot-wide access road easement across said Southwest Quarter
 154.17 of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or
 154.18 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred
 154.19 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and

154.20 (ii) the Southeast Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's
 154.21 successors and assigns a 66-foot-wide access road easement across said Southeast Quarter
 154.22 of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or
 154.23 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred
 154.24 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35;

154.25 (23) those parts of St. Louis County in Township 55 North, Range 19 West, described
 154.26 as follows:

154.27 (i) an undivided two-thirds interest in Government Lot 1, Section 2;

154.28 (ii) Government Lots 2, 9, 10, and 12, Section 2;

266.15 (vi) the Southwest Quarter of the Northeast Quarter, reserving unto Grantor and Grantor's
 266.16 successors and assigns a 66-foot-wide access easement across said Southwest Quarter of
 266.17 the Northeast Quarter for the purpose of access to Grantor's or Grantor's successors or
 266.18 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred
 266.19 in Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road
 266.20 being measured 33 feet on each side of the centerline of that road that is presently existing
 266.21 and known as the Whiteface Truck Trail, Section 21;

266.22 (vii) Government Lots 1, 2, and 3, Section 22;

266.23 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter,
 266.24 Section 28;

266.25 (ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter,
 266.26 Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter,
 266.27 Section 29;

266.28 (x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter,
 266.29 Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter,
 266.30 Section 30;

267.1 (xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the
 267.2 Southwest Quarter, Section 31; and

267.3 (xii) Government Lot 1, Section 32;

267.4 (22) those parts of St. Louis County in Township 55 North, Range 16 West, described
 267.5 as follows:

267.6 (i) the Southwest Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's
 267.7 successors and assigns a 66-foot-wide access road easement across said Southwest Quarter
 267.8 of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or
 267.9 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred
 267.10 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and

267.11 (ii) the Southeast Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's
 267.12 successors and assigns a 66-foot-wide access road easement across said Southeast Quarter
 267.13 of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or
 267.14 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred
 267.15 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35;

267.16 (23) those parts of St. Louis County in Township 55 North, Range 19 West, described
 267.17 as follows:

267.18 (i) an undivided two-thirds interest in Government Lot 1, Section 2;

267.19 (ii) Government Lots 2, 9, 10, and 12, Section 2;

154.29	<u>(iii) Government Lot 11, Section 2, except railroad right-of-way;</u>	267.20	<u>(iii) Government Lot 11, Section 2, except railroad right-of-way;</u>
154.30	<u>(iv) Government Lots 1, 2, 3, 4, and 6, Section 10;</u>	267.21	<u>(iv) Government Lots 1, 2, 3, 4, and 6, Section 10;</u>
154.31	<u>(v) Government Lot 4, Section 11;</u>	267.22	<u>(v) Government Lot 4, Section 11;</u>
155.1	<u>(vi) Government Lots 1, 2, 6, 7, and 13, Section 15;</u>	267.23	<u>(vi) Government Lots 1, 2, 6, 7, and 13, Section 15;</u>
155.2	<u>(vii) Government Lots 1 and 2, Section 16;</u>	267.24	<u>(vii) Government Lots 1 and 2, Section 16;</u>
155.3	<u>(viii) Government Lots 1 and 3 and the Southeast Quarter of the Northeast Quarter and</u>	267.25	<u>(viii) Government Lots 1 and 3 and the Southeast Quarter of the Northeast Quarter and</u>
155.4	<u>Southwest Quarter of the Northeast Quarter, Section 22;</u>	267.26	<u>Southwest Quarter of the Northeast Quarter, Section 22;</u>
155.5	<u>(ix) Government Lots 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest</u>	267.27	<u>(ix) Government Lots 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest</u>
155.6	<u>Quarter, Section 29;</u>	267.28	<u>Quarter, Section 29;</u>
155.7	<u>(x) Government Lot 6, Section 30; and</u>	267.29	<u>(x) Government Lot 6, Section 30; and</u>
155.8	<u>(xi) Government Lots 4, 7, 8, 9, and 10, Section 31;</u>	267.30	<u>(xi) Government Lots 4, 7, 8, 9, and 10, Section 31;</u>
155.9	<u>(24) those parts of St. Louis County in Township 56 North, Range 17 West, described</u>	268.1	<u>(24) those parts of St. Louis County in Township 56 North, Range 17 West, described</u>
155.10	<u>as follows:</u>	268.2	<u>as follows:</u>
155.11	<u>(i) Government Lots 2 and 8 and the Northwest Quarter of the Southeast Quarter and</u>	268.3	<u>(i) Government Lots 2 and 8 and the Northwest Quarter of the Southeast Quarter and</u>
155.12	<u>Northeast Quarter of the Southwest Quarter, Section 3;</u>	268.4	<u>Northeast Quarter of the Southwest Quarter, Section 3;</u>
155.13	<u>(ii) Government Lots 4, 5, 6, 7, and 9, Section 3; and</u>	268.5	<u>(ii) Government Lots 4, 5, 6, 7, and 9, Section 3; and</u>
155.14	<u>(iii) Government Lots 6 and 9, that part of Government Lot 8 lying North of Highway</u>	268.6	<u>(iii) Government Lots 6 and 9, that part of Government Lot 8 lying North of Highway</u>
155.15	<u>No. 53, and that part of Government Lot 7 lying West of Highway No. 53, Section 4;</u>	268.7	<u>No. 53, and that part of Government Lot 7 lying West of Highway No. 53, Section 4;</u>
155.16	<u>(25) those parts of St. Louis County in Township 56 North, Range 18 West, described</u>	268.8	<u>(25) those parts of St. Louis County in Township 56 North, Range 18 West, described</u>
155.17	<u>as follows:</u>	268.9	<u>as follows:</u>
155.18	<u>(i) Government Lots 5 and 6, Section 2;</u>	268.10	<u>(i) Government Lots 5 and 6, Section 2;</u>
155.19	<u>(ii) Government Lots 5, 7, and 9 and the Northeast Quarter of the Southwest Quarter,</u>	268.11	<u>(ii) Government Lots 5, 7, and 9 and the Northeast Quarter of the Southwest Quarter,</u>
155.20	<u>Section 3;</u>	268.12	<u>Section 3;</u>
155.21	<u>(iii) all that part of Government Lot 11, except the following described parcel of land:</u>	268.13	<u>(iii) all that part of Government Lot 11, except the following described parcel of land:</u>
155.22	<u>Beginning at a point that is located 958 feet North of the southeast corner of said</u>	268.14	<u>Beginning at a point that is located 958 feet North of the southeast corner of said</u>
155.23	<u>Government Lot 11, which corner is also the southeast corner of said Section 3, and 33</u>	268.15	<u>Government Lot 11, which corner is also the southeast corner of said Section 3, and 33</u>
155.24	<u>feet West of the east line of said Lot 11; thence running North parallel with the east line</u>	268.16	<u>feet West of the east line of said Lot 11; thence running North parallel with the east line</u>
155.25	<u>of said Lot 11 a distance of 700.5 feet to a point; thence southwesterly to a point that is</u>	268.17	<u>of said Lot 11 a distance of 700.5 feet to a point; thence southwesterly to a point that is</u>
155.26	<u>331.5 feet West and 1226 feet North of the southeast corner of said Lot 11; thence</u>	268.18	<u>331.5 feet West and 1226 feet North of the southeast corner of said Lot 11; thence</u>
155.27	<u>southerly parallel with the east line of said lot, a distance of 268 feet to a point; thence</u>	268.19	<u>southerly parallel with the east line of said lot, a distance of 268 feet to a point; thence</u>
155.28	<u>easterly a distance of 298.5 feet to the place of beginning, Section 3;</u>	268.20	<u>easterly a distance of 298.5 feet to the place of beginning, Section 3;</u>
155.29	<u>(iv) Government Lot 12, Section 3, except the following described parcels of land:</u>	268.21	<u>(iv) Government Lot 12, Section 3, except the following described parcels of land:</u>

155.30 (A) commencing at a point along the East and West One-Quarter line of said Section 3,
 155.31 which point is 33 feet West of the East One-Quarter corner of said Section 3, said point
 156.1 being on the west right-of-way line of County Highway No. 7; thence westerly along said
 156.2 quarter line for a distance of 300 feet to a point; thence southerly at right angles and parallel
 156.3 to the highway right-of-way in question for a distance of 300 feet to a point; thence easterly
 156.4 for a distance of 300 feet to a point in the west right-of-way line of County Highway No.
 156.5 7; thence northerly along the west right-of-way line of County Highway No. 7 for a distance
 156.6 of 300 feet to the point of beginning;

156.7 (B) commencing at the East Quarter corner of said Section 3; thence westerly along the
 156.8 East/West Quarter line of said Section 3 a distance of 33.00 feet to the westerly right-of-way
 156.9 line of County Highway No. 7; thence continuing westerly along said East/West Quarter
 156.10 line a distance of 300.00 feet to the point of beginning; thence southerly, parallel with the
 156.11 westerly right-of-way line of County Highway No. 7 a distance of 400.00 feet; thence
 156.12 westerly, parallel with said East/West Quarter line to the easterly right-of-way line of the
 156.13 DM&IR Railroad; thence northerly along said easterly right-of-way line to said East/West
 156.14 Quarter line; thence easterly along said East/West Quarter line to the point of beginning;
 156.15 and

156.16 (C) the East 33 feet of the North 300 feet of said Government Lot 12;

156.17 (v) the Southeast Quarter of the Southeast Quarter, Section 4;

156.18 (vi) the Southeast Quarter of the Southeast Quarter, Section 7;

156.19 (vii) Government Lots 6 and 7, Section 8;

156.20 (viii) Government Lots 1 and 2, Section 9;

156.21 (ix) Government Lots 2 and 3, Section 17;

156.22 (x) Government Lots 5, 6, 7, 9, 10, 11, 12, and 13 and the Southeast Quarter of the
 156.23 Northwest Quarter, Section 18;

156.24 (xi) Government Lots 6, 7, 8, 9, 11, and 12 and the Northeast Quarter of the Northwest
 156.25 Quarter, Section 19;

156.26 (xii) Government Lots 1, 5, 8, and 9, Section 20;

156.27 (xiii) Government Lots 4, 5, 6, 7, and 8 and Government Lot 3, except for 1.0 acre for
 156.28 cemetery, Section 29;

156.29 (xiv) Government Lot 9, Section 30;

156.30 (xv) Government Lots 1, 2, 3, 6, 8, 9, 10, and 11, Section 31; and

156.31 (xvi) Government Lots 1 and 2, Section 32;

268.22 (A) commencing at a point along the East and West One-Quarter line of said Section 3,
 268.23 which point is 33 feet West of the East One-Quarter corner of said Section 3, said point
 268.24 being on the west right-of-way line of County Highway No. 7; thence westerly along said
 268.25 quarter line for a distance of 300 feet to a point; thence southerly at right angles and parallel
 268.26 to the highway right-of-way in question for a distance of 300 feet to a point; thence easterly
 268.27 for a distance of 300 feet to a point in the west right-of-way line of County Highway No.
 268.28 7; thence northerly along the west right-of-way line of County Highway No. 7 for a distance
 268.29 of 300 feet to the point of beginning;

268.30 (B) commencing at the East Quarter corner of said Section 3; thence westerly along the
 268.31 East/West Quarter line of said Section 3 a distance of 33.00 feet to the westerly right-of-way
 268.32 line of County Highway No. 7; thence continuing westerly along said East/West Quarter
 269.1 line a distance of 300.00 feet to the point of beginning; thence southerly, parallel with the
 269.2 westerly right-of-way line of County Highway No. 7 a distance of 400.00 feet; thence
 269.3 westerly, parallel with said East/West Quarter line to the easterly right-of-way line of the
 269.4 DM&IR Railroad; thence northerly along said easterly right-of-way line to said East/West
 269.5 Quarter line; thence easterly along said East/West Quarter line to the point of beginning;
 269.6 and

269.7 (C) the East 33 feet of the North 300 feet of said Government Lot 12;

269.8 (v) the Southeast Quarter of the Southeast Quarter, Section 4;

269.9 (vi) the Southeast Quarter of the Southeast Quarter, Section 7;

269.10 (vii) Government Lots 6 and 7, Section 8;

269.11 (viii) Government Lots 1 and 2, Section 9;

269.12 (ix) Government Lots 2 and 3, Section 17;

269.13 (x) Government Lots 5, 6, 7, 9, 10, 11, 12, and 13 and the Southeast Quarter of the
 269.14 Northwest Quarter, Section 18;

269.15 (xi) Government Lots 6, 7, 8, 9, 11, and 12 and the Northeast Quarter of the Northwest
 269.16 Quarter, Section 19;

269.17 (xii) Government Lots 1, 5, 8, and 9, Section 20;

269.18 (xiii) Government Lots 4, 5, 6, 7, and 8 and Government Lot 3, except for 1.0 acre for
 269.19 cemetery, Section 29;

269.20 (xiv) Government Lot 9, Section 30;

269.21 (xv) Government Lots 1, 2, 3, 6, 8, 9, 10, and 11, Section 31; and

269.22 (xvi) Government Lots 1 and 2, Section 32;

157.1 (26) those parts of St. Louis County in Township 56 North, Range 19 West, described
 157.2 as follows:
 157.3 (i) Government Lot 1, Section 35;
 157.4 (ii) Government Lot 2, Section 35; and
 157.5 (iii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the
 157.6 Southeast Quarter and Southwest Quarter of the Northeast Quarter, Section 36;
 157.7 (27) those parts of St. Louis County in Township 57 North, Range 16 West, described
 157.8 as follows:
 157.9 (i) the Southeast Quarter of the Northwest Quarter, Northwest Quarter of the Northeast
 157.10 Quarter, Southwest Quarter of the Southwest Quarter, and Northeast Quarter of the Southwest
 157.11 Quarter, Section 12; and
 157.12 (ii) the Southeast Quarter of the Northwest Quarter, Section 15; and
 157.13 (28) those parts of St. Louis County in Township 57 North, Range 17 West, described
 157.14 as follows:
 157.15 (i) the Northeast Quarter of the Southwest Quarter and Southwest Quarter of the
 157.16 Southwest Quarter, Section 25; and
 157.17 (ii) the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the
 157.18 Southeast Quarter, Section 26.
 157.19 Sec. 147. **PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**
 157.20 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 157.21 other law to the contrary, Aitkin County may sell by private sale the tax-forfeited land
 157.22 described in paragraph (c).
 157.23 (b) The conveyance must be in a form approved by the attorney general. The attorney
 157.24 general may make changes to the land description to correct errors and ensure accuracy.
 157.25 (c) The land to be sold is located in Aitkin County and is described as:
 157.26 The North Half of the Northeast Quarter of the Northeast Quarter lying East of 275th
 157.27 Avenue in Section 11, Township 47 North, Range 25 West, Aitkin County, Minnesota
 157.28 (part of parcel 15-0-017700).
 157.29 (d) The county has determined that the county's land management interests would best
 157.30 be served if the land was returned to private ownership.
 158.1 Sec. 148. **GOODHUE COUNTY; LAND TRANSFERS.**
 158.2 Subdivision 1. **Land transfers.** (a) Notwithstanding Minnesota Statutes, section 373.01,
 158.3 subdivision 1, Goodhue County may sell, lease, or otherwise convey county-owned land
 158.4 that abuts Lake Byllesby to adjoining property owners who after the transfer will have direct

269.23 (26) those parts of St. Louis County in Township 56 North, Range 19 West, described
 269.24 as follows:
 269.25 (i) Government Lot 1, Section 35;
 269.26 (ii) Government Lot 2, Section 35; and
 269.27 (iii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the
 269.28 Southeast Quarter and Southwest Quarter of the Northeast Quarter, Section 36;
 269.29 (27) those parts of St. Louis County in Township 57 North, Range 16 West, described
 269.30 as follows:
 270.1 (i) the Southeast Quarter of the Northwest Quarter, Northwest Quarter of the Northeast
 270.2 Quarter, Southwest Quarter of the Southwest Quarter, and Northeast Quarter of the Southwest
 270.3 Quarter, Section 12; and
 270.4 (ii) the Southeast Quarter of the Northwest Quarter, Section 15; and
 270.5 (28) those parts of St. Louis County in Township 57 North, Range 17 West, described
 270.6 as follows:
 270.7 (i) the Northeast Quarter of the Southwest Quarter and Southwest Quarter of the
 270.8 Southwest Quarter, Section 25; and
 270.9 (ii) the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the
 270.10 Southeast Quarter, Section 26.
 270.11 Sec. 15. **PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**
 270.12 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 270.13 other law to the contrary, Aitkin County may sell by private sale the tax-forfeited land
 270.14 described in paragraph (c).
 270.15 (b) The conveyance must be in a form approved by the attorney general. The attorney
 270.16 general may make changes to the land description to correct errors and ensure accuracy.
 270.17 (c) The land to be sold is located in Aitkin County and is described as:
 270.18 The North Half of the Northeast Quarter of the Northeast Quarter lying East of 275th
 270.19 Avenue in Section 11, Township 47 North, Range 25 West, Aitkin County, Minnesota
 270.20 (part of parcel 15-0-017700).
 270.21 (d) The county has determined that the county's land management interests would best
 270.22 be served if the land was returned to private ownership.
 272.6 Sec. 18. **GOODHUE COUNTY; LAND TRANSFERS.**
 272.7 Subdivision 1. **Land transfers.** (a) Notwithstanding Minnesota Statutes, section 373.01,
 272.8 subdivision 1, paragraph (a), clause (3), Goodhue County may sell, lease, or otherwise
 272.9 convey county-owned land that abuts Lake Byllesby to adjoining property owners who after

158.5 access to Lake Byllesby. Any sale, lease, or other conveyance must be for the market value
 158.6 of the property as appraised by the county. A sale, lease, or other conveyance under this
 158.7 section must reserve to the county mineral rights according to Minnesota Statutes, section
 158.8 373.01, and flowage easements relating to water levels of Lake Byllesby.

158.9 (b) This section does not apply to any county-owned land that has been developed by
 158.10 the county as public parkland.

158.11 Subd. 2. **Effective date; local approval.** This section is effective the day after the
 158.12 governing body of Goodhue County and its chief clerical officer comply with Minnesota
 158.13 Statutes, section 645.021, subdivisions 2 and 3.

158.14 Sec. 149. **PRIVATE SALE OF TAX-FORFEITED LANDS; ITASCA COUNTY.**

158.15 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 158.16 other law to the contrary, Itasca County may sell by private sale the tax-forfeited lands
 158.17 described in paragraph (c).

158.18 (b) The conveyances must be in a form approved by the attorney general. The attorney
 158.19 general may make changes to the land descriptions to correct errors and ensure accuracy.

158.20 (c) The lands to be sold are located in Itasca County and are described as:

158.21 (1) all that part of Government Lot 2, Section 27, Township 145 North, Range 26 West,
 158.22 lying northeasterly of the northeasterly right-of-way line of CSAH 39 and northwesterly of
 158.23 the following described line: Commencing at the northwest corner of said Government Lot
 158.24 2; thence South 89 degrees 21 minutes East, along the north line of said Government Lot
 158.25 2 a distance of 286 feet, more or less, to a point on the northeasterly right-of-way line of
 158.26 the CSAH 39 right-of-way; thence South 51 degrees 01 minute East, 260.41 feet to the point
 158.27 of beginning of the line to be described; thence North 42 degrees 11 minutes East to intersect
 158.28 the water's edge of Ball Club Lake and there said line terminates; and

158.29 (2) the South two rods of the East 16 rods of Government Lot 14, Section 4, Township
 158.30 60 North, Range 26 West of the Fourth Principle Meridian, containing approximately 0.20
 158.31 acres.

159.1 (d) The county has determined that the county's land management interests would best
 159.2 be served if the lands were returned to private ownership.

159.3 Sec. 150. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATERS;**
 159.4 **ROSEAU COUNTY.**

159.5 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
 159.6 commissioner of natural resources may sell by private sale the surplus island located in
 159.7 public water that is described in paragraph (d) to a local unit of government for less than
 159.8 market value.

272.10 the transfer will have direct access to Lake Byllesby. Any sale, lease, or other conveyance
 272.11 must be for the market value of the property as appraised by the county. A sale, lease, or
 272.12 other conveyance under this section must reserve to the county mineral rights according to
 272.13 Minnesota Statutes, section 373.01, and flowage easements relating to water levels of Lake
 272.14 Byllesby.

272.15 (b) This section does not apply to any county-owned land that has been developed by
 272.16 the county as public parkland.

272.17 Subd. 2. **Effective date; local approval.** This section is effective the day after the
 272.18 governing body of Goodhue County and its chief clerical officer comply with Minnesota
 272.19 Statutes, section 645.021, subdivisions 2 and 3.

272.20 Sec. 19. **PRIVATE SALE OF TAX-FORFEITED LANDS; ITASCA COUNTY.**

272.21 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 272.22 other law to the contrary, Itasca County may sell by private sale the tax-forfeited lands
 272.23 described in paragraph (c).

272.24 (b) The conveyances must be in a form approved by the attorney general. The attorney
 272.25 general may make changes to the land descriptions to correct errors and ensure accuracy.

272.26 (c) The lands to be sold are located in Itasca County and are described as:

272.27 (1) all that part of Government Lot 2, Section 27, Township 145 North, Range 26 West,
 272.28 lying northeasterly of the northeasterly right-of-way line of CSAH 39 and northwesterly of
 272.29 the following described line: Commencing at the northwest corner of said Government Lot
 272.30 2; thence South 89 degrees 21 minutes East, along the north line of said Government Lot
 272.31 2 a distance of 286 feet, more or less, to a point on the northeasterly right-of-way line of
 272.32 the CSAH 39 right-of-way; thence South 51 degrees 01 minute East, 260.41 feet to the point
 273.1 of beginning of the line to be described; thence North 42 degrees 11 minutes East to intersect
 273.2 the water's edge of Ball Club Lake and there said line terminates; and

273.3 (2) the South two rods of the East 16 rods of Government Lot 14, Section 4, Township
 273.4 60 North, Range 26 West of the Fourth Principle Meridian, containing approximately 0.20
 273.5 acres.

273.6 (d) The county has determined that the county's land management interests would best
 273.7 be served if the lands were returned to private ownership.

274.4 Sec. 21. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATERS;**
 274.5 **ROSEAU COUNTY.**

274.6 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
 274.7 commissioner of natural resources may sell by private sale the surplus island located in
 274.8 public water that is described in paragraph (d) to a local unit of government for less than
 274.9 market value.

159.9 (b) The commissioner may make necessary changes to the legal description to correct
 159.10 errors and ensure accuracy.

159.11 (c) The land described in paragraph (d) may be sold by quit claim deed and the
 159.12 conveyance must provide that the land described in paragraph (d) be used for the public
 159.13 and reverts to the state if the local unit of government fails to provide for public use or
 159.14 abandons the public use of the land. The conveyance is subject to a flowage easement held
 159.15 by the United States of America.

159.16 (d) The land that may be conveyed is located in Roseau County and is described as: an
 159.17 unsurveyed island located in the approximate center of the South Half of the Southeast
 159.18 Quarter of Section 29, Township 163 North, Range 36 West, Roseau County, Minnesota;
 159.19 said island contains 6.7 acres, more or less (parcel identification number 563199100).

159.20 (e) The island is located in Warroad River and was created after statehood when dredge
 159.21 spoils were deposited on a sandbar in the Warroad River. The Department of Natural
 159.22 Resources has determined that the land is not needed for natural resource purposes, the
 159.23 conveyance would further the public interest, and the state's land management interests
 159.24 would best be served if the land was conveyed to a local unit of government for a public
 159.25 park and other public use.

159.26 Sec. 151. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.

159.27 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 159.28 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands
 159.29 described in paragraph (c).

159.30 (b) The conveyances must be in a form approved by the attorney general. The attorney
 159.31 general may make changes to the land descriptions to correct errors and ensure accuracy.

159.32 (c) The lands to be sold are located in St. Louis County and are described as:

160.1 (1) the South Half of the North Half of the South Half of the Southwest Quarter of the
 160.2 Northwest Quarter, except the East 470 feet and except the part taken for a road, Township
 160.3 50 North, Range 15 West, Section 29 (parcel identification number 395-0010-08713);

160.4 (2) the East 271 feet of the West 371 feet of the North 669.94 feet of the Northwest
 160.5 Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the
 160.6 Fourth Principal Meridian. Together with the West 100 feet of the North 669.94 feet of the
 160.7 Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15
 160.8 West of the Fourth Principal Meridian, which lies South of the North 300 feet thereof (part
 160.9 of parcel identification number 410-0024-00550);

160.10 (3) the West 371 feet of the Northwest Quarter of the Northwest Quarter of Section 34,
 160.11 Township 61 North, Range 15 West of the Fourth Principal Meridian, which lies South of
 160.12 the North 669.94 feet thereof (part of parcel identification number 410-0024-00550); and

274.10 (b) The commissioner may make necessary changes to the legal description to correct
 274.11 errors and ensure accuracy.

274.12 (c) The land described in paragraph (d) may be sold by quitclaim deed and the conveyance
 274.13 must provide that the land described in paragraph (d) be used for the public and reverts to
 274.14 the state if the local unit of government fails to provide for public use or abandons the public
 274.15 use of the land. The conveyance is subject to a flowage easement held by the United States
 274.16 of America.

274.17 (d) The land that may be conveyed is located in Roseau County and is described as: an
 274.18 unsurveyed island located in the approximate center of the South Half of the Southeast
 274.19 Quarter of Section 29, Township 163 North, Range 36 West, Roseau County, Minnesota;
 274.20 said island contains 6.7 acres, more or less (parcel identification number 563199100).

274.21 (e) The island is located in Warroad River and was created after statehood when dredge
 274.22 spoils were deposited on a sandbar in the Warroad River. The Department of Natural
 274.23 Resources has determined that the land is not needed for natural resource purposes, the
 274.24 conveyance would further the public interest, and the state's land management interests
 274.25 would best be served if the land was conveyed to a local unit of government for a public
 274.26 park and other public use.

276.5 Sec. 24. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.

276.6 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 276.7 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands
 276.8 described in paragraph (c).

276.9 (b) The conveyances must be in a form approved by the attorney general. The attorney
 276.10 general may make changes to the land descriptions to correct errors and ensure accuracy.

276.11 (c) The lands to be sold are located in St. Louis County and are described as:

276.12 (1) the South Half of the North Half of the South Half of the Southwest Quarter of the
 276.13 Northwest Quarter, except the East 470 feet and except the part taken for a road, Township
 276.14 50 North, Range 15 West, Section 29 (parcel identification number 395-0010-08713);

276.15 (2) the East 271 feet of the West 371 feet of the North 669.94 feet of the Northwest
 276.16 Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the
 276.17 Fourth Principal Meridian. Together with the West 100 feet of the North 669.94 feet of the
 276.18 Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15
 276.19 West of the Fourth Principal Meridian, which lies South of the North 300 feet thereof (part
 276.20 of parcel identification number 410-0024-00550);

276.21 (3) the West 371 feet of the Northwest Quarter of the Northwest Quarter of Section 34,
 276.22 Township 61 North, Range 15 West of the Fourth Principal Meridian, which lies South of
 276.23 the North 669.94 feet thereof (part of parcel identification number 410-0024-00550); and

160.13 (4) the Northeast Quarter, except the Southwest Quarter, and the North Half of the
 160.14 Northwest Quarter, Township 52 North, Range 19 West, Section 24 (part of parcel
 160.15 identification number 470-0010-03830).

160.16 (d) The county has determined that the county's land management interests would best
 160.17 be served if the lands were returned to private ownership.

160.18 Sec. 152. ST. LOUIS COUNTY; LAND LEASE.

160.19 Subdivision 1. **St. Louis County; lease.** Notwithstanding Minnesota Statutes, sections
 160.20 16A.695 and 282.04, St. Louis County may lease property legally described as part of
 160.21 Government Lot 5 except the lake portion of Embarrass Mine, Township 58, Range 15
 160.22 West, Section 5, for use as a water intake and water treatment project under Laws 2018,
 160.23 chapter 214, article 1, section 22, subdivision 6, for consideration of more than \$12,000 per
 160.24 year and for a period exceeding ten years.

160.25 Subd. 2. **Department of Natural Resources; lease.** Notwithstanding Minnesota Statutes,
 160.26 section 92.50, or other law to the contrary, the commissioner may lease property in Township
 160.27 58, Range 15, Section 5, for use as a water intake and water treatment project under Laws
 160.28 2018, chapter 214, article 1, section 22, subdivision 6, for a period exceeding 21 years,
 160.29 including a lease term of 40 years.

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

161.1 Sec. 153. CONVEYANCE OF CERTAIN PARCELS; ST. LOUIS COUNTY.

161.2 (a) Notwithstanding conflicting requirements in section 373.01, St. Louis County may
 161.3 convey, at no charge, small parcels of nonconforming property to the adjoining or
 161.4 surrounding owners subject to the following conditions:

161.5 (1) the parcels must be five acres or less in size;

161.6 (2) the parcels were acquired prior to December 31, 1960;

161.7 (3) the conveyance will be restricted to the adjoining or surrounding property;

161.8 (4) the adjoining parcel that the county land is to be conveyed to must abut the county
 161.9 parcel on two or more sides; and

161.10 (5) no delinquent property taxes are owed on the adjoining or surrounding property to
 161.11 be eligible for the conveyance.

161.12 (b) This section shall be liberally construed to encourage the transfer of ownership of
 161.13 nonconforming real property and promote its return to the tax rolls.

161.14 **EFFECTIVE DATE.** This section is effective the day after the governing body of St.
 161.15 Louis County and its chief clerical officer comply with Minnesota Statutes, section 645.021,
 161.16 subdivisions 2 and 3.

276.24 (4) the Northeast Quarter, except the Southwest Quarter, and the North Half of the
 276.25 Northwest Quarter, Township 52 North, Range 19 West, Section 24 (part of parcel
 276.26 identification number 470-0010-03830).

276.27 (d) The county has determined that the county's land management interests would best
 276.28 be served if the lands were returned to private ownership.

276.29 Sec. 25. ST. LOUIS COUNTY; LAND LEASE.

276.30 Subdivision 1. **St. Louis County; lease.** Notwithstanding Minnesota Statutes, sections
 276.31 16A.695 and 282.04, St. Louis County may lease property legally described as part of
 277.1 Government Lot 5 except the lake portion of Embarrass Mine, Township 58, Range 15
 277.2 West, Section 5, for use as a water intake and water treatment project under Laws 2018,
 277.3 chapter 214, article 1, section 22, subdivision 6, for consideration of more than \$12,000 per
 277.4 year and for a period exceeding ten years.

277.5 Subd. 2. **Department of Natural Resources; lease.** Notwithstanding Minnesota Statutes,
 277.6 section 92.50, or other law to the contrary, the commissioner may lease property in Township
 277.7 58, Range 15, Section 5, for use as a water intake and water treatment project under Laws
 277.8 2018, chapter 214, article 1, section 22, subdivision 6, for a period exceeding 21 years,
 277.9 including a lease term of 40 years.

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

161.17 Sec. 154. PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.

161.18 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 161.19 other law to the contrary, Beltrami County may sell by private sale the tax-forfeited lands
 161.20 described in paragraph (c).

161.21 (b) The conveyances must be in a form approved by the attorney general. The attorney
 161.22 general may make changes to the land descriptions to correct errors and ensure accuracy.

161.23 (c) The lands to be sold are located in Beltrami County and are described as:

161.24 (1) the East 285 feet of the North 55 feet of the South Half of the Southeast Quarter,
 161.25 Section 13, Township 149 North, Range 32 West of the Fifth Principle Meridian (parcel
 161.26 identification number 16.00170.00);

161.27 (2) Lot 6, Plat of Redby, Section 19, Township 151 North, Range 33 West
 161.28 (parcel identification number 36.00027.00);

161.29 (3) Lot 7, Plat of Redby, Section 20, Township 151 North, Range 33 West
 161.30 (parcel identification number 36.00052.00);

162.1 (4) Lot 8, Plat of Redby, Section 20, Township 151 North, Range 33 West
 162.2 (parcel identification number 36.00053.00);

162.3 (5) Lot 9, Plat of Redby, Section 20, Township 151 North, Range 33 West
 162.4 (parcel identification number 36.00054.00);

162.5 (6) Lots 10, 11, and 12, Block 16, Plat of Redby, Section 20, Township 151 North,
 162.6 Range 33 West (parcel identification number 36.00055.00);

162.7 (7) the southerly 200 feet of vacated Block 28, Plat of Redby, less the northerly 75 feet
 162.8 of the westerly 150 feet thereof and less the easterly 170 feet thereof, Section 20, Township
 162.9 151 North, Range 33 West (parcel identification number 36.00077.00);

162.10 (8) Lot 4, Block 29, Plat of Redby, Section 20, Township 151 North, Range 33 West
 162.11 (parcel identification number 36.00081.00); and

162.12 (9) Lot 1, Block 62, Plat of Redby, Section 19, Township 151 North, Range 33 West
 162.13 (parcel identification number 36.00148.00).

162.14 (d) The county has determined that the county's land management interests would best
 162.15 be served if the lands were returned to private ownership.

162.16 Sec. 155. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**SHERBURNE COUNTY.**

162.18 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
 162.19 commissioner of natural resources may sell by private sale the surplus land bordering public

270.23 Sec. 16. PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.

270.24 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or
 270.25 other law to the contrary, Beltrami County may sell by private sale the tax-forfeited lands
 270.26 described in paragraph (c).

270.27 (b) The conveyances must be in a form approved by the attorney general. The attorney
 270.28 general may make changes to the land descriptions to correct errors and ensure accuracy.

270.29 (c) The lands to be sold are located in Beltrami County and are described as:

271.1 (1) the East 285 feet of the North 55 feet of the South Half of the Southeast Quarter,
 271.2 Section 13, Township 149 North, Range 32 West of the Fifth Principle Meridian (parcel
 271.3 identification number 16.00170.00);

271.4 (2) Lot 6, Plat of Redby, Section 19, Township 151 North, Range 33 West
 271.5 (parcel identification number 36.00027.00);

271.6 (3) Lot 7, Plat of Redby, Section 20, Township 151 North, Range 33 West
 271.7 (parcel identification number 36.00052.00);

271.8 (4) Lot 8, Plat of Redby, Section 20, Township 151 North, Range 33 West
 271.9 (parcel identification number 36.00053.00);

271.10 (5) Lot 9, Plat of Redby, Section 20, Township 151 North, Range 33 West
 271.11 (parcel identification number 36.00054.00);

271.12 (6) Lots 10, 11, and 12, Block 16, Plat of Redby, Section 20, Township 151 North,
 271.13 Range 33 West (parcel identification number 36.00055.00);

271.14 (7) the southerly 200 feet of vacated Block 28, Plat of Redby, less the northerly 75 feet
 271.15 of the westerly 150 feet thereof and less the easterly 170 feet thereof, Section 20, Township
 271.16 151 North, Range 33 West (parcel identification number 36.00077.00);

271.17 (8) Lot 4, Block 29, Plat of Redby, Section 20, Township 151 North, Range 33 West
 271.18 (parcel identification number 36.00081.00); and

271.19 (9) Lot 1, Block 62, Plat of Redby, Section 19, Township 151 North, Range 33 West
 271.20 (parcel identification number 36.00148.00).

271.21 (d) The county has determined that the county's land management interests would best
 271.22 be served if the lands were returned to private ownership.

277.11 Sec. 26. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**SHERBURNE COUNTY.**

277.13 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the
 277.14 commissioner of natural resources may sell by private sale the surplus land bordering public

162.20 water that is described in paragraph (c) to a local unit of government for less than market
 162.21 value.

162.22 (b) The commissioner may make necessary changes to the legal description to correct
 162.23 errors and ensure accuracy.

162.24 (c) The land that may be sold is located in Sherburne County and is described as: that
 162.25 part of Government Lot 3, Section 24, Township 33 North, Range 28 West, described as
 162.26 follows:

162.27 The East 400 feet of Government Lot 3, Section 24, Township 33 North, Range 28 West,
 162.28 according to the United States Government survey thereof.

162.29 (d) The land borders Big Lake. The Department of Natural Resources has determined
 162.30 that the land is not needed for natural resource purposes and that the state's land management
 162.31 interests would best be served if the land were conveyed to a local unit of government.

163.1 **Sec. 156. RULEMAKING; WALLEYE AND SAUGER POSSESSION LIMIT.**

163.2 (a) By March 1, 2022, the commissioner of natural resources must amend Minnesota
 163.3 Rules, part 6262.0200, subpart 1, item F, to provide that the daily and possession limit for
 163.4 walleye and sauger in all inland waters is six in aggregate and no more than four may be
 163.5 walleye.

163.6 (b) The commissioner may use the good cause exemption under Minnesota Statutes,
 163.7 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
 163.8 Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes,
 163.9 section 14.388.

163.10 **Sec. 157. AMENDING FEEDLOT PERMITS.**

163.11 The commissioner of the Pollution Control Agency must, when necessary, amend all
 163.12 general and individual permits for feedlots to conform with Minnesota Statutes, section
 163.13 116.07, subdivision 7, paragraph (h).

163.14 **EFFECTIVE DATE.** This section is effective retroactively from February 1, 2021.

163.15 **Sec. 158. TIMBER PERMITS; CANCELLATION AND EXTENSION.**

163.16 Subdivision 1. Eligibility. (a) For the purposes of this section, an "eligible permit" is a
 163.17 timber permit issued before July 1, 2020.

163.18 (b) In order to be eligible under this section, a permit holder must not be delinquent or
 163.19 have an active willful trespass with the state.

163.20 (c) In order to be eligible under subdivisions 2, 4, and 5, a permit holder must submit
 163.21 the written request to the commissioner of natural resources before the expiration of the
 163.22 permit or by July 1, 2021, whichever is earlier.

277.15 water that is described in paragraph (c) to a local unit of government for less than market
 277.16 value.

277.17 (b) The commissioner may make necessary changes to the legal description to correct
 277.18 errors and ensure accuracy.

277.19 (c) The land that may be sold is located in Sherburne County and is described as: that
 277.20 part of Government Lot 3, Section 24, Township 33 North, Range 28 West, described as
 277.21 follows:

277.22 The East 400 feet of Government Lot 3, Section 24, Township 33 North, Range 28 West,
 277.23 according to the United States Government survey thereof.

277.24 (d) The land borders Big Lake. The Department of Natural Resources has determined
 277.25 that the land is not needed for natural resource purposes and that the state's land management
 277.26 interests would best be served if the land were conveyed to a local unit of government.

218.13 **Sec. 93. TIMBER PERMITS; CANCELLATION AND EXTENSION.**

218.14 Subdivision 1. Eligibility. (a) For the purposes of this section, an "eligible permit" is a
 218.15 timber permit issued before July 1, 2020.

218.16 (b) In order to be eligible under this section, a permit holder must not be delinquent or
 218.17 have an active willful trespass with the state.

218.18 (c) In order to be eligible under subdivisions 2, 4, and 5, a permit holder must submit
 218.19 the written request to the commissioner of natural resources before the expiration of the
 218.20 permit or by July 1, 2021, whichever is earlier.

163.23 **Subd. 2. Extensions.** Upon written request to the commissioner of natural resources by
 163.24 the holder of an eligible permit with more than 30 percent of the total permit volume in any
 163.25 combination of spruce or balsam fir, the commissioner may grant an extension of the permit
 163.26 for two years without penalty or interest.

163.27 **Subd. 3. Unused balsam fir.** The commissioner of natural resources may cancel any
 163.28 provision in a timber sale that requires the security payment for or removal of all or part of
 163.29 the balsam fir when the permit contains more than 50 cords of balsam fir. The commissioner
 163.30 may require the permit holder to fell or pile the balsam fir to meet management objectives.

164.1 **Subd. 4. Refunds.** (a) Upon written request to the commissioner of natural resources
 164.2 by the holder of an eligible permit that is inactive and intact with more than 30 percent of
 164.3 the total permit volume in any combination of spruce or balsam fir, the commissioner may
 164.4 cancel the permit and refund the sale security, advance payments, or bid guarantee as
 164.5 applicable for the permit to the permit holder.

164.6 (b) Upon written request to the commissioner of natural resources by the holder of an
 164.7 eligible active permit with more than 30 percent of the total permit volume in any
 164.8 combination of spruce or balsam fir and a previously existing cutting block agreement, the
 164.9 commissioner may cancel any intact cutting block designated in the permit that was not
 164.10 bonded or bonded before July 1, 2020, and refund security, as applicable, for the cutting
 164.11 block to the permit holder. Any partially harvested cutting block is ineligible to be canceled
 164.12 under this paragraph. The remaining provisions of the permit remain in effect.

164.13 **Subd. 5. Good Neighbor Authority.** The commissioner of natural resources, in
 164.14 consultation with the United States Forest Service, may negotiate and provide holders of
 164.15 eligible permits with more than 30 percent of the total permit volume in any combination
 164.16 of spruce or balsam fir a method to voluntarily return intact cutting blocks designated in
 164.17 Good Neighbor Authority permits. Upon written request by the eligible permit holder, the
 164.18 commissioner may cancel any intact cutting block designated in the permit that was not
 164.19 bonded or bonded before July 1, 2020, and refund applicable security for the cutting block
 164.20 to the permit holder. Any partially harvested cutting block is ineligible to be canceled under
 164.21 this subdivision. The remaining provisions of the permit remain in effect.

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

164.23 **Sec. 159. WHOLE EFFLUENT TOXICITY RULEMAKING FOR FACILITIES
 THAT PROCESS SUGAR BEETS.**

164.25 (a) By January 31, 2022, the commissioner of the Pollution Control Agency must adopt
 164.26 rules on:

164.27 (1) evaluating and applying whole effluent toxicity (WET) as water-quality-based effluent
 164.28 limitations and permit conditions for discharges from facilities that process sugar beets that
 164.29 are located outside the Lake Superior basin; and

218.21 **Subd. 2. Extensions.** Upon written request to the commissioner of natural resources by
 218.22 the holder of an eligible permit with more than 30 percent of the total permit volume in any
 218.23 combination of spruce or balsam fir, the commissioner may grant an extension of the permit
 218.24 for two years without penalty or interest.

218.25 **Subd. 3. Unused balsam fir.** The commissioner of natural resources may cancel any
 218.26 provision in a timber sale that requires the security payment for or removal of all or part of
 218.27 the balsam fir when the permit contains more than 50 cords of balsam fir. The commissioner
 218.28 may require the permit holder to fell or pile the balsam fir to meet management objectives.

218.29 **Subd. 4. Refunds.** (a) Upon written request to the commissioner of natural resources
 218.30 by the holder of an eligible permit that is inactive and intact with more than 30 percent of
 218.31 the total permit volume in any combination of spruce or balsam fir, the commissioner may
 218.32 cancel the permit and refund the sale security, advance payments, or bid guarantee as
 218.33 applicable for the permit to the permit holder.

219.1 (b) Upon written request to the commissioner of natural resources by the holder of an
 219.2 eligible active permit with more than 30 percent of the total permit volume in any
 219.3 combination of spruce or balsam fir and a previously existing cutting block agreement, the
 219.4 commissioner may cancel any intact cutting block designated in the permit that was not
 219.5 bonded or bonded before July 1, 2020, and refund security, as applicable, for the cutting
 219.6 block to the permit holder. Any partially harvested cutting block is ineligible to be canceled
 219.7 under this paragraph. The remaining provisions of the permit remain in effect.

219.8 **Subd. 5. Good Neighbor Authority.** The commissioner of natural resources, in
 219.9 consultation with the United States Forest Service, may negotiate and provide holders of
 219.10 eligible permits with more than 30 percent of the total permit volume in any combination
 219.11 of spruce or balsam fir a method to voluntarily return intact cutting blocks designated in
 219.12 Good Neighbor Authority permits. Upon written request by the eligible permit holder, the
 219.13 commissioner may cancel any intact cutting block designated in the permit that was not
 219.14 bonded or bonded before July 1, 2020, and refund applicable security for the cutting block
 219.15 to the permit holder. Any partially harvested cutting block is ineligible to be canceled under
 219.16 this subdivision. The remaining provisions of the permit remain in effect.

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

164.30 (2) the applicability and standards for acute and chronic mixing zones at those facilities.

164.31 (b) Rules adopted under this section must be substantially identical to Minnesota Rules,
164.32 parts 7052.0210, subparts 1 and 2, and 7052.0240, so that, to the greatest extent possible,
164.33 facilities that process sugar beets in all parts of the state are subject to the same mixing
165.1 zones requirements and acute and chronic WET requirements for establishing permit
165.2 conditions.

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

165.4 Sec. 160. **INTERIM PROVISIONS.**

165.5 (a) From the effective date of this act until the rules under section 155 are adopted, to
165.6 the extent allowable under the federal Clean Water Act or other federal laws, this section
165.7 applies to discharges from facilities that process sugar beets outside the Lake Superior basin.

165.8 (b) If a whole effluent toxicity test, as defined under Minnesota Rules, part 7050.0218,
165.9 subpart 3, item AAA, is performed on the effluent of a point source discharger that is a
165.10 facility that processes sugar beets and results in less than 50 percent mortality of the test
165.11 organisms or if a demonstration is provided under Minnesota Rules, part 7052.0210, subpart
165.12 1, that 0.3 acute toxic units can be met at the edge of an approved acute mixing zone, the
165.13 effluent must not be considered acutely toxic or lethal to aquatic organisms unless the
165.14 commissioner of the Pollution Control Agency finds that the test species do not represent
165.15 sensitive organisms in the affected surface water body or the whole effluent toxicity test
165.16 was performed on a sample not representative of the effluent quality.

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

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

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

165.24 Sec. 161. **ANALYSIS OF WISCONSIN'S GREEN TIER PROGRAM.**

165.25 The commissioner of the Pollution Control Agency must conduct an analysis of the
165.26 Green Tier Program operated in Wisconsin under Wisconsin Statutes, section 299.83, which
165.27 recognizes and rewards environmental performance that voluntarily exceeds legal
165.28 requirements related to health, safety, and the environment resulting in continuous
165.29 improvement in Wisconsin's environment, economy, and quality of life. By February 1,
165.30 2022, the commissioner must report the results of the analysis to the chairs and ranking
165.31 minority members of the house of representatives and senate committees and divisions with
165.32 jurisdiction over environment and natural resources. The report must include:

166.1 (1) an overview of how the program operates in Wisconsin;

166.2 (2) an assessment of benefits and challenges that would likely accompany the adoption
166.3 of a similar program in Minnesota;

166.4 (3) a comparison of the program with the Minnesota XL permit project operated under
166.5 Minnesota Statutes, sections 114C.10 to 114C.19;

166.6 (4) an assessment of what policy changes, legal changes, and funding would be required
166.7 to successfully implement a similar program in Minnesota; and

166.8 (5) any other related matters deemed relevant by the commissioner.

166.9 **Sec. 162. STATE IMPLEMENTATION PLAN REVISIONS.**

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

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

166.26 **Sec. 163. FACILITATE ORIENTED STRAND BOARD MANUFACTURING
166.27 FACILITY; ITASCA COUNTY.**

166.28 (a) Notwithstanding any law to the contrary, a business corporation that proposes an
166.29 economic development project to build an oriented strand board manufacturing facility in
166.30 Itasca County, and that receives approval of financial incentives to be provided for that
166.31 project from both the Department of Employment and Economic Development and the
166.32 Department of Iron Range Resources and Rehabilitation anytime during 2021, may apply
167.1 for and receive construction stormwater, temporary dewatering, and land use construction
167.2 permits required to begin grading, grubbing, and clearing the project site prior to completion
167.3 of the environmental review processes necessary to commence construction of the facility.

167.4 (b) Prior to commencing any grading, grubbing, and clearing work at the project site
167.5 pursuant to this section, the commissioner of employment and economic development shall
167.6 require and receive a bond or other security or other financial assurance satisfactory to the

167.7 commissioner to provide for the restoration of all disturbed land to its previous condition
167.8 if the environmental review process does not lead to successful permitting of the project.

167.9 Sec. 164. **CONDITIONS UPON TERMINATING CERTAIN MINERAL LEASES**
167.10 **IN 2021.**

167.11 If the commissioner of natural resources terminates state mineral leases associated with
167.12 a mine permit for an operation to mine, provide direct reduction of ore, and make steel in
167.13 calendar year 2021, the commissioners of natural resources and the Pollution Control Agency
167.14 must wait at least two years after the termination before initiating action to terminate
167.15 environmental permits associated with the mining or processing of iron ore from the lands,
167.16 unless earlier termination is necessary to ensure environmental protection or if otherwise
167.17 governed by federal law. Nothing in this section prohibits a permittee from proposing to
167.18 amend or otherwise exercise any existing rights to transfer or cancel permits under existing
167.19 law. Nothing in this section precludes the commissioner of natural resources from terminating
167.20 or transferring any state mineral leases issued in association with the properties listed above,
167.21 provided the termination or transfer complies with all other requirements of Minnesota
167.22 Statutes, chapter 93.

167.23 Sec. 165. **MORATORIUM ON SPECIAL PERMITS TO TAKE CANADA GOOSE**
167.24 **NESTS AND EGGS.**

167.25 Until July 1, 2022, the commissioner of natural resources shall cancel any existing and
167.26 not issue any new special permits under Minnesota Statutes, section 97A.401, subdivision
167.27 5, for Canada goose egg oiling or egg destruction including addling or puncturing.

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

167.29 Sec. 166. **DRAINAGE PILOT PROJECT; BOIS DE SIOUX WATERSHED**
167.30 **DISTRICT.**

167.31 (a) Notwithstanding any conflicting requirements in Minnesota Statutes, chapter 103E,
167.32 the Bois De Sioux watershed district may:

168.1 (1) update the drainage system benefits for the purpose of ordering a repair under
168.2 Minnesota Statutes, section 103E.715, subdivision 4, paragraph (a), clause (2), using the
168.3 most recent three-year average of the county assessor's assessed value of land that is benefited
168.4 from the drainage system; and

168.5 (2) use the appraised value of property for the value of land needed for additional
168.6 right-of-way under Minnesota Statutes, section 103E.715, subdivision 6.

168.7 (b) This section expires on June 30, 2026.

168.8 **EFFECTIVE DATE.** This section is effective the day after the board of managers of
168.9 the Bois De Sioux watershed district and its chief clerical officer comply with Minnesota
168.10 Statutes, section 645.021, subdivisions 2 and 3.

174.25 Sec. 44. **POSITION ESTABLISHED; POLLUTION CONTROL AGENCY.**

174.26 The commissioner of the Pollution Control Agency shall establish a new full-time
174.27 equivalent position of community liaison, funded through air quality permit fees, as specified
174.28 in Minnesota Statutes, section 116.07, subdivision 4d, to conduct the administrative tasks
174.29 necessary to successfully implement Minnesota Statutes, section 116.07, subdivision 4a,
174.30 and other regulatory activities requiring interaction between the agency and residents in
174.31 communities exposed to air pollutants emitted by facilities permitted by the agency.

175.1 Sec. 45. **PFAS WATER QUALITY STANDARDS.**

175.2 The commissioner of the Pollution Control Agency must adopt rules establishing water
175.3 quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid
175.4 (PFOS). The commissioner must adopt the rules establishing the PFOA and PFOS water
175.5 quality standards by July 1, 2024, and Minnesota Statutes, section 14.125, does not apply.

175.6 Sec. 46. **HEALTH RISK LIMIT; PERFLUOROOCTANE SULFONATE.**

175.7 By July 1, 2023, the commissioner of health must amend the health risk limit for
175.8 perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that
175.9 the health risk limit does not exceed 0.015 parts per billion. In amending the health risk
175.10 limit for PFOS, the commissioner must comply with Minnesota Statutes, section 144.0751,
175.11 requiring a reasonable margin of safety to adequately protect the health of infants, children,
175.12 and adults.

175.13 Sec. 47. **CARPET STEWARDSHIP PROGRAM; REPORT.**

175.14 Subdivision 1. **Carpet stewardship program plan.** The commissioner of the Pollution
175.15 Control Agency must develop a plan for establishing a carpet stewardship program designed
175.16 to reduce carpet-related waste generation by promoting the collection and recycling of
175.17 discarded carpet. The plan must include:

175.18 (1) an organizational structure for the program, including roles for the state, carpet
175.19 producers, retailers, collection site operators, and recyclers;

175.20 (2) a timeline for implementing the program;

175.21 (3) a fee structure that ensures the costs of the program are recovered, including
175.22 recommendations for determining the amount, methods of collecting the fee, and how fee
175.23 revenues will be managed;

175.24 (4) a plan for how discarded carpet will be collected and transported to recyclers in this
175.25 state;

175.26 (5) strategies for improving education and training of retailers, carpet installers, and
175.27 collection site operators to improve the recycling rates of carpet; and

175.28 (6) draft legislation necessary for implementing the plan.

175.29 Subd. 2. Task force; public engagement. (a) The commissioner must convene a task

175.30 force to assist with developing the plan required under subdivision 1. The task force must

175.31 include:

176.1 (1) one representative of a statewide association representing retailers;

176.2 (2) two representatives of producers;

176.3 (3) two representatives of recyclers;

176.4 (4) one representative of statewide associations representing waste disposal companies;

176.5 (5) one representative of an environmental organization;

176.6 (6) one representative of county or municipal waste management programs;

176.7 (7) two representatives of companies that use discarded carpet to manufacture products

176.8 other than new carpet;

176.9 (8) one representative of carpet installers; and

176.10 (9) two members of the general public.

176.11 (b) Members of the task force must not be registered lobbyists.

176.12 (c) The commissioner must provide opportunities for the public to provide input on the

176.13 program.

176.14 Subd. 3. Report. The commissioner must submit a report with the plan required under

176.15 this section to the chairs and ranking minority members of the legislative committees and

176.16 divisions with jurisdiction over the environment by January 15, 2022.

176.17 Sec. 48. **SEED DISPOSAL RULEMAKING REQUIRED.**

176.18 The commissioner of the Pollution Control Agency, in consultation with the commissioner

176.19 of agriculture and the University of Minnesota, must adopt rules under Minnesota Statutes,

176.20 chapter 14, providing for the safe and lawful disposal of unwanted or unused seed that is

176.21 treated or coated with pesticide. The rules must clearly identify the regulatory jurisdiction

176.22 of state agencies and local governments with regard to such seed.

176.23 Sec. 49. **SOLID WASTE FACILITY REPORTING; RULEMAKING.**

176.24 The commissioner of the Pollution Control Agency must, under the good cause exemption

176.25 in Minnesota Statutes, section 14.388, subdivision 1, clause (3), amend rules to require

176.26 reports to the agency from a solid waste facility to be submitted by March 1 for the previous

176.27 calendar year.

219.18 Sec. 94. **TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

219.19 The commissioner of natural resources must not renew or transfer a turtle seller's license
219.20 after the effective date of this section.

219.21 Sec. 95. **CARBON SEQUESTRATION IN FORESTS OF THE STATE; GOALS.**

219.22 The commissioner of natural resources must establish goals for increasing carbon
219.23 sequestration in public and private forests in the state. To achieve the goals, the commissioner
219.24 must identify sustainable forestry strategies that increase the ability of forests to sequester
219.25 atmospheric carbon while enhancing other ecosystem services, such as improved soil and
219.26 water quality. By January 15, 2023, the commissioner must submit a report with the goals
219.27 and recommended forestry strategies to the chairs and ranking minority members of the
219.28 legislative committees and divisions with jurisdiction over natural resources policy.

219.29 Sec. 96. **STATE PARK PERMIT FEES; FISCAL YEAR 2022.**

219.30 (a) Notwithstanding Minnesota Statutes, section 85.055, subdivision 1, the fees for state
219.31 park permits from July 1, 2021, to June 30, 2022, are as follows:

- 219.32 (1) \$40 for an annual state park permit;
- 220.1 (2) \$31 for a second or subsequent vehicle state park permit;
- 220.2 (3) \$8.50 for a state park permit valid for one day;
- 220.3 (4) \$6.50 for a daily vehicle state park permit for groups;
- 220.4 (5) \$35 for an annual permit for motorcycles; and
- 220.5 (6) \$16 for a state park permit for persons with disabilities under Minnesota Statutes,
220.6 section 85.053, subdivision 7, paragraph (a), clauses (1) to (3).

220.7 (b) Employee state park permits remain free as provided under Minnesota Statutes,
220.8 section 85.055, subdivision 1, clause (6).

227.15 Sec. 8. **SOIL HEALTH COST-SHARE PROGRAM; REPORT.**

227.16 By January 15, 2024, the Board of Water and Soil Resources must evaluate the
227.17 effectiveness of the soil health cost-share program under Minnesota Statutes, section 103F.06,
227.18 and submit a report with the results and recommendations to the chairs and ranking minority
227.19 members of the house of representatives and senate committees and divisions with jurisdiction
227.20 over the environment and natural resources. The report must include an assessment of the
227.21 applicability and viability of tools to assist farm operators and landowners in evaluating
227.22 nutrient, soil organic matter, and soil loss management practices on individual fields.

168.11 Sec. 167. **REPEALER.**

168.12 (a) Minnesota Statutes 2020, sections 85.0505, subdivision 3; 85.0507; 85.054,
 168.13 subdivision 19; and 97C.515, subdivisions 4 and 5, are repealed.

168.14 (b) Laws 2013, chapter 121, section 53, is repealed.

168.15 (c) Minnesota Rules, part 6232.0350, is repealed.

220.9 Sec. 97. **REPEALER.**

220.10 Minnesota Statutes 2020, sections 85.0505, subdivision 3; 85.0507; 85.054, subdivision
 220.11 19; and 97C.605, subdivisions 2, 2a, 2b, and 5, and Minnesota Rules, part 6256.0500,
 220.12 subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.

177.1 Sec. 50. **REPEALER.**

177.2 (a) Minnesota Statutes 2020, sections 115.44, subdivision 9; 115B.48, subdivision 8;
 177.3 and 115C.13, are repealed.

177.4 (b) Minnesota Rules, part 7044.0350, is repealed.

227.23 **ARTICLE 7**227.24 **FARMED CERVIDAE**

227.25 Section 1. Minnesota Statutes 2020, section 35.155, subdivision 1, is amended to read:

227.26 Subdivision 1. **Running at large prohibited.** (a) An owner may not allow farmed
 227.27 Cervidae to run at large. The owner must make all reasonable efforts to return escaped
 227.28 farmed Cervidae to their enclosures as soon as possible. The owner must immediately notify
 227.29 the commissioner of natural resources of the escape of farmed Cervidae if the farmed
 227.30 Cervidae are not returned or captured by the owner within 24 hours of their escape.

228.1 (b) An owner is liable for expenses of another person in capturing, caring for, and
 228.2 returning farmed Cervidae that have left their enclosures if the person capturing the farmed
 228.3 Cervidae contacts the owner as soon as possible.

228.4 (c) If an owner is unwilling or unable to capture escaped farmed Cervidae, the
 228.5 commissioner of natural resources may destroy the escaped farmed Cervidae. The
 228.6 commissioner of natural resources must allow the owner to attempt to capture the escaped
 228.7 farmed Cervidae prior to destroying the farmed Cervidae. Farmed Cervidae that are not
 228.8 captured by 24 hours after escape may be destroyed.

228.9 (d) A hunter licensed by the commissioner of natural resources under chapter 97A may
 228.10 kill and possess escaped farmed Cervidae in a lawful manner and is not liable to the owner
 228.11 for the loss of the animal.

228.12 (e) Escaped farmed Cervidae killed by a hunter or destroyed by the commissioner of
 228.13 natural resources must be tested for chronic wasting disease at the owner's expense.

228.14 **EFFECTIVE DATE.** This section is effective September 1, 2021.

228.15 Sec. 2. Minnesota Statutes 2020, section 35.155, subdivision 4, is amended to read:

228.16 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent
228.17 escape. Except as provided in subdivision 4a, all perimeter fences for farmed Cervidae must
228.18 be at least 96 inches in height and be constructed and maintained in a way that prevents the
228.19 escape of farmed Cervidae or entry into the premises by free-roaming Cervidae, or physical
228.20 contact between farmed Cervidae and free-roaming Cervidae. After July 1, 2019, All new
228.21 fencing installed and all fencing used to repair deficiencies must be high tensile. By
228.22 December 1, 2019, All entry areas for farmed Cervidae enclosure areas must have two
228.23 redundant gates, which must be maintained to prevent the escape of animals through an
228.24 open gate. If a fence deficiency allows entry or exit by farmed or wild Cervidae, the owner
228.25 must repair the deficiency within a reasonable time, as determined by the Board of Animal
228.26 Health, not to exceed 45 days. If a fence deficiency is detected during an inspection, the
228.27 facility must be reinspected at least once in the subsequent three months. The farmed
228.28 Cervidae owner must pay a reinspection fee equal to one-half the applicable annual inspection
228.29 fee under subdivision 7a for each reinspection related to a fence violation. If the facility
228.30 experiences more than one escape incident in any six-month period or fails to correct a
228.31 deficiency found during an inspection, the board may revoke the facility's registration and
228.32 order the owner to remove or destroy the animals as directed by the board. If the board
228.33 revokes a facility's registration, the commissioner of natural resources may seize and destroy
228.34 animals at the facility.

229.1 **EFFECTIVE DATE.** This section is effective September 1, 2022.

229.2 Sec. 3. Minnesota Statutes 2020, section 35.155, is amended by adding a subdivision to
229.3 read:

229.4 Subd. 4a. **Fencing; commercial herds.** In addition to the requirements in subdivision
229.5 4, commercially farmed white-tailed deer must be confined by two or more perimeter fences,
229.6 with each perimeter fence at least 120 inches in height.

229.7 **EFFECTIVE DATE.** This section is effective September 1, 2022.

229.8 Sec. 4. Minnesota Statutes 2020, section 35.155, subdivision 6, is amended to read:

229.9 Subd. 6. **Identification.** (a) Farmed Cervidae must be identified by means approved by
229.10 the Board of Animal Health. The identification must include a distinct number that has not
229.11 been used during the previous three years and must be visible to the naked eye during
229.12 daylight under normal conditions at a distance of 50 yards. The identification for white-tailed
229.13 deer must also include contact information with a phone number or address that enables the
229.14 reader to readily identify the owner of escaped deer. This contact information does not need
229.15 to be visible from a distance of 50 yards. White-tailed deer must be identified before October
229.16 31 of the year in which the animal is born, at the time of weaning, or before movement from
229.17 the premises, whichever occurs first. Elk and other cervids must be identified by December
229.18 31 of the year in which the animal is born or before movement from the premises, whichever

229.19 occurs first. As coordinated by the board, the commissioner of natural resources may destroy
229.20 any animal that is not identified as required under this subdivision.

229.21 (b) The Board of Animal Health shall register farmed Cervidae. The owner must submit
229.22 the registration request on forms provided by the board. The forms must include sales
229.23 receipts or other documentation of the origin of the Cervidae. The board must provide copies
229.24 of the registration information to the commissioner of natural resources upon request. The
229.25 owner must keep written records of the acquisition and disposition of registered farmed
229.26 Cervidae.

229.27 **EFFECTIVE DATE.** This section is effective September 1, 2022.

229.28 Sec. 5. Minnesota Statutes 2020, section 35.155, subdivision 7, is amended to read:

229.29 Subd. 7. **Inspection.** (a) The Board of Animal Health must annually inspect farmed
229.30 Cervidae, farmed Cervidae facilities, and farmed Cervidae records. As coordinated by the
229.31 board, the commissioner of agriculture and an enforcement officer as defined under section
229.32 97A.015, subdivision 18, may participate in the annual inspection.

230.1 (b) The annual inspection must include a physical inspection of all perimeter fencing
230.2 around the facility and a viewing to verify that all animals are tagged. The owner of a farmed
230.3 Cervidae facility must present to the inspectors an accurate inventory of the owner's farmed
230.4 Cervidae and other records for review. During an annual inspection, the owner must present
230.5 individual animals in a herd for a physical inventory, if required by the board.

230.6 (c) The commissioner of natural resources may inspect farmed Cervidae, farmed Cervidae
230.7 facilities, and farmed Cervidae records with reasonable suspicion that laws protecting native
230.8 wild animals have been violated and must notify the owner in writing at the time of the
230.9 inspection of the reason for the inspection and must inform the owner in writing after the
230.10 inspection of whether (1) the cause of the inspection was unfounded; or (2) there will be an
230.11 ongoing investigation or continuing evaluation.

230.12 (d) An inspection conducted by the Board of Animal Health of a premises where chronic
230.13 wasting disease has been detected or has been identified through an epidemiological
230.14 investigation as a source or trace-out herd from an infected farm must include conservation
230.15 officers as provided by the Department of Natural Resources.

230.16 Sec. 6. Minnesota Statutes 2020, section 35.155, subdivision 10, is amended to read:

230.17 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in
230.18 Minnesota unless the person is registered with the Board of Animal Health and meets all
230.19 the requirements for farmed Cervidae under this section. Cervidae possessed in violation
230.20 of this subdivision may be seized and destroyed by the commissioner of natural resources.

230.21 (b) A person whose registration is revoked by the board is ineligible for future registration
230.22 under this section unless the board determines that the person has undertaken measures that
230.23 make future escapes extremely unlikely.

230.24 (c) The board must not allow new registrations under this section for possessing
230.25 white-tailed deer.

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

230.27 Sec. 7. Minnesota Statutes 2020, section 35.155, subdivision 11, is amended to read:

230.28 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)
230.29 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian
230.30 and filed with the Board of Animal Health every 12 months.

230.31 (b) Movement of farmed Cervidae from any premises to another location must be reported
230.32 to the Board of Animal Health within 14 days of the movement on forms approved by the
231.1 Board of Animal Health. A person must not move farmed white-tailed deer from any premises
231.2 to another location.

231.3 (c) All animals from farmed Cervidae herds that are over 12 months of age that die or
231.4 are slaughtered must be tested for chronic wasting disease.

231.5 (d) The owner of a premises where chronic wasting disease is detected must:

231.6 (1) allow and cooperate with inspections of the premises as determined by the Board of
231.7 Animal Health and Department of Natural Resources conservation officers and wildlife
231.8 managers;

231.9 (+) (2) depopulate the premises of Cervidae after the appraisal process for federal
231.10 indemnification has been completed or, if an indemnification application is not submitted,
231.11 within a reasonable time determined by the board in consultation with the commissioner of
231.12 natural resources;

231.13 (2) (3) maintain the fencing required under subdivision subdivisions 4 and 4a on the
231.14 premises for five ten years after the date of detection; and

231.15 (3) (4) post the fencing on the premises with biohazard signs as directed by the board;
231.16 and

231.17 (5) not raise farmed Cervidae on the premises for at least ten years.

231.18 Sec. 8. **TRANSFER OF DUTIES; FARMED CERVIDAE.**

231.19 (a) Except as provided in paragraph (b), the responsibilities for administering and
231.20 enforcing the statutes and rules listed in clauses (1) and (2) are transferred pursuant to
231.21 Minnesota Statutes, section 15.039, from the Board of Animal Health to the commissioner
231.22 of natural resources:

231.23 (1) Minnesota Statutes, sections 35.153 and 35.155; and

231.24 (2) Minnesota Rules, parts 1721.0370 to 1721.0420.

231.25 (b) Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, the transfer of
231.26 personnel will not take place. The commissioner of natural resources must contract with
231.27 the Board of Animal Health for any veterinary services required to administer this program.

231.28 **EFFECTIVE DATE.** This section is effective July 1, 2023.

232.1 Sec. 9. **REVISOR INSTRUCTION.**

232.2 The revisor of statutes must recodify the relevant sections in Minnesota Statutes, chapter
232.3 35, and Minnesota Rules, chapter 1721, as necessary to conform with section 7. The revisor
232.4 must also change the responsible agency and make necessary cross-reference changes
232.5 consistent with section 7 and the renumbering.

232.6 **ARTICLE 8**

232.7 **DRIVING UNDER THE INFLUENCE UNIFORMITY**

232.8 Section 1. **[84.765] OPERATING OFF-ROAD RECREATIONAL VEHICLES**
232.9 **WHILE IMPAIRED.**

232.10 Subdivision 1. **Definitions.** As used in this section, "controlled substance," "intoxicating
232.11 substance," and "off-road recreational vehicle" have the meanings given in section 169A.03.

232.12 Subd. 2. **Acts prohibited.** (a) An owner or other person having charge or control of an
232.13 off-road recreational vehicle must not authorize or allow an individual the person knows
232.14 or has reason to believe is under the influence of alcohol, a controlled substance, or an
232.15 intoxicating substance to operate the off-road recreational vehicle anywhere in the state or
232.16 on the ice of a boundary water of the state.

232.17 (b) A person who operates or is in physical control of an off-road recreational vehicle
232.18 anywhere in the state or on the ice of a boundary water of the state is subject to chapter
232.19 169A.

232.20 (c) The provisions of chapters 169A, 171, and 609 relating to revoking, suspending, or
232.21 canceling a driver's license, an instruction permit, or a nonresident operating privilege for
232.22 alcohol, controlled substance, or intoxicating substance violations apply to operators of
232.23 off-road recreational vehicles and operating privileges for off-road recreational vehicles.

232.24 (d) The commissioner of public safety must notify a person of the period during which
232.25 the person is prohibited from operating an off-road recreational vehicle under section
232.26 169A.52, 169A.54, or 171.177.

232.27 (e) The court must promptly forward to the commissioner of public safety copies of all
232.28 convictions and criminal and civil sanctions imposed under chapter 169A and section
232.29 171.177.

232.30 (f) If the person operating or in physical control of an off-road recreational vehicle is a
232.31 program participant in the ignition interlock device program described in section 171.306,
232.32 the off-road recreational vehicle may be operated only if it is equipped with an approved

233.1 ignition interlock device and all requirements of section 171.306 are satisfied. For purposes
233.2 of this paragraph, "program participant" and "ignition interlock device" have the meanings
233.3 given in section 171.306, subdivision 1.

233.4 Subd. 3. **Penalties.** (a) A person who violates subdivision 2, paragraph (a), or an
233.5 ordinance conforming to subdivision 2, paragraph (a), is guilty of a misdemeanor.

233.6 (b) A person who operates an off-road recreational vehicle during the period the person
233.7 is prohibited from operating an off-road recreational vehicle under subdivision 2, paragraph
233.8 (d), is subject to the penalty provided in section 171.24.

233.9 Sec. 2. Minnesota Statutes 2020, section 84.795, subdivision 5, is amended to read:

233.10 Subd. 5. **Operating under influence of alcohol or controlled substance.** A person
233.11 may not operate or be in control of an off-highway motorcycle anywhere in this state or on
233.12 the ice of any boundary water of this state while under the influence of alcohol or a controlled
233.13 substance, as provided in section 169A.20, and is subject to sections 169A.50 to 169A.53
233.14 or 171.177. A conservation officer of the Department of Natural Resources is a peace officer
233.15 for the purposes of sections 169A.20 and 169A.50 to 169A.53 or 171.177 as applied to the
233.16 operation of an off highway motorcycle in a manner not subject to registration under chapter
233.17 169.

233.18 Sec. 3. Minnesota Statutes 2020, section 84.83, subdivision 5, is amended to read:

233.19 Subd. 5. **Fines and forfeited bail.** The disposition of fines and forfeited bail collected
233.20 from prosecutions of violations of sections 84.81 to 84.91 84.90 or rules adopted thereunder,
233.21 and violations of section 169A.20 that involve off-road recreational vehicles, as defined in
233.22 section 169A.03, subdivision 16, are governed by section 97A.065, must be deposited in
233.23 the state treasury. Half the receipts must be credited to the general fund, and half the receipts
233.24 must be credited to the snowmobile trails and enforcement account in the natural resources
233.25 fund.

233.26 Sec. 4. [86B.33] OPERATING WHILE IMPAIRED.

233.27 Subdivision 1. **Definitions.** For purposes of this section, "controlled substance,"
233.28 "intoxicating substance," and "motorboat in operation" have the meanings given under
233.29 section 169A.03.

233.30 Subd. 2. **Acts prohibited.** (a) An owner or other person having charge or control of a
233.31 motorboat must not authorize or allow an individual the person knows or has reason to
234.1 believe is under the influence of alcohol, a controlled substance, or an intoxicating substance
234.2 to operate the motorboat in operation on waters of the state.

234.3 (b) A person who operates or is in physical control of a motorboat on waters of the state
234.4 is subject to chapter 169A.

234.5 (c) The provisions of chapters 169A, 171, and 609 relating to revoking, suspending, or
234.6 cancelling a driver's license, an instruction permit, or a nonresident operating privilege for

234.7 alcohol, controlled substance, or intoxicating substance violations apply to motorboat
 234.8 operators and to operating privileges for motorboats.

234.9 (d) The commissioner of public safety must notify a person of the period during which
 234.10 the person is prohibited from operating a motorboat under section 169A.52, 169A.54, or
 234.11 171.177.

234.12 (e) The court must promptly forward to the commissioner of public safety copies of all
 234.13 convictions and criminal and civil sanctions imposed under chapter 169A and section
 234.14 171.177.

234.15 (f) If the person operating or in physical control of a motorboat is a program participant
 234.16 in the ignition interlock device program described in section 171.306, the motorboat may
 234.17 be operated only if it is equipped with an approved ignition interlock device and all
 234.18 requirements of section 171.306 are satisfied. For purposes of this paragraph, "program
 234.19 participant" and "ignition interlock device" have the meanings given in section 171.306,
 234.20 subdivision 1.

234.21 Subd. 3. **Penalties.** (a) A person who violates subdivision 2, paragraph (a), or an
 234.22 ordinance conforming with subdivision 2, paragraph (a), is guilty of a misdemeanor.

234.23 (b) A person who operates a motorboat during the period the person is prohibited from
 234.24 operating a motorboat under subdivision 2, paragraph (d), is guilty of a misdemeanor.

234.25 Sec. 5. Minnesota Statutes 2020, section 86B.705, subdivision 2, is amended to read:

234.26 Subd. 2. **Fines and bail money.** (a) All fines, installment payments, and forfeited bail
 234.27 money collected from persons convicted of violations of violating this chapter or rules
 234.28 adopted thereunder, or of a violation of section 169A.20 involving a motorboat, shall must
 234.29 be deposited in the state treasury.

234.30 (b) One half of Half the receipts shall must be credited to the general revenue fund. The
 234.31 other one half of, and half the receipts shall must be transmitted to the commissioner of
 235.1 natural resources and credited to the water recreation account for the purpose of boat and
 235.2 water safety.

235.3 Sec. 6. Minnesota Statutes 2020, section 97A.065, subdivision 2, is amended to read:

235.4 Subd. 2. **Fines and forfeited bail.** (a) Fines and forfeited bail collected from prosecutions
 235.5 of violations of: the game and fish laws or rules adopted thereunder; sections 84.091 to
 235.6 84.15 or rules adopted thereunder; sections 84.81 to 84.91 or rules adopted thereunder;
 235.7 section 169A.20, when the violation involved an off road recreational vehicle as defined
 235.8 in section 169A.03, subdivision 16; chapter 348; and any other law relating to wild animals
 235.9 or aquatic vegetation, must be paid to the treasurer of the county where the violation is
 235.10 prosecuted. The county treasurer shall submit one half of deposited in the state treasury.
 235.11 Half the receipts to the commissioner and credit the balance to the county general revenue
 235.12 fund except as provided in paragraphs (b) and (c). In a county in a judicial district under
 235.13 section 480.181, subdivision 1, paragraph (b), the share that would otherwise go to the

235.14 ~~county under this paragraph must be submitted to the commissioner of management and budget for deposit in the state treasury and credited to the general fund must be credited to the general fund, and half the receipts must be credited to the game and fish fund under section 97A.055.~~

235.18 (b) ~~The county treasurer shall submit one-half of the receipts collected under paragraph (a) from prosecutions of violations of sections 84.81 to 84.91 or rules adopted thereunder, and 169A.20, except receipts that are surcharges imposed under section 357.021, subdivision 6, to the commissioner and credit the balance to the county general fund. The commissioner shall credit these receipts to the snowmobile trails and enforcement account in the natural resources fund.~~

235.24 (c) ~~The county treasurer shall indicate the amount of the receipts that are surcharges imposed under section 357.021, subdivision 6, and shall submit all of those receipts to the commissioner of management and budget.~~

235.27 Sec. 7. Minnesota Statutes 2020, section 169A.20, subdivision 1, is amended to read:

235.28 Subdivision 1. **Driving while impaired crime; motor vehicle.** It is a crime for any person to drive, operate, or be in physical control of any motor vehicle, as defined in section 169A.03, subdivision 15, ~~except for motorboats in operation and off road recreational vehicles;~~ within this state or on any boundary water of this state when:

235.32 (1) the person is under the influence of alcohol;

236.1 (2) the person is under the influence of a controlled substance;

236.2 (3) the person is under the influence of an intoxicating substance and the person knows or has reason to know that the substance has the capacity to cause impairment;

236.4 (4) the person is under the influence of a combination of any two or more of the elements named in clauses (1) to (3);

236.6 (5) the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the motor vehicle is 0.08 or more;

236.9 (6) the vehicle is a commercial motor vehicle and the person's alcohol concentration at the time, or as measured within two hours of the time, of driving, operating, or being in physical control of the commercial motor vehicle is 0.04 or more; or

236.12 (7) the person's body contains any amount of a controlled substance listed in Schedule I or II, or its metabolite, other than marijuana or tetrahydrocannabinols.

236.14 Sec. 8. Minnesota Statutes 2020, section 169A.52, is amended by adding a subdivision to
236.15 **read:**

236.16 **Subd. 9. Off-road recreational vehicles and motorboats.** (a) The provisions of this
236.17 **section for revoking a driver's license, permit, or nonresident operating privilege also apply**
236.18 **to the operating privilege for an off-road recreational vehicle and a motorboat.**

236.19 (b) Upon certification by a peace officer under subdivision 3, paragraph (a), or subdivision
236.20 **4, paragraph (a) or (c), the commissioner must notify a person that the person is prohibited**
236.21 **from operating off-road recreational vehicles and motorboats for the period provided in**
236.22 **subdivision 3, paragraph (a), or subdivision 4, paragraph (a).**

236.23 Sec. 9. Minnesota Statutes 2020, section 169A.54, is amended by adding a subdivision to
236.24 **read:**

236.25 **Subd. 12. Off-road recreational vehicles and motorboats.** (a) The provisions of this
236.26 **section for revoking a driver's license or nonresident operating privilege also apply to the**
236.27 **operating privilege for an off-road recreational vehicle and a motorboat.**

236.28 (b) Upon conviction, the commissioner must notify a person that the person is prohibited
236.29 **from operating off-road recreational vehicles and motorboats for the same period that the**
236.30 **person's driver's license or operating privilege is revoked or canceled under this section.**

237.1 Sec. 10. **[171.188] DRIVING WHILE IMPAIRED REVOCATION AND**
237.2 **PROHIBITION; OFF-ROAD RECREATIONAL VEHICLES AND MOTORBOATS.**

237.3 (a) The provisions of this chapter for revoking or canceling a driver's license or
237.4 **nonresident driving privilege for alcohol, controlled substance, or intoxicating substance**
237.5 **violations also apply to the operating privileges for off-road recreational vehicles and**
237.6 **motorboats.**

237.7 (b) Upon conviction, the commissioner must notify a person that the person is prohibited
237.8 **from operating off-road recreational vehicles and motorboats for the same period that the**
237.9 **person's driver's license or driving privilege is revoked or canceled for the alcohol, controlled**
237.10 **substance, or intoxicating substance conviction.**

237.11 Sec. 11. Minnesota Statutes 2020, section 171.306, is amended by adding a subdivision
237.12 **to read:**

237.13 **Subd. 3a. Off-road recreational vehicles and motorboats.** A program participant in
237.14 **the ignition interlock device program may operate an off-road recreational vehicle or a**
237.15 **motorboat only if it is equipped with an approved ignition interlock device as provided**
237.16 **under this section and sections 84.765, subdivision 2, and 86B.33, subdivision 2.**

237.17 Sec. 12. **REVISOR INSTRUCTION.**

237.18 The revisor of statutes shall make necessary changes to statutory cross-references to
237.19 **reflect the changes made in sections 1 to 11. If necessary, the revisor shall prepare a bill for**

UEH1684-1

65.9 Section 1. Minnesota Statutes 2020, section 84.787, subdivision 7, is amended to read:

65.10 Subd. 7. **Off-highway motorcycle.** (a) "Off-highway motorcycle" means a motorized, off-highway vehicle traveling on two wheels and having a seat or saddle designed to be straddled by the operator and handlebars for steering control, including a vehicle that is registered under chapter 168 for highway use if it is also used for off-highway operation on trails or unimproved terrain.

65.15 (b) Off-highway motorcycle does not include an electric-assisted bicycle as defined in section 169.011, subdivision 27.

65.17 **EFFECTIVE DATE.** This section is effective August 1, 2021.

65.18 Sec. 2. Minnesota Statutes 2020, section 84.797, subdivision 7, is amended to read:

65.19 Subd. 7. **Off-road vehicle.** (a) "Off-road vehicle" or "vehicle" means a motor-driven recreational vehicle capable of cross-country travel on natural terrain without benefit of a road or trail.

65.22 (b) Off-road vehicle does not include a snowmobile; an all-terrain vehicle; a motorcycle; an electric-assisted bicycle as defined in section 169.011, subdivision 27; a watercraft; a farm vehicle being used for farming; a vehicle used for military, fire, emergency, or law enforcement purposes; a construction or logging vehicle used in the performance of its common function; a motor vehicle owned by or operated under contract with a utility, whether publicly or privately owned, when used for work on utilities; a commercial vehicle being used for its intended purpose; snow-grooming equipment when used for its intended purpose; or an aircraft.

65.30 **EFFECTIVE DATE.** This section is effective August 1, 2021.

66.1 Sec. 3. Minnesota Statutes 2020, section 84.92, subdivision 8, is amended to read:

66.2 Subd. 8. **All-terrain vehicle or vehicle.** (a) "All-terrain vehicle" or "vehicle" means a motorized vehicle with: (1) not less than three, but not more than six low pressure or non-pneumatic tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width

237.20 introduction in the 2022 legislative session to make other necessary conforming changes
 237.21 that are beyond the scope of the revisor's authority to make editorial changes under this
 237.22 section or other law.

237.23 Sec. 13. **REPEALER.**

237.24 Minnesota Statutes 2020, sections 84.91, subdivision 1; 86B.331, subdivision 1; and
 237.25 169A.20, subdivisions 1a, 1b, and 1c, are repealed.

237.26

ARTICLE 9

ELECTRIC-ASSISTED BICYCLES

237.28 Section 1. Minnesota Statutes 2020, section 84.787, subdivision 7, is amended to read:

237.29 Subd. 7. **Off-highway motorcycle.** (a) "Off-highway motorcycle" means a motorized, off-highway vehicle traveling on two wheels and having a seat or saddle designed to be straddled by the operator and handlebars for steering control, including a vehicle that is registered under chapter 168 for highway use if it is also used for off-highway operation on trails or unimproved terrain.

238.4 (b) Off-highway motorcycle does not include an electric-assisted bicycle as defined in section 169.011, subdivision 27.

238.6 Sec. 2. Minnesota Statutes 2020, section 84.797, subdivision 7, is amended to read:

238.7 Subd. 7. **Off-road vehicle.** (a) "Off-road vehicle" or "vehicle" means a motor-driven recreational vehicle capable of cross-country travel on natural terrain without benefit of a road or trail.

238.10 (b) Off-road vehicle does not include a snowmobile; an all-terrain vehicle; a motorcycle; an electric-assisted bicycle as defined in section 169.011, subdivision 27; a watercraft; a farm vehicle being used for farming; a vehicle used for military, fire, emergency, or law enforcement purposes; a construction or logging vehicle used in the performance of its common function; a motor vehicle owned by or operated under contract with a utility, whether publicly or privately owned, when used for work on utilities; a commercial vehicle being used for its intended purpose; snow-grooming equipment when used for its intended purpose; or an aircraft.

238.18 Sec. 3. Minnesota Statutes 2020, section 84.92, subdivision 8, is amended to read:

238.19 Subd. 8. **All-terrain vehicle or vehicle.** (a) "All-terrain vehicle" or "vehicle" means a motorized vehicle with: (1) not less than three, but not more than six low pressure or non-pneumatic tires; (2) a total dry weight of 2,000 pounds or less; and (3) a total width

66.5 from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle
 66.6 includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

66.7 (b) All-terrain vehicle does not include ~~a~~ an electric-assisted bicycle as defined in section
 66.8 169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed
 66.9 and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

66.10 **EFFECTIVE DATE.** This section is effective August 1, 2021.

66.11 Sec. 4. Minnesota Statutes 2020, section 168.002, subdivision 18, is amended to read:

66.12 Subd. 18. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed
 66.13 and originally manufactured to operate primarily on highways, and not operated exclusively
 66.14 upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle
 66.15 and includes vehicles known as trackless trolleys that are propelled by electric power obtained
 66.16 from overhead trolley wires but not operated upon rails. ~~It does not include snowmobiles,~~
 66.17 ~~manufactured homes, or park trailers.~~

66.18 (b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has
 66.19 at least four wheels, (2) is owned and operated by a physically disabled person, and (3)
 66.20 displays both disability plates and a physically disabled certificate issued under section
 66.21 169.345.

66.22 (c) "Motor vehicle" does not include an all-terrain vehicle except (1) an all-terrain vehicle
 66.23 described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before
 66.24 August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause
 66.25 (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is
 66.26 destroyed, or fails to comply with the registration and licensing requirements of this chapter.

66.27 (d) "Motor vehicle" does not include ~~a snowmobile; a manufactured home; a park trailer;~~
 66.28 ~~an electric personal assistive mobility device as defined in section 169.011, subdivision 26;~~

66.29 ~~(e) "Motor vehicle" does not include a motorized foot scooter as defined in section~~
 66.30 ~~169.011, subdivision 46; or an electric-assisted bicycle as defined in section 169.011,~~
 66.31 ~~subdivision 27.~~

67.1 ~~(f) (e) "Motor vehicle" includes an off-highway motorcycle modified to meet the~~
 67.2 ~~requirements of chapter 169 according to section 84.788, subdivision 12.~~

67.3 **EFFECTIVE DATE.** This section is effective August 1, 2021.

82.1 Sec. 27. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision
 82.2 to read:

82.3 Subd. 15a. **Class 1 electric-assisted bicycle.** "Class 1 electric-assisted bicycle" means
 82.4 an electric-assisted bicycle equipped with an electric motor that provides assistance only

238.22 from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle
 238.23 includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

238.24 (b) All-terrain vehicle does not include ~~a~~ an electric-assisted bicycle as defined in section
 238.25 169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed
 238.26 and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

238.27 Sec. 4. Minnesota Statutes 2020, section 168.002, subdivision 18, is amended to read:

238.28 Subd. 18. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed
 238.29 and originally manufactured to operate primarily on highways, and not operated exclusively
 238.30 upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle
 238.31 and includes vehicles known as trackless trolleys that are propelled by electric power obtained
 239.1 from overhead trolley wires but not operated upon rails. ~~It does not include snowmobiles,~~
 239.2 ~~manufactured homes, or park trailers.~~

239.3 (b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has
 239.4 at least four wheels, (2) is owned and operated by a physically disabled person, and (3)
 239.5 displays both disability plates and a physically disabled certificate issued under section
 239.6 169.345.

239.7 (c) "Motor vehicle" does not include an all-terrain vehicle except (1) an all-terrain vehicle
 239.8 described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before
 239.9 August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause
 239.10 (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is
 239.11 destroyed, or fails to comply with the registration and licensing requirements of this chapter.

239.12 (d) "Motor vehicle" does not include ~~a snowmobile; a manufactured home; a park trailer;~~
 239.13 ~~an electric personal assistive mobility device as defined in section 169.011, subdivision 26;~~

239.14 ~~(e) "Motor vehicle" does not include a motorized foot scooter as defined in section~~
 239.15 ~~169.011, subdivision 46; or an electric-assisted bicycle as defined in section 169.011,~~
 239.16 ~~subdivision 27.~~

239.17 ~~(f) (e) "Motor vehicle" includes an off-highway motorcycle modified to meet the~~
 239.18 ~~requirements of chapter 169 according to section 84.788, subdivision 12.~~

239.19 Sec. 5. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision to
 239.20 read:

239.21 Subd. 15a. **Class 1 electric-assisted bicycle.** "Class 1 electric-assisted bicycle" means
 239.22 an electric-assisted bicycle equipped with an electric motor that provides assistance only

82.5 when the rider is pedaling and ceases to provide assistance when the bicycle reaches the
 82.6 speed of 20 miles per hour.

82.7 **EFFECTIVE DATE.** This section is effective August 1, 2021.

82.8 Sec. 28. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision
 82.9 to read:

82.10 **Subd. 15b. Class 2 electric-assisted bicycle.** "Class 2 electric-assisted bicycle" means
 82.11 an electric-assisted bicycle equipped with an electric motor that is capable of propelling the
 82.12 bicycle without the rider pedaling and ceases to provide assistance when the bicycle reaches
 82.13 the speed of 20 miles per hour.

82.14 **EFFECTIVE DATE.** This section is effective August 1, 2021.

82.15 Sec. 29. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision
 82.16 to read:

82.17 **Subd. 15c. Class 3 electric-assisted bicycle.** "Class 3 electric-assisted bicycle" means
 82.18 an electric-assisted bicycle equipped with an electric motor that provides assistance only
 82.19 when the rider is pedaling and ceases to provide assistance when the bicycle reaches the
 82.20 speed of 28 miles per hour.

82.21 **EFFECTIVE DATE.** This section is effective August 1, 2021.

82.22 Sec. 30. Minnesota Statutes 2020, section 169.011, subdivision 27, is amended to read:

82.23 **Subd. 27. Electric-assisted bicycle.** "Electric-assisted bicycle" means a bicycle with
 82.24 two or three wheels that:

82.25 (1) has a saddle and fully operable pedals for human propulsion;

82.26 (2) meets the requirements:

82.27 (i) of federal motor vehicle safety standards for a motor-driven cycle in Code of Federal
 82.28 Regulations, title 49, sections 571.1 et seq.; or

82.29 (ii) for bicycles under Code of Federal Regulations, title 16, part 1512, or successor
 82.30 requirements; and

83.1 (3) ~~has~~ is equipped with an electric motor that (i) has a power output of not more than
 83.2 ~~1,000~~ 750 watts; (ii) is incapable of propelling the vehicle at a speed of more than 20 miles
 83.3 per hour; (iii) is incapable of further increasing the speed of the device when human power
 83.4 alone is used to propel the vehicle at a speed of more than 20 miles per hour; and (iv)
 83.5 disengages or ceases to function when the vehicle's brakes are applied; and

83.6 (4) meets the requirements of a class 1, class 2, or class 3 electric-assisted bicycle.

83.7 **EFFECTIVE DATE.** This section is effective August 1, 2021.

239.23 when the rider is pedaling and ceases to provide assistance when the bicycle reaches the
 239.24 speed of 20 miles per hour.

239.25 Sec. 6. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision to
 239.26 read:

239.27 **Subd. 15b. Class 2 electric-assisted bicycle.** "Class 2 electric-assisted bicycle" means
 239.28 an electric-assisted bicycle equipped with an electric motor that is capable of propelling the
 239.29 bicycle without the rider pedaling and ceases to provide assistance when the bicycle reaches
 239.30 the speed of 20 miles per hour.

240.1 Sec. 7. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision to
 240.2 read:

240.3 **Subd. 15c. Class 3 electric-assisted bicycle.** "Class 3 electric-assisted bicycle" means
 240.4 an electric-assisted bicycle equipped with an electric motor that provides assistance only
 240.5 when the rider is pedaling and ceases to provide assistance when the bicycle reaches the
 240.6 speed of 28 miles per hour.

240.7 Sec. 8. Minnesota Statutes 2020, section 169.011, subdivision 27, is amended to read:

240.8 **Subd. 27. Electric-assisted bicycle.** "Electric-assisted bicycle" means a bicycle with
 240.9 two or three wheels that:

240.10 (1) has a saddle and fully operable pedals for human propulsion;

240.11 (2) meets the requirements:

240.12 (i) of federal motor vehicle safety standards for a motor-driven cycle in Code of Federal
 240.13 Regulations, title 49, sections 571.1 et seq.; or

240.14 (ii) for bicycles under Code of Federal Regulations, title 16, part 1512, or successor
 240.15 requirements; and

240.16 (3) ~~has~~ is equipped with an electric motor that (i) has a power output of not more than
 240.17 ~~1,000~~ 750 watts; (ii) is incapable of propelling the vehicle at a speed of more than 20 miles
 240.18 per hour; (iii) is incapable of further increasing the speed of the device when human power
 240.19 alone is used to propel the vehicle at a speed of more than 20 miles per hour; and (iv)
 240.20 disengages or ceases to function when the vehicle's brakes are applied; and

240.21 (4) meets the requirements of a class 1, class 2, or class 3 electric-assisted bicycle.

83.8 Sec. 31. Minnesota Statutes 2020, section 169.011, subdivision 42, is amended to read:

83.9 Subd. 42. **Motor vehicle.** (a) "Motor vehicle" means every vehicle which is self-propelled
83.10 and every vehicle which is propelled by electric power obtained from overhead trolley wires.

83.11 (b) Motor vehicle does not include an electric-assisted bicycle, an electric personal
83.12 assistive mobility device, or a vehicle moved solely by human power.

83.13 **EFFECTIVE DATE.** This section is effective August 1, 2021.

87.4 Sec. 37. Minnesota Statutes 2020, section 169.222, subdivision 4, is amended to read:

87.5 Subd. 4. **Riding rules.** (a) Every person operating a bicycle upon a roadway shall ride
87.6 as close as practicable to the right-hand curb or edge of the roadway except under any of
87.7 the following situations:

- 87.8 (1) when overtaking and passing another vehicle proceeding in the same direction;
- 87.9 (2) when preparing for a left turn at an intersection or into a private road or driveway;
- 87.10 (3) when reasonably necessary to avoid conditions, including fixed or moving objects,
87.11 vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe
87.12 to continue along the right-hand curb or edge; or
- 87.13 (4) when operating on the shoulder of a roadway or in a bicycle lane.

87.14 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle shall travel in the
87.15 same direction as adjacent vehicular traffic.

87.16 (c) Persons riding bicycles upon a roadway or shoulder shall not ride more than two
87.17 abreast and shall not impede the normal and reasonable movement of traffic and, on a laned
87.18 roadway, shall ride within a single lane.

87.19 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a
87.20 crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal
87.21 when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle
87.22 upon a sidewalk within a business district unless permitted by local authorities. Local
87.23 authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their
87.24 jurisdiction.

87.25 (e) An individual operating a bicycle or other vehicle on a bikeway shall leave a safe
87.26 distance when overtaking a bicycle or individual proceeding in the same direction on the
87.27 bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

87.28 (f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder
87.29 on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same
87.30 circumstances.

88.1 ~~(g) A person may operate an electric assisted bicycle on the shoulder of a roadway, on~~
88.2 ~~a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015, subdivision~~

240.22 Sec. 9. Minnesota Statutes 2020, section 169.011, subdivision 42, is amended to read:

240.23 Subd. 42. **Motor vehicle.** (a) "Motor vehicle" means every vehicle which is self-propelled
240.24 and every vehicle which is propelled by electric power obtained from overhead trolley wires.

240.25 (b) Motor vehicle does not include an electric-assisted bicycle, an electric personal
240.26 assistive mobility device, or a vehicle moved solely by human power.

240.27 Sec. 10. Minnesota Statutes 2020, section 169.222, subdivision 4, is amended to read:

240.28 Subd. 4. **Riding rules.** (a) Every person operating a bicycle upon a roadway shall ride
240.29 as close as practicable to the right-hand curb or edge of the roadway except under any of
240.30 the following situations:

- 241.1 (1) when overtaking and passing another vehicle proceeding in the same direction;
- 241.2 (2) when preparing for a left turn at an intersection or into a private road or driveway;
- 241.3 (3) when reasonably necessary to avoid conditions, including fixed or moving objects,
241.4 vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe
241.5 to continue along the right-hand curb or edge; or
- 241.6 (4) when operating on the shoulder of a roadway or in a bicycle lane.

241.7 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle shall travel in the
241.8 same direction as adjacent vehicular traffic.

241.9 (c) Persons riding bicycles upon a roadway or shoulder shall not ride more than two
241.10 abreast and shall not impede the normal and reasonable movement of traffic and, on a laned
241.11 roadway, shall ride within a single lane.

241.12 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a
241.13 crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal
241.14 when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle
241.15 upon a sidewalk within a business district unless permitted by local authorities. Local
241.16 authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their
241.17 jurisdiction.

241.18 (e) An individual operating a bicycle or other vehicle on a bikeway shall leave a safe
241.19 distance when overtaking a bicycle or individual proceeding in the same direction on the
241.20 bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

241.21 (f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder
241.22 on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same
241.23 circumstances.

241.24 ~~(g) A person may operate an electric assisted bicycle on the shoulder of a roadway, on~~
241.25 ~~a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015, subdivision~~

88.3 ~~1d, 85.018, subdivision 2, paragraph (d), or 160.263, subdivision 2, paragraph (b), as
88.4 applicable.~~

241.26 ~~1d, 85.018, subdivision 2, paragraph (d), or 160.263, subdivision 2, paragraph (b), as
241.27 applicable.~~

EFFECTIVE DATE. This section is effective August 1, 2021.

88.6 Sec. 38. Minnesota Statutes 2020, section 169.222, subdivision 6a, is amended to read:

88.7 Subd. 6a. **Operator age Electric-assisted bicycle; riding rules.** (a) A person may
88.8 operate an electric-assisted bicycle in the same manner as provided for operation of other
88.9 bicycles, including but not limited to operation on the shoulder of a roadway, a bicycle lane,
88.10 and a bicycle route, and operation without the motor engaged on a bikeway or bicycle trail.

88.11 (b) A person may operate a class 1 or class 2 electric-assisted bicycle with the motor
88.12 engaged on a bicycle path, bicycle trail, or shared use path unless prohibited under section
88.13 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2,
88.14 paragraph (b), as applicable.

88.15 (c) A person may operate a class 3 electric-assisted bicycle with the motor engaged on
88.16 a bicycle path, bicycle trail, or shared use path unless the local authority or state agency
88.17 having jurisdiction over the bicycle path or trail prohibits the operation.

88.18 (d) The local authority or state agency having jurisdiction over a trail that is designated
88.19 as nonmotorized and that has a natural surface tread made by clearing and grading the native
88.20 soil with no added surfacing materials may regulate the operation of an electric-assisted
88.21 bicycle.

88.22 (e) No person under the age of 15 shall operate an electric-assisted bicycle.

EFFECTIVE DATE. This section is effective August 1, 2021.

88.24 Sec. 39. Minnesota Statutes 2020, section 169.222, is amended by adding a subdivision
88.25 to read:

88.26 Subd. 6b. **Electric-assisted bicycle; equipment.** (a) The manufacturer or distributor of
88.27 an electric-assisted bicycle must apply a label to the bicycle that is permanently affixed in
88.28 a prominent location. The label must contain the classification number, top assisted speed,
88.29 and motor wattage of the electric-assisted bicycle, and must be printed in a legible font with
88.30 at least 9-point type.

89.1 (b) A person must not modify an electric-assisted bicycle to change the motor-powered
89.2 speed capability or motor engagement unless the person replaces the label required in
89.3 paragraph (a) with revised information.

89.4 (c) An electric-assisted bicycle must operate in a manner so that the electric motor is
89.5 disengaged or ceases to function when the rider stops pedaling or when the brakes are
89.6 applied.

241.28 Sec. 11. Minnesota Statutes 2020, section 169.222, subdivision 6a, is amended to read:

241.29 Subd. 6a. **Operator age Electric-assisted bicycle; riding rules.** (a) A person may
241.30 operate an electric-assisted bicycle in the same manner as provided for operation of other
241.31 bicycles, including but not limited to operation on the shoulder of a roadway, a bicycle lane,
241.32 and a bicycle route, and operation without the motor engaged on a bikeway or bicycle trail.

242.1 (b) A person may operate a class 1 or class 2 electric-assisted bicycle with the motor
242.2 engaged on a bicycle path, bicycle trail, or shared use path unless prohibited under section
242.3 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2,
242.4 paragraph (b), as applicable.

242.5 (c) A person may operate a class 3 electric-assisted bicycle with the motor engaged on
242.6 a bicycle path, bicycle trail, or shared use path unless the local authority or state agency
242.7 having jurisdiction over the bicycle path or trail prohibits the operation.

242.8 (d) The local authority or state agency having jurisdiction over a trail that is designated
242.9 as nonmotorized, and that has a natural surface tread made by clearing and grading the
242.10 native soil with no added surfacing materials, may regulate the operation of an
242.11 electric-assisted bicycle.

242.12 (e) No person under the age of 15 shall operate an electric-assisted bicycle.

242.13 Sec. 12. Minnesota Statutes 2020, section 169.222, is amended by adding a subdivision
242.14 to read:

242.15 Subd. 6b. **Electric-assisted bicycle; equipment.** (a) The manufacturer or distributor of
242.16 an electric-assisted bicycle must apply a label to the bicycle that is permanently affixed in
242.17 a prominent location. The label must contain the classification number, top assisted speed,
242.18 and motor wattage of the electric-assisted bicycle, and must be printed in a legible font with
242.19 at least 9-point type.

242.20 (b) A person must not modify an electric-assisted bicycle to change the motor-powered
242.21 speed capability or motor engagement unless the person replaces the label required in
242.22 paragraph (a) with revised information.

242.23 (c) An electric-assisted bicycle must operate in a manner so that the electric motor is
242.24 disengaged or ceases to function when the rider stops pedaling or when the brakes are
242.25 applied.

89.7 (d) A class 3 electric-assisted bicycle must be equipped with a speedometer that displays
89.8 the speed at which the bicycle is traveling in miles per hour.

89.9 **EFFECTIVE DATE.** Paragraph (a) is effective January 1, 2022. Paragraphs (b) to (d)
89.10 are effective August 1, 2021.

242.26 (d) A class 3 electric-assisted bicycle must be equipped with a speedometer that displays
242.27 the speed at which the bicycle is traveling in miles per hour.

242.28 **EFFECTIVE DATE.** Paragraph (a) is effective January 1, 2022. Paragraphs (b) to (d)
242.29 are effective August 1, 2021.