

Subject MPCA Citizens Board

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Overview

This bill would reinstate the Minnesota Pollution Control Agency (MPCA) Citizens Board which was eliminated in 2015. The MPCA Citizens Board was originally established in 1967 and was made up of nine members consisting of the commissioner of the MPCA, who serves as the chair, and eight citizens appointed by the Governor and confirmed by the Senate. The MPCA Citizens Board had a number of duties and authorities, including final decision making authority on the need for an environmental impact statement (EIS) under certain conditions and the issuance of certain permits. This bill would restore the board to its original makeup, duties, and authorities.

Summary

Section	Description
1	<p>Purpose.</p> <p>States that the MPCA was created in 1967 and the citizens board served as a check on the actions of the agency staff and commissioner, that the board listened to concerns of Minnesotans regarding agency decisions, and occasionally overturned those decisions. States that this is a valuable service eliminated in 2015, but it is in the public interest to reinstitute it now.</p>
2	<p>Pollution Control Agency; creation of powers.</p> <p>Subd. 1. Creation. Recreates the MPCA Citizens Board with its original structure.</p> <p>Subd. 2a. Terms, compensation, removal, vacancies. Provides for the terms, compensation, removal of members and filing of vacancies as originally provided.</p> <p>Subd. 3a. Membership. Establishes membership requirements as originally required.</p> <p>Subd. 4a. Chair. Requires the commissioner to serve as chair as originally required.</p> <p>Subd. 5. Agency successor to commission. Vests authorities in the MPCA rather than the commissioner as originally provided.</p>

Section	Description
	<p>Subd. 6a. Required decisions. Requires the board to make final decisions on certain matters it was originally required to decide, including the petition for preparing an environmental assessment worksheet (EAW) if requested, the need for an EIS under certain circumstances, and issuance/modification/revocation of certain permits.</p> <p>Subd. 7a. Additional decisions. Allows the commissioner to request the board to make additional decisions or provide advice as originally allowed.</p> <p>Subd. 8a. Other actions. Provides that other actions not specifically within the authority of the commissioner be made by the board under certain conditions as originally provided.</p> <p>Subd. 9a. Informing public. Requires the commissioner to inform the public about their rights to request the board to make decisions and other information as originally required.</p> <p>Subd. 11. Changing decisions. Prohibits the board from reopening, rescinding, or reversing its decision except under certain conditions as originally provided.</p>
3	<p>Office. Conforming change.</p>
4	<p>Mission; efficiency. Conforming change.</p>
5	<p>Repealer. Repeals an obsolete provision passed when the MPCA Citizens Board was eliminated that required the Revisor to prepare draft legislation to amend statutes to conform with the elimination.</p>



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