

1.1 ..... moves to amend H.F. No. 4492 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "ARTICLE 1

1.4 APPROPRIATIONS

1.5 Section 1. ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.

1.6 The sums shown in the columns marked "Appropriations" are appropriated to the agencies  
 1.7 and for the purposes specified in this article. The appropriations are from the general fund,  
 1.8 or another named fund, and are available for the fiscal years indicated for each purpose.  
 1.9 The figures "2022" and "2023" used in this article mean that the appropriations listed under  
 1.10 them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively.  
 1.11 "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium"  
 1.12 is fiscal years 2022 and 2023. Appropriations for the fiscal year ending June 30, 2022, are  
 1.13 effective the day following final enactment.

1.14 APPROPRIATIONS

1.15 Available for the Year

1.16 Ending June 30

1.17 2022

2023

1.18 Sec. 2. POLLUTION CONTROL AGENCY

1.19	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>-0-</u>	<u>\$</u>	<u>57,866,000</u>
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1.20 Appropriations by Fund

	<u>2022</u>	<u>2023</u>
1.21		
1.22	<u>-0-</u>	<u>50,933,000</u>
1.23	<u>-0-</u>	<u>5,403,000</u>
1.24	<u>-0-</u>	<u>1,530,000</u>

2.1 The amounts that may be spent for each  
2.2 purpose are specified in the following  
2.3 subdivisions.

2.4 **Subd. 2. Agency Appropriations**

2.5 (a) \$10,000,000 the second year is to support  
2.6 local government units and Tribal  
2.7 governments in planning, designing, and  
2.8 implementing resiliency projects to withstand  
2.9 local flooding. Of this amount, \$9,550,000 is  
2.10 for grants to local government units and Tribal  
2.11 governments to upgrade local infrastructure,  
2.12 critical facilities, and other assets for  
2.13 protection against localized flooding and urban  
2.14 heat impacts and \$450,000 is for technical  
2.15 assistance. The commissioner may contract  
2.16 with an independent third party to provide the  
2.17 technical assistance. This appropriation is  
2.18 available until June 30, 2026. The base for this  
2.19 appropriation in fiscal year 2024 and later is  
2.20 \$133,000.

2.21 (b) \$5,602,000 the second year is for agency  
2.22 operating adjustments. Of this amount,  
2.23 \$38,000 is from the general fund, \$4,167,000  
2.24 is from the environmental fund, and  
2.25 \$1,397,000 is from the remediation fund, of  
2.26 which \$854,000 is for the purposes of the  
2.27 petroleum remediation program. The  
2.28 commissioner must make necessary  
2.29 adjustments to program appropriations in this  
2.30 section to distribute these funds. By September  
2.31 1, 2022, the commissioner must report to the  
2.32 chairs of the legislative committees and  
2.33 divisions with jurisdiction over environment  
2.34 and natural resources finance the distribution

3.1 of funds and resulting base-level  
3.2 appropriations for each program.

3.3 (c) \$1,000,000 the second year is to create a  
3.4 community-based brownfield grant program  
3.5 to provide grants to complete contamination  
3.6 site investigations and cleanup planning at  
3.7 brownfield sites in underserved areas. Of this  
3.8 amount, \$500,000 is for use in the  
3.9 seven-county metropolitan area and \$500,000  
3.10 is for use outside the seven-county  
3.11 metropolitan area. This is a onetime  
3.12 appropriation and is available until June 30,  
3.13 2025.

3.14 (d) \$2,000,000 the second year is to support  
3.15 efforts to prevent perfluoroalkyl and  
3.16 polyfluoroalkyl substances (PFAS)  
3.17 contamination. Of this amount, \$1,400,000 is  
3.18 for grants to support projects designed to  
3.19 prevent PFAS releases to the environment,  
3.20 identify sources of PFAS, and implement  
3.21 reduction strategies. This is a onetime  
3.22 appropriation and is available until June 30,  
3.23 2025.

3.24 (e) \$10,000,000 the second year is to establish  
3.25 a waste prevention and recycling grant and  
3.26 loan program. Of this amount, \$9,360,000 is  
3.27 for grants and loans for infrastructure  
3.28 improvement projects related to waste  
3.29 prevention, recycling, and composting. This  
3.30 is a onetime appropriation and is available  
3.31 until June 30, 2025. All loan proceeds must  
3.32 be deposited in the environmental fund.

3.33 (f) \$50,000 the second year is for completing  
3.34 the St. Louis River mercury total maximum  
3.35 daily load study. This is a onetime

4.1 appropriation and is available until June 30,  
4.2 2025.

4.3 (g) The unspent amount, estimated to be  
4.4 \$50,000, from the appropriation in Laws 2021,  
4.5 First Special Session chapter 6, article 1,  
4.6 section 2, subdivision 2, paragraph (i), for the  
4.7 St. Louis River mercury total maximum daily  
4.8 load study is canceled on June 29, 2022.

4.9 (h) \$1,800,000 the second year is to address  
4.10 the Pig's Eye Landfill. Of this amount,  
4.11 \$800,000 is for the purposes of the Pig's Eye  
4.12 Landfill Task Force as provided in this act,  
4.13 and \$1,000,000 is for preliminary assessment  
4.14 and cleanup. This is a onetime appropriation  
4.15 and is available until June 30, 2026.

4.16 (i) \$50,000 the second year is for the  
4.17 petroleum tank release cleanup program duties  
4.18 and report required under this act. This is a  
4.19 onetime appropriation.

4.20 (j) \$250,000 the second year is to implement  
4.21 feedlot financial assurance requirements and  
4.22 compile the annual feedlot and manure storage  
4.23 area lists required under Minnesota Statutes,  
4.24 section 116.07, subdivisions 7f and 7g.

4.25 (k) \$100,000 the second year is for distribution  
4.26 to counties for the abandoned feedlot and  
4.27 manure storage area reports required under  
4.28 this act. This is a onetime appropriation.

4.29 (l) \$250,000 the second year is for a grant to  
4.30 the Minnesota Association of County Feedlot  
4.31 Officers to provide training concerning state  
4.32 feedlot requirements, working efficiently and  
4.33 effectively with producers, and reducing the  
4.34 incidence of manure or nutrients entering

5.1 surface water or groundwater. This is a  
5.2 onetime appropriation.

5.3 (m) \$5,000,000 the second year is for grants  
5.4 for pilot projects that encourage composting  
5.5 by residents of multifamily buildings under  
5.6 Minnesota Statutes, section 115A.5591. This  
5.7 is a onetime appropriation.

5.8 (n) \$9,080,000 the second year from the  
5.9 general fund is for implementation of the  
5.10 environmental justice, cumulative impact  
5.11 analysis, and demographic analysis  
5.12 requirements under this act. The general fund  
5.13 appropriation is onetime and is available until  
5.14 June 30, 2024. The base for this appropriation  
5.15 in fiscal year 2024 is \$8,979,000 from the  
5.16 environmental fund and the base in fiscal year  
5.17 2025 and later is \$8,603,000 from the  
5.18 environmental fund.

5.19 (o) \$5,000,000 the second year is for  
5.20 development of a statewide air quality  
5.21 monitoring program, including air monitoring  
5.22 devices and other necessary equipment. This  
5.23 is a onetime appropriation and is available  
5.24 until June 30, 2027.

5.25 (p) \$540,000 the second year is for the purpose  
5.26 of purchasing three air monitoring devices to  
5.27 measure pollutants in ambient air. The  
5.28 monitoring devices must be placed within a  
5.29 census tract that the commissioner has  
5.30 determined is located in an environmental  
5.31 justice area, as defined in Minnesota Statutes,  
5.32 section 116.06, subdivision 10b. This is a  
5.33 onetime appropriation.

6.1 (q) \$500,000 the second year is for the purpose  
6.2 of awarding grants for a community air  
6.3 monitoring system pilot program under this  
6.4 act and to pay the agency's reasonable costs  
6.5 to administer the pilot grant program. This is  
6.6 a onetime appropriation and is available until  
6.7 June 30, 2024.

6.8 (r) \$500,000 the second year is for the purpose  
6.9 of promulgating rules to regulate air toxics  
6.10 emissions, as specified in this act. This is a  
6.11 onetime appropriation and is available until  
6.12 June 30, 2025.

6.13 (s) \$1,000,000 the second year is for a lead  
6.14 tackle collection program that provides  
6.15 collection sites throughout the state where  
6.16 anglers may safely dispose of lead tackle.

6.17 (t) \$175,000 the second year is for the seed  
6.18 disposal rulemaking required under this act.  
6.19 This is a onetime appropriation and is  
6.20 available until June 30, 2024.

6.21 (u) \$100,000 the second year is for transfer to  
6.22 the commissioner of agriculture to enforce the  
6.23 treated seed provisions under Minnesota  
6.24 Statutes, section 21.86, subdivision 2.

6.25 (v) \$2,000,000 the second year is to develop  
6.26 protocols to be used by agencies and  
6.27 departments for sampling and testing  
6.28 groundwater, surface water, public drinking  
6.29 water, and private wells for microplastics and  
6.30 nanoplastics and to begin implementation. The  
6.31 commissioner of the Pollution Control Agency  
6.32 may transfer money appropriated under this  
6.33 paragraph to the commissioners of agriculture,  
6.34 natural resources, and health to implement the

7.1 protocols developed under this paragraph. This  
7.2 is a onetime appropriation. For the purposes  
7.3 of this section, "microplastics" and  
7.4 "nanoplastics" have the meanings given under  
7.5 Minnesota Statutes, section 116.06,  
7.6 subdivisions 14a and 14b.

7.7 (w) \$1,500,000 the second year is for the  
7.8 zero-waste grant program under Minnesota  
7.9 Statutes, section 115A.561. This is a onetime  
7.10 appropriation.

7.11 (x) \$17,000 the second year is from the  
7.12 environmental fund to support the expedited  
7.13 rule process to update the capital assistance  
7.14 program grant limits and eligibility. This is a  
7.15 onetime appropriation and is available until  
7.16 June 30, 2024.

7.17 (y) \$74,000 the second year is from the  
7.18 environmental fund to complete compliance  
7.19 monitoring and testing for cadmium and lead  
7.20 in consumer products.

7.21 (z) \$150,000 the second year is from the  
7.22 environmental fund for the carpet stewardship  
7.23 report required under this act. This is a  
7.24 onetime appropriation.

7.25 (aa) \$452,000 the second year is from the  
7.26 environmental fund to adopt rules establishing  
7.27 water quality standards for perfluorooctanoic  
7.28 acid (PFOA) and perfluorooctanesulfonic acid  
7.29 (PFOS) as required under this act. This is a  
7.30 onetime appropriation and is available until  
7.31 June 30, 2025.

7.32 (bb) \$181,000 the second year is from the  
7.33 environmental fund for implementing and  
7.34 enforcing the perfluoroalkyl and

8.1 polyfluoroalkyl substances provisions under  
8.2 Minnesota Statutes, sections 116.943 to  
8.3 116.947. The base for this appropriation in  
8.4 fiscal year 2024 and later is \$362,000. Of this  
8.5 amount, \$66,000 may be transferred to the  
8.6 commissioner of health.

8.7 (cc) \$314,000 the second year is from the  
8.8 environmental fund for the perfluoroalkyl and  
8.9 polyfluoroalkyl substances disclosure  
8.10 requirements under Minnesota Statutes,  
8.11 section 116.948. The base for this  
8.12 appropriation is \$300,000 in fiscal year 2024  
8.13 and \$154,000 in fiscal year 2025 and later.

8.14 (dd) \$48,000 the second year is from the  
8.15 environmental fund for the purposes of the  
8.16 public informational meeting requirements  
8.17 under Minnesota Statutes, section 115.071,  
8.18 subdivision 3a.

8.19 (ee) \$133,000 the second year is from the  
8.20 remediation fund for staffing to fulfill the  
8.21 statutory obligations under Minnesota Statutes,  
8.22 chapter 115E, regarding railroad safety. The  
8.23 base for this appropriation in fiscal year 2024  
8.24 and later is \$133,000.

8.25 **Subd. 3. Transfers**

8.26 By June 30, 2023, the commissioner of  
8.27 management and budget must transfer  
8.28 \$29,055,000 from the general fund to the  
8.29 metropolitan landfill contingency action trust  
8.30 account in the remediation fund to restore the  
8.31 money transferred from the account as  
8.32 intended under Laws 2003, chapter 128, article  
8.33 1, section 10, paragraph (e), and Laws 2005,  
8.34 First Special Session chapter 1, article 3,

9.1 section 17, and compensate the account for  
9.2 the estimated lost investment income.

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

9.4 **Sec. 3. NATURAL RESOURCES**

9.5 **Subdivision 1. Total Appropriation** **\$** **-0-** **\$** **54,327,000**

9.6 Appropriations by Fund

	<u>2022</u>	<u>2023</u>
9.7 <u>General</u>	<u>-0-</u>	<u>53,562,000</u>
9.8 <u>Natural Resources</u>	<u>-0-</u>	<u>750,000</u>
9.9 <u>Game and Fish</u>	<u>-0-</u>	<u>15,000</u>

9.10 The amounts that may be spent for each  
9.11 purpose are specified in the following  
9.12 subdivisions.

9.13 **Subd. 2. Department Appropriations**

9.14 (a) \$25,000,000 the second year is for  
9.15 modernizing and enhancing  
9.16 department-managed infrastructure, lands, and  
9.17 waters to mitigate and adapt to climate change.

9.18 Of this amount, \$10,000,000 is for public  
9.19 water access sites; \$10,000,000 is for  
9.20 hatcheries; and \$5,000,000 is for native plant  
9.21 restoration in state parks. The commissioner  
9.22 may reallocate across these purposes based on  
9.23 project readiness and priority. This is a  
9.24 onetime appropriation and is available until  
9.25 June 30, 2026.

9.26 (b) \$300,000 the second year is to provide  
9.27 aggregate resource maps for local  
9.28 governments. The base for this appropriation  
9.29 in fiscal year 2024 and beyond is \$100,000.

9.30 (c) \$5,000,000 the second year is to enhance  
9.31 grasslands and restore wetlands on  
9.32 state-owned wildlife management areas to

- 10.1 increase carbon sequestration and enhance  
10.2 climate resiliency. This is a onetime  
10.3 appropriation and is available until June 30,  
10.4 2026.
- 10.5 (d) \$250,000 the second year is to evaluate  
10.6 fish designated as rough fish in the state to  
10.7 determine if fish species are properly  
10.8 designated and if there are rough fish species  
10.9 that are in need of additional protection  
10.10 through regulations and to determine any  
10.11 research needs. The commissioner must  
10.12 submit a report with the results of the  
10.13 evaluation and any recommendations to the  
10.14 chairs and ranking minority members of the  
10.15 legislative committees and divisions with  
10.16 jurisdiction over the environment and natural  
10.17 resources by January 15, 2023. This is a  
10.18 onetime appropriation.
- 10.19 (e) \$3,000,000 the second year is for  
10.20 designating swan resting areas under this act  
10.21 and to provide increased education and  
10.22 outreach promoting the protection of swans  
10.23 in the state, including education regarding the  
10.24 restrictions on taking swans. This is a onetime  
10.25 appropriation and is available until June 30,  
10.26 2025.
- 10.27 (f) \$421,000 the second year is to complete a  
10.28 centralized aquifer-property database to  
10.29 provide needed data for site characterization.  
10.30 This is a onetime appropriation and is  
10.31 available until June 30, 2024.
- 10.32 (g) \$30,000 the second year is to stock at least  
10.33 7,000,000 walleye fry near spawning riffles  
10.34 in the Rat Root River in Koochiching County.  
10.35 This is a onetime appropriation.

11.1 (h) \$1,841,000 the second year is for grants  
11.2 to lake associations to manage aquatic invasive  
11.3 plant species, including starry stonewort. This  
11.4 is a onetime appropriation.

11.5 (i) \$1,383,000 is added to the base beginning  
11.6 in fiscal year 2025 for implementing the  
11.7 transition of the farmed Cervidae program  
11.8 from the Board of Animal Health to the  
11.9 Department of Natural Resources as required  
11.10 under this act.

11.11 (j) \$3,300,000 the second year is for improved  
11.12 maintenance at scientific and natural areas  
11.13 under Minnesota Statutes, section 86A.05,  
11.14 subdivision 5, including additional natural  
11.15 resource specialists and technicians,  
11.16 coordinators, seasonal crews, equipment,  
11.17 supplies, and administrative support. This is  
11.18 a onetime appropriation and is available until  
11.19 June 30, 2025.

11.20 (k) \$10,000,000 the second year is for grants  
11.21 to local units of government to replace trees  
11.22 removed to address emerald ash borer. Priority  
11.23 must be given to environmental justice areas.  
11.24 Money appropriated in this paragraph may be  
11.25 used to acquire and plant trees that are climate  
11.26 adaptive to Minnesota. This is a onetime  
11.27 appropriation and is available until June 30,  
11.28 2025. For purposes of this appropriation, an  
11.29 environmental justice area is one or more  
11.30 census blocks with a history of higher than  
11.31 average cumulative impacts from air pollution  
11.32 located in Minnesota:

11.33 (1) in which, based on the most recent data  
11.34 published by the United States Census Bureau:

- 12.1 (i) 40 percent or more of the population is  
12.2 nonwhite;
- 12.3 (ii) 35 percent or more of the households have  
12.4 an income at or below 200 percent of the  
12.5 federal poverty level; or
- 12.6 (iii) 40 percent or more of the population over  
12.7 the age of five have limited English  
12.8 proficiency; or
- 12.9 (2) within Indian Country, as defined in United  
12.10 States Code, title 18, section 1151.
- 12.11 (l) \$1,000,000 the second year is for grants to  
12.12 prekindergarten to grade 12 schools, including  
12.13 public and private schools, to plant trees on  
12.14 school grounds while providing hands-on  
12.15 learning opportunities for students. A grant  
12.16 application under this section must be prepared  
12.17 jointly with the parent-teacher organization or  
12.18 similar parent organization for the school. This  
12.19 is a onetime appropriation and is available  
12.20 until June 30, 2024.
- 12.21 (m) \$1,000,000 the second year is for public  
12.22 meeting and water-use permit requirements  
12.23 under Minnesota Statutes, sections 103G.271,  
12.24 subdivisions 2a and 4b, and 103G.287,  
12.25 subdivision 5. The base for this appropriation  
12.26 in fiscal year 2024 and beyond is \$250,000.
- 12.27 (n) \$1,000,000 the second year is for a grant  
12.28 to the Fond du Lac Band of Lake Superior  
12.29 Chippewa to expand Minnesota's wild elk  
12.30 population and range. Consideration must be  
12.31 given to moving elk from existing herds in  
12.32 northwest Minnesota to the area of the Fond  
12.33 du Lac State Forest and the Fond du Lac  
12.34 Reservation in Carlton and southern St. Louis

- 13.1 Counties. The Fond du Lac Band of Lake  
13.2 Superior Chippewa's elk reintroduction efforts  
13.3 must undergo thorough planning with the  
13.4 Department of Natural Resources to develop  
13.5 necessary capture and handling protocols,  
13.6 including protocols related to cervid disease  
13.7 management, and to produce postrelease state  
13.8 and Tribal elk co-management plans. This is  
13.9 a onetime appropriation.
- 13.10 (o) \$250,000 the second year is for purposes  
13.11 of testing farmed white-tailed deer for chronic  
13.12 wasting disease using a real-time  
13.13 quaking-induced conversion (RT-QuIC) test  
13.14 as required in this act. The commissioner must  
13.15 issue a request for proposal for the RT-QuIC  
13.16 testing required. This is a onetime  
13.17 appropriation.
- 13.18 (p) \$500,000 the second year is to address  
13.19 chronic wasting disease in white-tailed deer  
13.20 in and around the city of Grand Rapids. This  
13.21 is a onetime appropriation.
- 13.22 (q) \$600,000 the second year is for grants for  
13.23 natural-resource-based education and  
13.24 recreation programs serving youth under  
13.25 Minnesota Statutes, section 84.976. The base  
13.26 for this appropriation in fiscal year 2024 and  
13.27 beyond is \$300,000.
- 13.28 (r) \$70,000 the second year is for the nongame  
13.29 wildlife management program.
- 13.30 (s) Notwithstanding Minnesota Statutes,  
13.31 section 297A.94, \$15,000 the second year is  
13.32 from the heritage enhancement account in the  
13.33 game and fish fund for implementing nontoxic  
13.34 shot requirements under Minnesota Statutes,

14.1 section 97B.673. This is a onetime  
 14.2 appropriation and is available until June 30,  
 14.3 2025.

14.4 (t) \$750,000 the second year is from the  
 14.5 natural resources fund for state trail, park, and  
 14.6 recreation area operations. This appropriation  
 14.7 is from revenue deposited in the natural  
 14.8 resources fund under Minnesota Statutes,  
 14.9 section 297A.94, paragraph (h), clause (2).

14.10 This is a onetime appropriation.

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

14.12 **Sec. 4. BOARD OF WATER AND SOIL**  
 14.13 **RESOURCES**

**\$ -0- \$ 68,920,000**

14.14 (a) \$10,000,000 the second year is for water  
 14.15 storage and management projects and practices  
 14.16 to control water volume and rates to protect  
 14.17 infrastructure, improve water quality, and  
 14.18 provide other related public benefits consistent  
 14.19 with Minnesota Statutes, section 103F.05. Of  
 14.20 this amount, \$5,000,000 is for projects in the  
 14.21 seven-county metropolitan area and  
 14.22 \$5,000,000 is for projects outside the  
 14.23 seven-county metropolitan area. This  
 14.24 appropriation is available until June 30, 2026.  
 14.25 The base for this appropriation is \$167,000 in  
 14.26 fiscal year 2024 and beyond.

14.27 (b) \$595,000 the second year is to offset  
 14.28 unreimbursed costs caused by the COVID-19  
 14.29 pandemic. This is a onetime appropriation.

14.30 (c) \$5,000,000 the second year is to accelerate  
 14.31 the adoption of soil health practices consistent  
 14.32 with Minnesota Statutes, sections 103C.101,  
 14.33 subdivision 10a, and 103F.49.

15.1 (d) \$125,000 the second year is to accomplish  
15.2 the objectives of Minnesota Statutes, section  
15.3 10.65, and related Tribal government  
15.4 coordination. The base for fiscal year 2024 is  
15.5 \$129,000 and \$133,000 for fiscal year 2025  
15.6 and each year thereafter.

15.7 (e) \$10,000,000 the second year is to provide  
15.8 onetime state incentive payments to enrollees  
15.9 in the federal Conservation Reserve Program  
15.10 (CRP) during the continuous enrollment  
15.11 period and to enroll complementary areas in  
15.12 conservation easements consistent with  
15.13 Minnesota Statutes, section 103F.515. The  
15.14 board may establish payment rates based on  
15.15 land valuation and on environmental benefit  
15.16 criteria, including but not limited to surface  
15.17 water or groundwater pollution reduction,  
15.18 drinking water protection, soil health,  
15.19 pollinator and wildlife habitat, and other  
15.20 conservation enhancements. The board may  
15.21 use state funds to implement the program and  
15.22 to provide technical assistance to landowners  
15.23 or their agents to fulfill enrollment and  
15.24 contract provisions. The board must consult  
15.25 with the commissioners of agriculture, health,  
15.26 natural resources, and the Pollution Control  
15.27 Agency and the United States Department of  
15.28 Agriculture in establishing program criteria.  
15.29 This is a onetime appropriation and is  
15.30 available until June 30, 2026.

15.31 (f) \$5,000,000 the second year is for the lawns  
15.32 to legumes program under Minnesota Statutes,  
15.33 section 103B.104. The base for this  
15.34 appropriation in fiscal year 2024 and beyond  
15.35 is \$1,250,000.

16.1 (g) \$200,000 the second year is to establish  
16.2 the drainage registry information portal  
16.3 required under Minnesota Statutes, section  
16.4 103E.122. This is a onetime appropriation.

16.5 (h) \$30,000,000 the second year is to purchase  
16.6 and restore permanent conservation sites via  
16.7 easements or contracts to treat and store water  
16.8 on the land for water quality improvement  
16.9 purposes and related technical assistance.  
16.10 Minnesota Statutes, section 103F.515, applies  
16.11 to this program. The board must give priority  
16.12 to leveraging federal money by enrolling  
16.13 targeted new lands or enrolling  
16.14 environmentally sensitive lands that have  
16.15 expiring federal conservation agreements. The  
16.16 board may enter into new agreements and  
16.17 amend past agreements with landowners as  
16.18 required by Minnesota Statutes, section  
16.19 103F.515, subdivision 5, to allow for  
16.20 restoration. Up to \$1,700,000 is for deposit in  
16.21 a monitoring and enforcement account. This  
16.22 is a onetime appropriation and is available  
16.23 until June 30, 2026.

16.24 (i) \$8,000,000 the second year is for an  
16.25 accelerated conservation planting program.  
16.26 This is a onetime appropriation and is  
16.27 available until June 30, 2026. The work must  
16.28 be carried out consistent with the provisions  
16.29 of Minnesota Statutes, section 103C.501, and  
16.30 be used for financial and technical assistance  
16.31 to landowners via local units of government  
16.32 for the purpose of establishing or enhancing  
16.33 tree, shrub, and associated conservation  
16.34 practices that will reduce greenhouse gas  
16.35 emissions and add resiliency to the landscape

17.1 by sequestering carbon, conserving energy,  
 17.2 and improving water quality and habitat. Of  
 17.3 this amount, \$500,000 must be used to address  
 17.4 invasive species control via cooperative weed  
 17.5 management agreements. Money appropriated  
 17.6 in this paragraph may be used to acquire and  
 17.7 plant trees that are climate adaptive to  
 17.8 Minnesota.

17.9 **Sec. 5. CONSERVATION CORPS**

17.10 **MINNESOTA** **\$** **-0-** **\$** **500,000**

17.11 Conservation Corps Minnesota may receive  
 17.12 money appropriated under this section only  
 17.13 as provided in an agreement with the  
 17.14 commissioner of natural resources. \$250,000  
 17.15 is added to the base in fiscal year 2024 and  
 17.16 beyond.

17.17 **Sec. 6. METROPOLITAN COUNCIL** **\$** **-0-** **\$** **13,085,000**

		<u>Appropriations by Fund</u>	
		<u>2022</u>	<u>2023</u>
17.19			
17.20	<u>General</u>	<u>-0-</u>	<u>\$12,335,000</u>
17.21	<u>Natural Resources</u>	<u>-0-</u>	<u>\$750,000</u>

17.22 (a) \$2,500,000 the second year is to develop  
 17.23 a decision-making support toolset to help local  
 17.24 partners quantify the risks of a changing  
 17.25 climate and prioritize strategies that mitigate  
 17.26 those risks. This is a onetime appropriation  
 17.27 and is available until June 30, 2026.

17.28 (b) \$2,500,000 the second year is for grants  
 17.29 to cities within the metropolitan area, as  
 17.30 defined in Minnesota Statutes, section  
 17.31 473.121, subdivision 2, for capital  
 17.32 improvements in municipal wastewater  
 17.33 collection systems to reduce the amount of  
 17.34 inflow and infiltration to the Metropolitan  
 17.35 Council's metropolitan sanitary sewer disposal

18.1 system. Grants from this appropriation are for  
18.2 up to 50 percent of the cost to mitigate inflow  
18.3 and infiltration in the publicly owned  
18.4 municipal wastewater collection systems. To  
18.5 be eligible for a grant, a city must be identified  
18.6 by the council as a contributor of excessive  
18.7 inflow and infiltration in the metropolitan  
18.8 disposal system or have a measured flow rate  
18.9 within 20 percent of its allowable  
18.10 council-determined inflow and infiltration  
18.11 limits. The council must award grants based  
18.12 on applications from cities that identify  
18.13 eligible capital costs and include a timeline  
18.14 for inflow and infiltration mitigation  
18.15 construction, pursuant to guidelines  
18.16 established by the council. This is a onetime  
18.17 appropriation and is available until June 30,  
18.18 2024.

18.19 (c) \$2,500,000 the second year is for grants to  
18.20 cities within the metropolitan area, as defined  
18.21 in Minnesota Statutes, section 473.121,  
18.22 subdivision 2, to provide financial assistance  
18.23 to private property owners to replace or repair  
18.24 private sewer lines to reduce the amount of  
18.25 inflow and infiltration to the Metropolitan  
18.26 Council's metropolitan sanitary sewer disposal  
18.27 system. Financial assistance from this  
18.28 appropriation are for up to 50 percent of the  
18.29 cost of the replacement or repair. To be  
18.30 eligible for a grant, a city must be identified  
18.31 by the council as a contributor of excessive  
18.32 inflow and infiltration in the metropolitan  
18.33 disposal system or have a measured flow rate  
18.34 within 20 percent of its allowable  
18.35 council-determined inflow and infiltration

19.1 limits. This is a onetime appropriation and is  
19.2 available until June 30, 2024.

19.3 (d) \$2,335,000 the second year is for grants  
19.4 to cities and other public water suppliers to  
19.5 replace the privately owned portion of  
19.6 residential lead service lines. Grants from this  
19.7 appropriation must first be used to supplement  
19.8 any federal money provided to the state as  
19.9 principal forgiveness or grants under Public  
19.10 Law 117-58, the Infrastructure Investment and  
19.11 Jobs Act, to cover 100 percent of the cost to  
19.12 replace privately owned residential lead  
19.13 service lines. Laborers and mechanics  
19.14 performing work on a project funded by a  
19.15 grant under this paragraph, including removal  
19.16 and replacement of lead service lines and  
19.17 installation of replacement lead service lines,  
19.18 must be paid the prevailing wage rate for the  
19.19 work as defined in Minnesota Statutes, section  
19.20 177.42, subdivision 6. The project is subject  
19.21 to the requirements and enforcement  
19.22 provisions of Minnesota Statutes, sections  
19.23 177.30 and 177.41 to 177.45. This is a onetime  
19.24 appropriation and is available until June 30,  
19.25 2024. For the purposes of this appropriation  
19.26 "lead service line" has the meaning given  
19.27 under Minnesota Statutes, section 473.121,  
19.28 subdivision 38.

19.29 (e) \$2,500,000 the second year is for  
19.30 metropolitan area regional parks operation and  
19.31 maintenance according to Minnesota Statutes,  
19.32 section 473.351. This is a onetime  
19.33 appropriation and is available until June 30,  
19.34 2024.

20.1 (f) \$750,000 the second year is from the  
 20.2 natural resources fund for metropolitan-area  
 20.3 regional parks and trails maintenance and  
 20.4 operations. This appropriation is from revenue  
 20.5 deposited in the natural resources fund under  
 20.6 Minnesota Statutes, section 297A.94,  
 20.7 paragraph (h), clause (3). This is a onetime  
 20.8 appropriation.

20.9 **Sec. 7. ZOOLOGICAL BOARD** **\$** **-0-** **\$** **-0-**

20.10 \$45,000 is added to the base in fiscal year  
 20.11 2024 only and is for purposes of the Prairie  
 20.12 Butterfly Conservation Program.

20.13 **Sec. 8. SCIENCE MUSEUM** **\$** **-0-** **\$** **500,000**

20.14 \$500,000 in the second year is to support the  
 20.15 Science Museum of Minnesota. This is a  
 20.16 onetime appropriation.

20.17 **Sec. 9. EXPLORE MINNESOTA TOURISM** **\$** **-0-** **\$** **10,465,000**

20.18 (a) \$215,000 the second year is to build  
 20.19 additional administrative capacity to provide  
 20.20 support in the areas of brand strategy,  
 20.21 communications, and industry relations.

20.22 (b) \$10,000,000 the second year is for a  
 20.23 tourism industry recovery grant program. The  
 20.24 grant program must provide money to  
 20.25 organizations, Tribal governments, and  
 20.26 communities to accelerate the recovery of the  
 20.27 state's tourism industry. Grant money may be  
 20.28 used to support meetings, conventions and  
 20.29 group business, multicomunity and  
 20.30 high-visibility events, and tourism marketing.  
 20.31 Explore Minnesota Tourism must accept  
 20.32 applications under this paragraph for at least  
 20.33 five business days beginning at 8:00 a.m. on  
 20.34 the first business day and, if total applications

21.1 exceed \$10,000,000, the grants must be  
 21.2 awarded to eligible applicants at random until  
 21.3 the funding is exhausted. Of this amount,  
 21.4 Explore Minnesota Tourism must not retain  
 21.5 any portion for administrative costs. This is a  
 21.6 onetime appropriation.

21.7 (c) \$250,000 the second year is for a grant to  
 21.8 the Grand Portage Band to focus tourism to  
 21.9 Grand Portage. This is a onetime  
 21.10 appropriation.

21.11	<b>Sec. 10. MINNESOTA OUTDOOR</b>			
21.12	<b><u>RECREATION OFFICE</u></b>	<b>\$</b>	<b><u>-0-</u></b>	<b>\$ <u>1,750,000</u></b>

21.13 \$1,750,000 the second year is for the  
 21.14 Minnesota Outdoor Recreation Office under  
 21.15 Minnesota Statutes, section 86A.50. The base  
 21.16 for this appropriation in fiscal year 2024 and  
 21.17 beyond is \$250,000.

21.18	<b>Sec. 11. <u>UNIVERSITY OF MINNESOTA</u></b>	<b>\$</b>	<b><u>-0-</u></b>	<b>\$ <u>180,000</u></b>
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21.19 \$180,000 the second year is to develop a soil  
 21.20 health action plan, in consultation with the  
 21.21 Minnesota Office for Soil Health, the United  
 21.22 States Department of Agriculture's Natural  
 21.23 Resources Conservation Service, and other  
 21.24 state and federal agencies, academic  
 21.25 institutions, local governments, and  
 21.26 practitioners, that will provide  
 21.27 recommendations for standardized  
 21.28 specifications for soil health and related  
 21.29 conservation and climate protection practices  
 21.30 and projects to achieve soil health goals,  
 21.31 including recommendations for research,  
 21.32 implementation, outreach, and prioritization  
 21.33 of the use of future funding. By January 15,  
 21.34 2023, the plan must be submitted to the chairs  
 21.35 and ranking minority members of the house

22.1 of representatives and senate committees and  
 22.2 divisions with jurisdiction over agriculture  
 22.3 and environment and natural resources policy.  
 22.4 This is a onetime appropriation.

22.5 **ARTICLE 2**

22.6 **STATUTORY CHANGES**

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

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

22.15 Executive director of Gambling Control Board;  
 22.16 Commissioner of Iron Range resources and rehabilitation;  
 22.17 Commissioner, Bureau of Mediation Services;  
 22.18 Ombudsman for mental health and developmental disabilities;  
 22.19 Ombudsperson for corrections;  
 22.20 Chair, Metropolitan Council;  
 22.21 School trust lands director;  
 22.22 Executive director of pari-mutuel racing; ~~and~~  
 22.23 Commissioner, Public Utilities Commission; and  
 22.24 Director of the Minnesota Outdoor Recreation Office.

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

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

22.29 (1) the pesticide application warning information contained in subdivision 3, ~~including~~  
 22.30 ~~their own licensing, penalty, and enforcement provisions.; and~~

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

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

23.5 Sec. 3. Minnesota Statutes 2020, section 18B.09, is amended by adding a subdivision to  
23.6 read:

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

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

23.13 (c) This subdivision does not apply to:

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

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

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

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

23.20 (5) a pesticide-treated wood product.

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

23.23 Sec. 4. Minnesota Statutes 2020, section 21.81, is amended by adding a subdivision to  
23.24 read:

23.25 Subd. 5a. **Coated agricultural seed.** "Coated agricultural seed" means any seed unit  
23.26 covered with a coating material.

23.27 Sec. 5. Minnesota Statutes 2020, section 21.86, subdivision 2, is amended to read:

23.28 Subd. 2. **Miscellaneous violations.** No person may:

24.1 (a) detach, alter, deface, or destroy any label required in sections 21.82 and 21.83, alter  
24.2 or substitute seed in a manner that may defeat the purposes of sections 21.82 and 21.83, or  
24.3 alter or falsify any seed tests, laboratory reports, records, or other documents to create a  
24.4 misleading impression as to kind, variety, history, quality, or origin of the seed;

24.5 (b) hinder or obstruct in any way any authorized person in the performance of duties  
24.6 under sections 21.80 to 21.92;

24.7 (c) fail to comply with a "stop sale" order or to move or otherwise handle or dispose of  
24.8 any lot of seed held under a stop sale order or attached tags, except with express permission  
24.9 of the enforcing officer for the purpose specified;

24.10 (d) use the word "type" in any labeling in connection with the name of any agricultural  
24.11 seed variety;

24.12 (e) use the word "trace" as a substitute for any statement which is required;

24.13 (f) plant any agricultural seed which the person knows contains weed seeds or noxious  
24.14 weed seeds in excess of the limits for that seed; ~~or~~

24.15 (g) advertise or sell seed containing patented, protected, or proprietary varieties used  
24.16 without permission of the patent or certificate holder of the intellectual property associated  
24.17 with the variety of seed; or

24.18 (h) use or sell as food, feed, oil, or ethanol feedstock any seed treated with neonicotinoid  
24.19 pesticide.

24.20 **Sec. 6. [21.915] PESTICIDE-TREATED SEED USE AND DISPOSAL; CONSUMER**  
24.21 **GUIDANCE REQUIRED.**

24.22 (a) The commissioner, in consultation with the commissioner of the Pollution Control  
24.23 Agency, must develop and maintain consumer guidance regarding the proper use and disposal  
24.24 of seed treated with neonicotinoid pesticide.

24.25 (b) A person selling seed treated with neonicotinoid pesticide at retail must post in a  
24.26 conspicuous location the guidance developed by the commissioner under paragraph (a).

24.27 **Sec. 7. [84.0345] PEAT SOIL GOAL.**

24.28 It is the goal of the state of Minnesota to protect, restore, and enhance at least the  
24.29 following amounts of the state's presettlement peat soils, or histosols, that were drained for  
24.30 and as of August 1, 2022, are used for agricultural cultivation or pasture:

24.31 (1) 25 percent by August 1, 2030; and

25.1 (2) 50 percent by August 1, 2040.

25.2 Sec. 8. **[84.9735] INSECTICIDES ON STATE LANDS.**

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

25.6 Sec. 9. Minnesota Statutes 2020, section 84D.02, subdivision 3, is amended to read:

25.7 Subd. 3. **Management plan.** By December 31, 2022, and every five years thereafter,  
25.8 the commissioner shall ~~shall~~ must prepare ~~and maintain~~ a long-term plan, which may include  
25.9 specific plans for individual species and actions, for the statewide management of invasive  
25.10 species of aquatic plants and wild animals. The plan must address:

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

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

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

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

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

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

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

25.24 (8) maintaining public accesses on infested waters to be reasonably free of aquatic  
25.25 macrophytes; ~~and~~

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

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

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

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

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

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

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

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

26.18 (d) The commissioner shall not acquire any of the right-of-way of the Chicago  
26.19 Northwestern Railway Company until the abandonment of the line described in this  
26.20 subdivision has been approved by the Surface Transportation Board or the former Interstate  
26.21 Commerce Commission. Compensation, in addition to the value of the land, shall include  
26.22 improvements made by the railroad, including but not limited to, bridges, trestles, public  
26.23 road crossings, or any portion thereof, it being the desire of the railroad that such  
26.24 improvements be included in the conveyance. The fair market value of the land and  
26.25 improvements shall be recommended by two independent appraisers mutually agreed upon  
26.26 by the parties. The fair market value thus recommended shall be reviewed by a review  
26.27 appraiser agreed to by the parties, and the fair market value thus determined, and supported  
26.28 by appraisals, may be the purchase price. The commissioner may exchange lands with  
26.29 landowners abutting the right-of-way described in this section to eliminate diagonally shaped  
26.30 separate fields.

26.31 Sec. 11. Minnesota Statutes 2020, section 85A.01, subdivision 1, is amended to read:

26.32 Subdivision 1. **Creation.** (a) The Minnesota Zoological Garden is established under the  
26.33 supervision and control of the Minnesota Zoological Board. The board consists of 30 public

27.1 and private sector members having a background or interest in zoological societies or zoo  
27.2 management or an ability to generate community interest in the Minnesota Zoological  
27.3 Garden. Fifteen members shall be appointed by the board after consideration of a list supplied  
27.4 by board members serving on a nominating committee, and 15 members shall be appointed  
27.5 by the governor. One member of the board must be a resident of Dakota County and shall  
27.6 be appointed by the governor after consideration of the recommendation of the Dakota  
27.7 County Board. Board appointees shall not be subject to the advice and consent of the senate.

27.8 (b) To the extent possible, the board and governor shall appoint members who are  
27.9 residents of the various geographic regions of the state. Terms, compensation, and removal  
27.10 of members are as provided in section 15.0575, except that a member may be compensated  
27.11 at the rate of up to \$125 a day. In making appointments, the governor and board shall utilize  
27.12 the appointment process as provided under section 15.0597 and consider, among other  
27.13 factors, the ability of members to garner support for the Minnesota Zoological Garden.

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

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

27.18 Subdivision 1. **Establishment.** The Minnesota Outdoor Recreation Office is established.  
27.19 The governor, in consultation with the commissioner of natural resources and the director  
27.20 of Explore Minnesota Tourism, must appoint the director of the Minnesota Outdoor  
27.21 Recreation Office. The director's appointment is subject to the advice and consent of the  
27.22 senate.

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

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

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

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

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

28.1 Subd. 4. Duties. To achieve the purposes of the Minnesota Outdoor Recreation Office,  
28.2 the director must:

28.3 (1) increase participation by:

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

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

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

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

28.15 (v) promoting and facilitating a culture of welcoming everyone outdoors by practicing  
28.16 inclusivity and ensuring that historically underrepresented populations are equally valued;

28.17 (vi) promoting conservation strategies that connect diverse outdoor recreation groups  
28.18 under a unified mission;

28.19 (vii) reviewing outdoor recreation trends and use patterns provided by the commissioner  
28.20 of natural resources, Explore Minnesota Tourism, and other agencies; and

28.21 (viii) identifying what the public feels is missing in outdoor recreation and then  
28.22 collaborating with other state agencies, residents, and businesses to provide those  
28.23 opportunities;

28.24 (2) unite the state's outdoor recreation community by:

28.25 (i) bringing together users, government agencies, nonprofit organizations, for-profit  
28.26 companies, and Tribal governments with an interest in outdoor recreation to build a united  
28.27 community, drive relationships, and facilitate a shared vision for outdoor recreation in  
28.28 Minnesota;

28.29 (ii) identifying stewardship and conservation priorities that will bring together diverse  
28.30 outdoor stakeholders around a common goal;

28.31 (iii) annually convening outdoor recreation stakeholders, including underrepresented  
28.32 populations, and measuring and sharing the benefits of coordinating at the event;

- 29.1 (iv) developing coordinated messaging and welcoming new narratives for Minnesota's  
29.2 outdoors;
- 29.3 (v) ensuring all of Minnesota's varied geographies, landscapes, and recreation  
29.4 opportunities are positioned as equal tenants within Minnesota's brand;
- 29.5 (vi) building, strengthening, and growing public-private partnerships at local, regional,  
29.6 state, national, and international levels to unite the outdoor recreation community;
- 29.7 (vii) encouraging private sector partnerships to recognize the market potential of  
29.8 historically underrepresented audiences;
- 29.9 (viii) promoting partnerships between communities, conservation, and stewardship  
29.10 groups as well as outdoor user groups to maintain recreational infrastructure and preserve  
29.11 Minnesota's natural spaces; and
- 29.12 (ix) encouraging conservation and outdoor recreation groups to work together more for  
29.13 the common good; and
- 29.14 (3) unify communications by:
- 29.15 (i) defining and promoting Minnesota's unique value as a world-class inclusive outdoor  
29.16 destination;
- 29.17 (ii) developing new communication mediums such as applications and mobile-first  
29.18 strategies to reach target audiences;
- 29.19 (iii) strengthening land and water stewardship messaging and education in order to grow  
29.20 public investment and attention from people who will help steward Minnesota's outdoor  
29.21 resources;
- 29.22 (iv) developing best practices for outdoor recreation communication for the commissioner  
29.23 of natural resources and Explore Minnesota Tourism;
- 29.24 (v) developing methods to amplify communication resources and to do more with less  
29.25 through communication partnership creation and focusing these efforts both in and outside  
29.26 Minnesota; and
- 29.27 (vi) measuring and communicating the return on investment of outdoor recreation  
29.28 investments, specifically focused on measurable economic, health, and well-being benefits.
- 29.29 Subd. 5. Powers. The director of the Minnesota Outdoor Recreation Office may:
- 29.30 (1) direct and control money appropriated to the director;
- 29.31 (2) apply for, receive, and spend money for the purposes of this section;

30.1 (3) employ assistants and other officers, employees, and agents that the director considers  
30.2 necessary for the purposes of this section;

30.3 (4) enter into interdepartmental agreements with any other state agency; and

30.4 (5) enter into joint powers agreements under chapter 471.

30.5 Subd. 6. **Report.** By January 15 each year, the director of the Minnesota Outdoor  
30.6 Recreation Office must submit a report to the chairs and ranking minority members of the  
30.7 legislative committees and divisions with jurisdiction over the environment and natural  
30.8 resources and tourism on the office's performance in achieving its purpose under subdivision  
30.9 3 and how money appropriated to the office was expended.

30.10 Sec. 13. **[86B.30] DEFINITIONS.**

30.11 Subdivision 1. **Applicability.** The definitions in this section apply to sections 86B.30  
30.12 to 86B.341.

30.13 Subd. 2. **Accompanying operator.** "Accompanying operator" means a person 21 years  
30.14 of age or older who:

30.15 (1) is in a personal watercraft or other type of motorboat;

30.16 (2) is within immediate reach of the controls of the motor; and

30.17 (3) possesses a valid operator's permit or is an exempt operator.

30.18 Subd. 3. **Adult operator.** "Adult operator" means a motorboat operator, including a  
30.19 personal watercraft operator, who is 12 years of age or older and who was:

30.20 (1) effective July 1, 2024, born on or after July 1, 2003;

30.21 (2) effective July 1, 2025, born on or after July 1, 1999;

30.22 (3) effective July 1, 2026, born on or after July 1, 1995; and

30.23 (4) effective July 1, 2027, born on or after July 1, 1987.

30.24 Subd. 4. **Exempt operator.** "Exempt operator" means a motorboat operator, including  
30.25 a personal watercraft operator, who is 12 years of age or older and who:

30.26 (1) possesses a valid license to operate a motorboat issued for maritime personnel by  
30.27 the United States Coast Guard under Code of Federal Regulations, title 46, part 10, or a  
30.28 marine certificate issued by the Canadian government;

30.29 (2) is not a resident of the state or country, is temporarily using the waters of the state  
30.30 for a period not to exceed 60 days, and:

31.1 (i) meets any applicable requirements of the state of residency; or

31.2 (ii) possesses a Canadian pleasure craft operator's card;

31.3 (3) is operating a motorboat under a dealer's license according to section 86B.405; or

31.4 (4) is operating a motorboat during an emergency.

31.5 Subd. 5. **Motorboat rental business.** "Motorboat rental business" means a person  
31.6 engaged in the business of renting or leasing motorboats, including personal watercraft, for  
31.7 a period not exceeding 30 days. Motorboat rental business includes a person's agents and  
31.8 employees.

31.9 Subd. 6. **Young operator.** "Young operator" means a motorboat operator, including a  
31.10 personal watercraft operator, younger than 12 years of age.

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

31.12 Sec. 14. **[86B.302] WATERCRAFT OPERATOR'S PERMIT.**

31.13 Subdivision 1. **Generally.** The commissioner must issue a watercraft operator's permit  
31.14 to a person 12 years of age or older who successfully completes a water safety course and  
31.15 written test according to section 86B.304, paragraph (a), or who provides proof of completion  
31.16 of a program subject to a reciprocity agreement or certified by the commissioner as  
31.17 substantially similar.

31.18 Subd. 2. **Issuing permit to certain young operators.** The commissioner may issue a  
31.19 permit under this section to a person who is at least 11 years of age, but the permit is not  
31.20 valid until the person becomes an adult operator.

31.21 Subd. 3. **Personal possession required.** (a) A person who is required to have a watercraft  
31.22 operator's permit must have in personal possession:

31.23 (1) a valid watercraft operator's permit;

31.24 (2) a driver's license that has a valid watercraft operator's permit indicator issued under  
31.25 section 171.07, subdivision 20; or

31.26 (3) an identification card that has a valid watercraft operator's permit indicator issued  
31.27 under section 171.07, subdivision 20.

31.28 (b) A person who is required to have a watercraft operator's permit must display one of  
31.29 the documents described in paragraph (a) to a conservation officer or peace officer upon  
31.30 request.

32.1 Subd. 4. Using electronic device to display proof of permit. If a person uses an  
32.2 electronic device to display a document described in subdivision 3 to a conservation officer  
32.3 or peace officer:

32.4 (1) the officer is immune from liability for any damage to the device, unless the officer  
32.5 does not exercise due care in handling the device; and

32.6 (2) this does not constitute consent for the officer to access other contents on the device.

32.7 EFFECTIVE DATE. This section is effective July 1, 2024.

32.8 Sec. 15. [86B.303] OPERATING PERSONAL WATERCRAFT AND OTHER  
32.9 MOTORBOATS.

32.10 Subdivision 1. Adult operators. An adult operator may not operate a motorboat,  
32.11 including a personal watercraft, unless:

32.12 (1) the adult operator possesses a valid watercraft operator's permit;

32.13 (2) the adult operator is an exempt operator; or

32.14 (3) an accompanying operator is in the motorboat.

32.15 Subd. 2. Young operators. (a) A young operator may not operate a personal watercraft  
32.16 or any motorboat powered by a motor with a factory rating of more than 75 horsepower.

32.17 (b) A young operator may operate a motorboat that is not a personal watercraft and that  
32.18 is powered by a motor with a factory rating of up to 75 horsepower if an accompanying  
32.19 operator is in the motorboat.

32.20 Subd. 3. Accompanying operators. For purposes of this section and section 169A.20,  
32.21 an accompanying operator, as well as the actual operator, is operating and is in physical  
32.22 control of a motorboat.

32.23 Subd. 4. Owners may not allow unlawful use. An owner or other person in lawful  
32.24 control of a motorboat may not allow the motorboat to be operated contrary to this section.

32.25 EFFECTIVE DATE. This section is effective July 1, 2024.

32.26 Sec. 16. [86B.304] WATERCRAFT SAFETY PROGRAM.

32.27 (a) The commissioner must establish a water safety course and testing program for  
32.28 personal watercraft and watercraft operators and must prescribe a written test as part of the  
32.29 course. The course must be approved by the National Association of State Boating Law  
32.30 Administrators and must be available online. The commissioner may allow designated water

33.1 safety courses administered by third parties to meet the requirements of this paragraph and  
33.2 may enter into reciprocity agreements or otherwise certify boat safety education programs  
33.3 from other states that are substantially similar to in-state programs. The commissioner must  
33.4 establish a working group of interested parties to develop course content and implementation.  
33.5 The course must include content on aquatic invasive species mitigation best management  
33.6 practices, reducing conflicts among user groups, and limiting the ecological impacts of  
33.7 watercraft.

33.8 (b) The commissioner must create or designate a short boater safety examination to be  
33.9 administered by motorboat rental businesses, as required by section 86B.306, subdivision  
33.10 3. The examination developed pursuant to this paragraph must be one that can be  
33.11 administered electronically or on paper, at the option of the motorboat rental business  
33.12 administering the examination.

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

33.14 Sec. 17. **[86B.306] MOTORBOAT RENTAL BUSINESSES.**

33.15 Subdivision 1. **Requirements.** A motorboat rental business must not rent or lease a  
33.16 motorboat, including a personal watercraft, to any person for operation on the waters of the  
33.17 state unless the renter or lessee:

33.18 (1) has a valid watercraft operator's permit or is an exempt operator; and

33.19 (2) is 18 years of age or older.

33.20 Subd. 2. **Authorized operators.** A motorboat rental business must list on each motorboat  
33.21 rental or lease agreement the name and age of each operator who is authorized to operate  
33.22 the motorboat or personal watercraft. The renter or lessee of the motorboat must ensure that  
33.23 only listed authorized operators operate the motorboat or personal watercraft.

33.24 Subd. 3. **Summary of boating regulations; examination.** (a) A motorboat rental  
33.25 business must provide each authorized operator a summary of the statutes and rules governing  
33.26 operation of motorboats and personal watercraft in the state and instructions for safe  
33.27 operation.

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

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

34.6 EFFECTIVE DATE. This section is effective July 1, 2024.

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

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

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

34.12 (2) the safe operation of personal watercraft.

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

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

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

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

34.24 ~~(e) Each dealer of personal watercraft or person offering personal watercraft for rent~~  
 34.25 ~~shall have the person who purchases or rents a personal watercraft sign a form provided by~~  
 34.26 ~~the commissioner acknowledging that the purchaser or renter has been provided a copy of~~  
 34.27 ~~the laws and rules regarding personal watercraft operation and has read them. The form~~  
 34.28 ~~must be retained by the dealer or person offering personal watercraft for rent for a period~~  
 34.29 ~~of six months following the date of signature and must be made available for inspection by~~  
 34.30 ~~sheriff's deputies or conservation officers during normal business hours.~~

34.31 EFFECTIVE DATE. This section is effective July 1, 2024.

35.1 Sec. 19. Minnesota Statutes 2020, section 89A.03, subdivision 5, is amended to read:

35.2 Subd. 5. **Membership regulation.** Terms, compensation, nomination, appointment, and  
35.3 removal of council members are governed by section 15.059, except that a council member  
35.4 may be compensated at the rate of up to \$125 a day.

35.5 Sec. 20. Minnesota Statutes 2020, section 97A.015, is amended by adding a subdivision  
35.6 to read:

35.7 Subd. 32b. **Native swan.** "Native swan" means trumpeter swans and tundra swans and  
35.8 does not include mute swans.

35.9 Sec. 21. Minnesota Statutes 2020, section 97A.126, as amended by Laws 2021, First  
35.10 Special Session chapter 6, article 2, section 52, is amended to read:

35.11 **97A.126 WALK-IN ACCESS PROGRAM.**

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

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

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

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

35.28 (d) The general provisions for use of wildlife management areas adopted under sections  
35.29 86A.06 and 97A.137, relating to overnight use, alcoholic beverages, use of motorboats,  
35.30 firearms and target shooting, hunting stands, abandonment of trash and property, destruction  
35.31 or removal of property, introduction of plants or animals, and animal trespass, apply to  
35.32 ~~hunters on~~ use of lands enrolled in the walk-in access program.

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

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

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

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

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

36.9 Sec. 22. Minnesota Statutes 2020, section 97A.137, subdivision 3, is amended to read:

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

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

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

36.21 Sec. 23. Minnesota Statutes 2020, section 97A.475, subdivision 41, is amended to read:

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

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

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

37.1 Sec. 24. [97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME  
 37.2 IN CERTAIN AREAS.

37.3 Subdivision 1. Nontoxic shot on wildlife management areas in farmland zone. After  
 37.4 July 1, 2023, a person may not take small game, rails, or common snipe on any wildlife  
 37.5 management area within the farmland zone with shot other than:

37.6 (1) steel shot;

37.7 (2) copper-plated, nickel-plated, or zinc-plated steel shot; or

37.8 (3) shot made of other nontoxic material approved by the director of the United States  
 37.9 Fish and Wildlife Service.

37.10 Subd. 2. Farmland zone. For the purposes of this section, the farmland zone is the  
 37.11 portion of the state that falls south and west of Minnesota Highway 70 westward from the  
 37.12 Wisconsin border to Minnesota Highway 65 to Minnesota Highway 23 to U.S. Highway  
 37.13 169 at Milaca to Minnesota Highway 18 at Garrison to Minnesota Highway 210 at Brainerd  
 37.14 to U.S. Highway 10 at Motley to U.S. Highway 59 at Detroit Lakes northward to the  
 37.15 Canadian border.

37.16 Sec. 25. [97B.735] SWANS.

37.17 A person who takes, harasses, destroys, buys, sells, possesses, transports, or ships a  
 37.18 native swan in violation of the game and fish laws is guilty of a gross misdemeanor.

37.19 Sec. 26. Minnesota Statutes 2020, section 97C.605, subdivision 1, is amended to read:

37.20 Subdivision 1. ~~Resident angling license required~~ Taking turtles; requirements. ~~In~~  
 37.21 ~~addition to any other license required in this section, (a) A person may not take, possess,~~  
 37.22 ~~or transport turtles without a resident angling license, except as provided in subdivision 2c~~  
 37.23 ~~and a recreational turtle license.~~

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

37.25 Sec. 27. Minnesota Statutes 2020, section 97C.605, subdivision 2c, is amended to read:

37.26 Subd. 2c. **License exemptions.** (a) A person does not need a turtle seller's license or an  
 37.27 angling license the licenses specified under subdivision 1:

37.28 ~~(1) when buying turtles for resale at a retail outlet;~~

37.29 ~~(2)~~ (1) when buying a turtle at a retail outlet; or

38.1 ~~(3) if the person is a nonresident buying a turtle from a licensed turtle seller for export~~  
 38.2 ~~out of state. Shipping documents provided by the turtle seller must accompany each shipment~~  
 38.3 ~~exported out of state by a nonresident. Shipping documents must include: name, address,~~  
 38.4 ~~city, state, and zip code of the buyer; number of each species of turtle; and name and license~~  
 38.5 ~~number of the turtle seller; or~~

38.6 ~~(4)~~ (2) to take, possess, and rent or sell up to 25 turtles greater than four inches in length  
 38.7 for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person  
 38.8 is a resident under age 18. The person is responsible for the well-being of the turtles.

38.9 (b) A person with an aquatic farm license with a turtle endorsement or a private fish  
 38.10 hatchery license with a turtle endorsement may sell, obtain, possess, transport, and propagate  
 38.11 turtles and turtle eggs according to Minnesota Rules, part 6256.0900, without the licenses  
 38.12 specified under subdivision 1.

38.13 Sec. 28. Minnesota Statutes 2021 Supplement, section 97C.605, subdivision 3, is amended  
 38.14 to read:

38.15 Subd. 3. **Taking; methods prohibited.** ~~(a)~~ A person may not take turtles by using:

- 38.16 (1) explosives, drugs, poisons, lime, and other harmful substances;  
 38.17 ~~(2) traps, except as provided in paragraph (b) and rules adopted under this section;~~  
 38.18 (3) nets other than anglers' fish landing nets;  
 38.19 ~~(4) commercial equipment, except as provided in rules adopted under this section;~~  
 38.20 (5) firearms and ammunition;  
 38.21 (6) bow and arrow or crossbow; or  
 38.22 (7) spears, harpoons, or any other implements that impale turtles.

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

- 38.25 ~~(1) has one or more openings above the water surface that measure at least ten inches~~  
 38.26 ~~by four inches; and~~  
 38.27 ~~(2) has a mesh size of not less than one half inch, bar measure.~~

39.1 Sec. 29. Minnesota Statutes 2021 Supplement, section 97C.611, is amended to read:

39.2 **97C.611 TURTLE SPECIES; LIMITS.**

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

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

39.12 (b) This subdivision does not apply to persons acting under section 97C.605, subdivision  
39.13 2c, paragraph (a), clause ~~(4)~~ (2).

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

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

39.20 Sec. 30. Minnesota Statutes 2020, section 103B.101, subdivision 2, is amended to read:

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

39.22 (1) three county commissioners;

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

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

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

39.27 (5) one township officer;

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

39.30 (7) the commissioner of agriculture;

40.1 (8) the commissioner of health;

40.2 (9) the commissioner of natural resources;

40.3 (10) the commissioner of the Pollution Control Agency; and

40.4 (11) the director of the University of Minnesota Extension Service.

40.5 (b) Members in paragraph (a), clauses (1) to (6), must be distributed across the state  
40.6 with at least four members but not more than six members from the metropolitan area, as  
40.7 defined by section 473.121, subdivision 2.

40.8 (c) Members in paragraph (a), clauses (1) to (6), are appointed by the governor. In making  
40.9 the appointments, the governor may consider persons recommended by the Association of  
40.10 Minnesota Counties, the Minnesota Association of Townships, the League of Minnesota  
40.11 Cities, the Minnesota Association of Soil and Water Conservation Districts, and the  
40.12 Minnesota Association of Watershed Districts. The list submitted by an association must  
40.13 contain at least three nominees for each position to be filled.

40.14 (d) The membership terms, compensation, removal of members and filling of vacancies  
40.15 on the board for members in paragraph (a), clauses (1) to (6), are as provided in section  
40.16 15.0575, except that a member may be compensated at the rate of up to \$125 a day.

40.17 Sec. 31. Minnesota Statutes 2020, section 103B.103, is amended to read:

40.18 **103B.103 EASEMENT STEWARDSHIP ACCOUNTS.**

40.19 Subdivision 1. **Accounts established; sources.** (a) The water and soil conservation  
40.20 easement stewardship account and the mitigation easement stewardship account are created  
40.21 in the special revenue fund. The accounts consist of money credited to the accounts and  
40.22 interest and other earnings on money in the accounts. The State Board of Investment must  
40.23 manage the accounts to maximize long-term gain.

40.24 (b) Revenue from contributions and money appropriated for any purposes of the account  
40.25 as described in subdivision 2 must be deposited in the water and soil conservation easement  
40.26 stewardship account. Revenue from contributions, ~~wetland banking~~ mitigation fees designated  
40.27 for stewardship purposes by the board, easement stewardship payments authorized under  
40.28 subdivision 3, and money appropriated for any purposes of the account as described in  
40.29 subdivision 2 must be deposited in the mitigation easement stewardship account.

40.30 Subd. 2. **Appropriation; purposes of accounts.** (a) Five percent of the balance on July  
40.31 1 each year in the water and soil conservation easement stewardship account and five percent  
40.32 of the balance on July 1 each year in the mitigation easement stewardship account are

41.1 annually appropriated to the board and may be spent ~~only~~ to cover the costs of managing  
41.2 easements held by the board, including costs associated with:

41.3 (1) repairing or replacing structures;

41.4 (2) monitoring;

41.5 (3) landowner contacts;

41.6 (4) records storage and management;

41.7 (5) processing landowner notices;

41.8 (6) requests for approval or amendments;

41.9 (7) enforcement; and

41.10 (8) legal services associated with easement management activities.

41.11 (b) In addition to the amounts appropriated under paragraph (a), up to ten percent of the  
41.12 balance on July 1 each year in the water and soil conservation easement stewardship account  
41.13 and up to ten percent of the balance on July 1 each year in the mitigation easement  
41.14 stewardship account are annually appropriated to the board for emergency repair and  
41.15 replacement of water control structures when the amount appropriated in paragraph (a) is  
41.16 insufficient to cover the costs. The board must include a summary of how money appropriated  
41.17 under this paragraph in the prior two fiscal years was used in the report required under  
41.18 section 103B.101, subdivision 9, paragraph (a), clause (7).

41.19 Subd. 3. **Financial contributions.** The board shall seek a financial contribution to the  
41.20 water and soil conservation easement stewardship account for each conservation easement  
41.21 acquired by the board. The board shall seek a financial contribution or assess an easement  
41.22 stewardship payment to the mitigation easement stewardship account for each wetland  
41.23 ~~banking~~ mitigation easement acquired by the board. Unless otherwise provided by law, the  
41.24 board shall determine the amount of the contribution or payment, which must be an amount  
41.25 calculated to earn sufficient money to meet the costs of managing the easement at a level  
41.26 that neither significantly overrecovers nor underrecovers the costs. In determining the  
41.27 amount of the financial contribution, the board shall consider:

41.28 (1) the estimated annual staff hours needed to manage the conservation easement, taking  
41.29 into consideration factors such as easement type, size, location, and complexity;

41.30 (2) the average hourly wages for the class or classes of state and local employees expected  
41.31 to manage the easement;

41.32 (3) the estimated annual travel expenses to manage the easement;

42.1 (4) the estimated annual miscellaneous costs to manage the easement, including supplies  
42.2 and equipment, information technology support, and aerial flyovers;

42.3 (5) the estimated annualized costs of legal services, including the cost to enforce the  
42.4 easement in the event of a violation; ~~and~~

42.5 (6) the estimated annualized costs for repairing or replacing water control structures;  
42.6 and

42.7 ~~(6)~~ (7) the expected rate of return on investments in the account.

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

42.9 Sec. 32. **[103B.104] LAWNS TO LEGUMES PROGRAM.**

42.10 The Board of Water and Soil Resources must establish a program to provide grants or  
42.11 payments to plant residential lawns with native vegetation and pollinator-friendly forbs and  
42.12 legumes to protect a diversity of pollinators. The board must establish criteria for grants or  
42.13 payments awarded under this section. Grants or payments awarded under this section may  
42.14 be made for up to 75 percent of the costs of the project, except that, in areas identified by  
42.15 the United States Fish and Wildlife Service as areas where there is a high potential for rusty  
42.16 patched bumble bees to be present, grants may be awarded for up to 90 percent of the costs  
42.17 of the project.

42.18 Sec. 33. **[103C.701] SOIL HEALTH GOALS.**

42.19 The state of Minnesota's soil health goals are that:

42.20 (1) at least 5,750,000 acres employ cover crops, perennial crops, no-till, or managed  
42.21 rotational grazing by 2030;

42.22 (2) at least 11,500,000 acres employ cover crops, perennial crops, no-till, or managed  
42.23 rotational grazing by 2035; and

42.24 (3) at least 23,000,000 acres employ cover crops, perennial crops, no-till, or managed  
42.25 rotational grazing by 2040.

42.26 Sec. 34. **[103E.122] DRAINAGE REGISTRY INFORMATION PORTAL.**

42.27 (a) The executive director of the Board of Water and Soil Resources must establish and  
42.28 maintain a drainage registry information portal that includes a searchable electronic database  
42.29 of all documents initiating proceedings and nonpetitioned repairs under this chapter. The  
42.30 database must permit members of the public to easily search for and retrieve documents by:

43.1 (1) the name of the county or watershed district where the petition or document was  
43.2 filed;

43.3 (2) the type of petition or document filed;

43.4 (3) the date of the petition or document; and

43.5 (4) other identifiers that allow members of the public to easily access information on  
43.6 the proceeding or repair.

43.7 (b) For each proceeding, the database must include the contact information for a local  
43.8 contact that can provide additional information on the proceeding or repair.

43.9 (c) For any proceeding or nonpetitioned repair brought under this chapter, the drainage  
43.10 authority must file with the executive director an electronic copy of the petition or other  
43.11 document initiating the drainage project or repair. The petition or other document must be  
43.12 filed within ten calendar days of filing the petition or other document with the county auditor  
43.13 or secretary or, for nonpetitioned repairs, within ten days of ordering the repair. A drainage  
43.14 authority may not take any action on a drainage proceeding or repair if the proceeding does  
43.15 not comply with this section.

43.16 (d) For any repair or maintenance undertaken under this chapter without a petition, the  
43.17 drainage authority must file with the executive director an electronic copy of the drainage  
43.18 inspection report or other document initiating the repair or maintenance within ten calendar  
43.19 days of the drainage inspection report or other document being presented to the drainage  
43.20 authority. A drainage authority may not take any action on a drainage inspectors report or  
43.21 otherwise order a repair or maintenance until the drainage inspector's report has been posted  
43.22 on the drainage registry information portal for a period of 30 days.

43.23 **Sec. 35. [103F.49] SOIL HEALTH COST-SHARE PROGRAM.**

43.24 Subdivision 1. **Definitions.** (a) For purposes of this section, the terms in this subdivision  
43.25 have the meanings given.

43.26 (b) "Board" means the Board of Water and Soil Resources.

43.27 (c) "Local units of government" has the meaning given under section 103B.305,  
43.28 subdivision 5.

43.29 (d) "Soil health" has the meaning given under section 103C.101, subdivision 10a.

43.30 Subd. 2. **Establishment.** The board must administer a cost-share program consistent  
43.31 with section 103C.501 to establish soil health practices that mitigate climate change impacts,  
43.32 improve water quality, and provide related public benefits.

44.1 Subd. 3. **Financial assistance.** (a) The board may provide financial assistance to local  
44.2 units of government, private sector providers, and farmers for the costs of soil health and  
44.3 related water-quality practices consistent with a plan approved according to chapter 103B,  
44.4 103C, or 103D. The board must establish costs eligible for financial and technical assistance  
44.5 under this section.

44.6 (b) The board may enter into agreements with local units of government receiving  
44.7 financial assistance under this subdivision.

44.8 (c) Financial assistance under this subdivision must give priority to multiyear contracts  
44.9 and to leveraging contributions from nonstate sources.

44.10 (d) Financial assistance under this subdivision must give priority to multiyear contracts  
44.11 that prioritize long-term soil health practices, including but not limited to no-till, field  
44.12 borders, prairie strips, and other practices sanctioned by the board or the United States  
44.13 Department of Agriculture's Natural Resources Conservation Service, that, separately or  
44.14 together with other conservation practices, provide durable soil health and related benefits.

44.15 Subd. 4. **Technical assistance; review.** (a) The board may employ or contract with  
44.16 experts to implement the soil health program under this section.

44.17 (b) When implementing the soil health program, the board must:

44.18 (1) assist local units of government in achieving the objectives of the program;

44.19 (2) review and assess practice standards; and

44.20 (3) evaluate the effectiveness of completed practices.

44.21 Subd. 5. **Federal aid availability.** The board must regularly complete an analysis of the  
44.22 availability of federal funds and programs to supplement or complement state and local  
44.23 efforts consistent with the purposes of this section.

44.24 Subd. 6. **Carbon market applicability.** The board and the commissioner of agriculture  
44.25 may cooperate with the United States Department of Agriculture, other federal and state  
44.26 agencies, and private sector organizations to align or incorporate soil health practices with  
44.27 carbon trading, mitigation, or offset markets and related tracking or recognition efforts.

44.28 Sec. 36. **[103G.134] ORDERS AND INVESTIGATIONS.**

44.29 (a) The commissioner has the following powers and duties when acting pursuant to the  
44.30 enforcement provisions of this chapter:

- 45.1 (1) to adopt, issue, reissue, modify, deny, revoke, enter into, or enforce reasonable orders,  
45.2 schedules of compliance, and stipulation agreements;
- 45.3 (2) to issue notices of violation;
- 45.4 (3) to require a person holding a permit issued under this chapter or otherwise impacting  
45.5 the public waters of the state without a permit issued under this chapter to:
- 45.6 (i) make reports;
- 45.7 (ii) install, use, and maintain monitoring equipment or methods;
- 45.8 (iii) perform tests according to methods, at locations, at intervals, and in a manner as  
45.9 the commissioner prescribes; and
- 45.10 (iv) provide other information as the commissioner may reasonably require; and
- 45.11 (4) to conduct investigations; issue notices, public and otherwise; and order hearings as  
45.12 the commissioner deems necessary or advisable to discharge duties under this chapter,  
45.13 including but not limited to issuing permits and authorizing an employee or agent appointed  
45.14 by the commissioner to conduct the investigations and other authorities cited in this section.

45.15 **Sec. 37. [103G.146] DUTY OF CANDOR.**

45.16 (a) A person must not knowingly:

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

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

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

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

45.25 **Sec. 38. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision**  
45.26 **to read:**

45.27 **Subd. 2a. Public meeting.** Before issuing a water-use permit or a plan for consumptive  
45.28 use of more than 100,000,000 gallons per year average, the commissioner must hold a public  
45.29 meeting. The meeting may be held in the county affected most by the potential impact to  
45.30 the public groundwater resource or by using interactive technology that allows members of

46.1 the public to participate from a remote location, including providing public comments during  
46.2 the public comment period of the meeting. At least 21 days before the public meeting, the  
46.3 commissioner must publish notice of the meeting in a newspaper of general circulation in  
46.4 the county and must mail the notice to persons who have registered their names with the  
46.5 commissioner for this purpose.

46.6 Sec. 39. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

46.7 Subd. 5. **Sustainability standard.** (a) The commissioner may issue water-use permits  
46.8 for appropriation from groundwater only if the commissioner determines that the groundwater  
46.9 use is sustainable to supply the needs of future generations and the proposed use will not  
46.10 harm ecosystems, degrade water, or reduce water levels beyond the reach of public water  
46.11 supply and private domestic wells constructed according to Minnesota Rules, chapter 4725.

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

46.15 Sec. 40. Minnesota Statutes 2020, section 103G.299, subdivision 1, is amended to read:

46.16 Subdivision 1. **Authority to issue administrative penalty orders.** (a) As provided in  
46.17 paragraph (b), the commissioner may issue an order requiring violations to be corrected  
46.18 and administratively assessing monetary penalties for violations of sections 103G.271 and  
46.19 103G.275, and any rules adopted under those sections.

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

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

46.24 Sec. 41. Minnesota Statutes 2020, section 103G.299, subdivision 2, is amended to read:

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

46.28 ~~(1) a minor potential for harm and deviation from compliance, the penalty will be no~~  
46.29 ~~more than \$1,000;~~

46.30 ~~(2) a moderate potential for harm and deviation from compliance, the penalty will be~~  
46.31 ~~no more than \$10,000; and~~

47.1 ~~(3) a severe potential for harm and deviation from compliance, the penalty will be no~~  
47.2 ~~more than \$20,000.~~

47.3 (b) In determining the amount of a penalty the commissioner may consider:

47.4 (1) the gravity of the violation, including potential for, or real, damage to the public  
47.5 interest or natural resources of the state;

47.6 (2) the history of past violations;

47.7 (3) the number of violations;

47.8 (4) the economic benefit gained by the person by allowing or committing the violation  
47.9 based on data from local or state bureaus or educational institutions; and

47.10 (5) other factors as justice may require, if the commissioner specifically identifies the  
47.11 additional factors in the commissioner's order.

47.12 (c) For a violation after an initial violation, including a continuation of the initial violation,  
47.13 the commissioner must, in determining the amount of a penalty, consider the factors in  
47.14 paragraph (b) and the:

47.15 (1) similarity of the most recent previous violation and the violation to be penalized;

47.16 (2) time elapsed since the last violation;

47.17 (3) number of previous violations; and

47.18 (4) response of the person to the most recent previous violation identified.

47.19 Sec. 42. Minnesota Statutes 2020, section 103G.299, subdivision 5, is amended to read:

47.20 Subd. 5. **Penalty.** (a) Except as provided in paragraph (b), if the commissioner determines  
47.21 that the violation has been corrected or appropriate steps have been taken to correct the  
47.22 action, the penalty must be forgiven. Unless the person requests review of the order under  
47.23 subdivision 6 or 7 before the penalty is due, the penalty in the order is due and payable:

47.24 (1) on the 31st day after the order was received, if the person subject to the order fails  
47.25 to provide information to the commissioner showing that the violation has been corrected  
47.26 or that appropriate steps have been taken toward correcting the violation; or

47.27 (2) on the 20th day after the person receives the commissioner's determination under  
47.28 subdivision 4, paragraph (c), if the person subject to the order has provided information to  
47.29 the commissioner that the commissioner determines is not sufficient to show that the violation  
47.30 has been corrected or that appropriate steps have been taken toward correcting the violation.

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

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

48.7 Sec. 43. Minnesota Statutes 2020, section 103G.299, subdivision 10, is amended to read:

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

48.14 Sec. 44. [103G.299] PENALTIES; ENFORCEMENT.

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

48.17 (1) this chapter;

48.18 (2) a permit issued under this chapter or a term or condition of a permit issued under  
48.19 this chapter;

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

48.22 (4) a rule adopted under this chapter;

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

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

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

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

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

49.4 (2) forfeit and pay to the state an additional sum to constitute just compensation for any  
49.5 damage, loss, or destruction of the state's natural resources and for other actual damages to  
49.6 the state caused by an unauthorized use of natural resources of the state.

49.7 (d) As a defense to damages assessed under paragraph (c), a defendant may prove that  
49.8 the violation was caused solely by:

49.9 (1) an act of God;

49.10 (2) an act of war;

49.11 (3) negligence on the part of the state;

49.12 (4) an act or failure to act that constitutes sabotage or vandalism; or

49.13 (5) any combination of clauses (1) to (5).

49.14 (e) The civil penalties and damages provided for in this subdivision may be recovered  
49.15 by a civil action brought by the attorney general in the name of the state in Ramsey County  
49.16 District Court. Civil penalties and damages provided for in this subdivision may be resolved  
49.17 by the commissioner through a negotiated stipulation agreement according to the authority  
49.18 granted to the commissioner in section 103G.134.

49.19 Subd. 2. **Enforcement.** This chapter and rules, standards, orders, stipulation agreements,  
49.20 schedules of compliance, and permits adopted or issued by the commissioner under this  
49.21 chapter or any other law for preventing, controlling, or abating damage to natural resources  
49.22 may be enforced by one or more of the following:

49.23 (1) criminal prosecution;

49.24 (2) action to recover civil penalties;

49.25 (3) injunction;

49.26 (4) action to compel performance; or

49.27 (5) other appropriate action according to this chapter.

49.28 Subd. 3. **Injunctions.** A violation of this chapter or rules, standards, orders, stipulation  
49.29 agreements, variances, schedules of compliance, and permits adopted or issued under this  
49.30 chapter constitutes a public nuisance and may be enjoined as provided by law in an action,  
49.31 in the name of the state, brought by the attorney general.

50.1 Subd. 4. **Actions to compel performance.** (a) In an action to compel performance of  
50.2 an order issued by the commissioner for any purpose related to preventing, controlling, or  
50.3 abating damage to natural resources under this chapter, the court may require a defendant  
50.4 adjudged responsible to do and perform any and all acts and things within the defendant's  
50.5 power that are reasonably necessary to accomplish the purposes of the order.

50.6 (b) In case a municipality or its governing or managing body or any of its officers is a  
50.7 defendant, the court may require the municipality to exercise its powers, without regard to  
50.8 any limitation of a requirement for an election or referendum imposed thereon by law and  
50.9 without restricting the powers of the commissioner, to do any or all of the following, without  
50.10 limiting the generality hereof:

50.11 (1) levy taxes or special assessments;

50.12 (2) prescribe service or use charges;

50.13 (3) borrow money;

50.14 (4) issue bonds;

50.15 (5) employ assistance;

50.16 (6) acquire real or personal property;

50.17 (7) let contracts;

50.18 (8) otherwise provide for doing work or constructing, installing, maintaining, or operating  
50.19 facilities; and

50.20 (9) do all other acts and things reasonably necessary to accomplish the purposes of the  
50.21 order.

50.22 (c) The court must grant a municipality under paragraph (b) the opportunity to determine  
50.23 the appropriate financial alternatives to be used to comply with the court-imposed  
50.24 requirements.

50.25 (d) An action brought under this subdivision must be venued in Ramsey County District  
50.26 Court.

50.27 Sec. 45. Minnesota Statutes 2020, section 115.061, is amended to read:

50.28 **115.061 DUTY TO NOTIFY; AVOIDING WATER POLLUTION.**

50.29 (a) Except as provided in paragraph (b), it is the duty of every person to notify the agency  
50.30 immediately of the discharge, accidental or otherwise, of any substance or material under  
50.31 its control which, if not recovered, may cause pollution of waters of the state, and the

51.1 responsible person shall recover as rapidly and as thoroughly as possible such substance or  
51.2 material and take immediately such other action as may be reasonably possible to minimize  
51.3 or abate pollution of waters of the state caused thereby.

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

51.7 (c) Promptly after notifying the agency of a discharge under paragraph (a), a publicly  
51.8 owned treatment works or a publicly or privately owned domestic sewer system owner must  
51.9 provide notice to the potentially impacted public and to any downstream drinking water  
51.10 facility that may be impacted by the discharge. Notice to the public and to any drinking  
51.11 water facility must be made using the most efficient communications system available to  
51.12 the facility owner such as in person, phone call, radio, social media, web page, or another  
51.13 expedited form. In addition, signs in sufficient number to alert the public must be posted at  
51.14 all impacted public use areas within the same jurisdiction or notice must be provided to the  
51.15 entity that has jurisdiction over any impacted public use areas. A notice under this paragraph  
51.16 must include the date and time of the discharge, a description of the material released, a  
51.17 warning of the potential public health risk, and the permittee's contact information. The  
51.18 agency must provide guidance that includes but is not limited to methods and protocols for  
51.19 providing timely notice under this section.

51.20 Sec. 46. Minnesota Statutes 2020, section 115.071, is amended by adding a subdivision  
51.21 to read:

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

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

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

51.31 (i) interactions between the facility and the public regarding the facility's operations;

51.32 (ii) operational problems or incidents that have occurred at the facility; and

52.1 (iii) suggestions regarding supplemental environmental projects that the public may  
52.2 prefer as part of a stipulation agreement or consent decree between the facility and the  
52.3 agency.

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

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

52.9 Sec. 47. **[115.85] STORMWATER INFRASTRUCTURE GRANT.**

52.10 Subdivision 1. **Legislative findings.** The legislature finds that:

52.11 (1) enhanced stormwater infrastructure is needed to properly manage stormwater from  
52.12 frequent, heavy rain and other weather events that have increased community flooding due  
52.13 to aging and undersized stormwater systems;

52.14 (2) managing stormwater also protects state natural resources and the health, safety, and  
52.15 welfare of its citizens;

52.16 (3) opportunities to upgrade stormwater infrastructure are not being fully realized by  
52.17 individual political subdivisions or by agreements among subdivisions; and

52.18 (4) it is therefore necessary to provide capital assistance to allow for planning and  
52.19 installing stormwater infrastructure that can manage increases in precipitation and other  
52.20 causes of runoff.

52.21 Subd. 2. **Stormwater infrastructure grant program.** (a) The commissioner of the  
52.22 Pollution Control Agency must provide financial assistance to local governmental units for  
52.23 developing and improving stormwater infrastructure from revenues derived from the issuance  
52.24 of bonds authorized under section 115.851. The commissioner may provide financial  
52.25 assistance to Tribal governments for developing and improving stormwater infrastructure  
52.26 from nonbonding funding sources as those sources are available.

52.27 (b) To be eligible for financial assistance under this section, a stormwater infrastructure  
52.28 project must:

52.29 (1) increase system capacity or stormwater storage;

52.30 (2) address environmental damage caused by weather extremes;

52.31 (3) prevent localized flooding;

53.1 (4) create stormwater systems that can manage flows from heavy rains;

53.2 (5) address public safety concerns caused by undersized stormwater systems; or

53.3 (6) ensure continuation of critical services during severe weather.

53.4 (c) Money appropriated for the purposes of this section must be distributed as grants. A

53.5 Tribal or local governmental unit may receive grants for no more than 80 percent of the

53.6 capital cost of a project. The maximum grant award must not exceed \$5,000,000 per project.

53.7 Subd. 3. **Grant application.** Application for a grant under this section must be made in

53.8 a form prescribed by the commissioner of the Pollution Control Agency and must include

53.9 a project schedule, a cost estimate for the project, and any other information determined by

53.10 the commissioner to be necessary to review the project according to subdivision 4.

53.11 Subd. 4. **Review requirements.** (a) The commissioner of the Pollution Control Agency

53.12 must review applications and may make a grant for a project only after:

53.13 (1) the commissioner reviews the plans and specifications;

53.14 (2) the applicant submits the as-bid cost for the stormwater infrastructure project;

53.15 (3) the commissioner determines that the project is grant eligible;

53.16 (4) the commissioner determines that any additional financing necessary to complete

53.17 the project has been committed from other sources; and

53.18 (5) other relevant criteria or prioritization as determined by the commissioner has been

53.19 met.

53.20 (b) The commissioner must not disburse a grant to a recipient until the commissioner

53.21 determines the total estimated capital cost of the project and ascertains that financing the

53.22 cost is assured by a combination of funds provided by the state, by an agency of the federal

53.23 government within the amount of funds then appropriated to that agency and allocated by

53.24 it to projects within the state, by any person, or by the appropriation of proceeds of bonds

53.25 or other funds of the recipient to a fund for constructing the project.

53.26 Subd. 5. **Recipient obligations.** (a) The commissioner of the Pollution Control Agency

53.27 must not disburse a project grant until the recipient makes an irrevocable undertaking, by

53.28 resolution, to use all funds made available exclusively for the capital cost of the stormwater

53.29 infrastructure project.

53.30 (b) A resolution under paragraph (a) must also indicate that any subsequent withdrawal

53.31 of allocated or additional funds of the recipient will impair the obligation of contract between

53.32 the state of Minnesota, the recipient, and the bondholders.

54.1 Subd. 6. **Disbursement.** Disbursement of a grant must be made for eligible project costs  
54.2 as incurred by the governmental unit and in accordance with applicable state and federal  
54.3 laws and rules governing the payments.

54.4 Subd. 7. **Terminating obligations; good faith effort.** Notwithstanding section 16A.695,  
54.5 the commissioner of the Pollution Control Agency may terminate the obligations of a grant  
54.6 recipient under this section if the commissioner finds that the recipient has made a good  
54.7 faith effort to exhaust all options in trying to comply with the terms and conditions of the  
54.8 grant. In lieu of declaring a default on a grant under this section, the commissioner may  
54.9 identify additional measures a recipient should take to meet the good faith test required for  
54.10 terminating the recipient's obligations under this section.

54.11 Sec. 48. **[115A.5591] COMPOSTING; MULTIFAMILY BUILDINGS;**  
54.12 **COMPETITIVE GRANT PROGRAM.**

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

54.15 (b) "Common interest community" has the meaning given in section 515B.1-103, clause  
54.16 (10).

54.17 (c) "Composting" means the controlled biological decomposition of source-separated  
54.18 food wastes through an aerobic method of accelerating natural decomposition that takes  
54.19 place at a site separate from the residence or location of any generator of source-separated  
54.20 food wastes.

54.21 (d) "Homeowners association" means an association of residential unit owners that is  
54.22 organized to govern and administer a common interest community, regardless of whether  
54.23 the common interest community is subject to chapter 515B.

54.24 (e) "Minnesota Tribal government" has the meaning given in section 10.65, subdivision  
54.25 2, paragraph (a), clause (4).

54.26 (f) "Multifamily building" means an apartment facility containing four or more dwelling  
54.27 units, each to be rented by a person or family for use as a residence.

54.28 (g) "Source-separated food wastes" means food wastes that are separated at the source  
54.29 by waste generators for the purpose of preparing them for composting.

54.30 Subd. 2. **Grant program established.** The commissioner must establish a competitive  
54.31 grant program to provide financial assistance to develop and implement pilot projects that  
54.32 encourage and increase composting by residents of multifamily buildings in areas where

55.1 compost is not collected at curbside. Each grant must include an educational component on  
55.2 the methods and benefits of composting.

55.3 Subd. 3. **Eligible applicants.** A grant may be awarded under this section to:

55.4 (1) a political subdivision;

55.5 (2) an owner of a multifamily building;

55.6 (3) an organization that is exempt from taxation under section 501(c)(3) of the Internal  
55.7 Revenue Code;

55.8 (4) a Minnesota Tribal government; or

55.9 (5) a homeowners association.

55.10 Subd. 4. **Application.** The commissioner must develop forms and procedures for  
55.11 soliciting and reviewing applications for grants under this section.

55.12 Subd. 5. **Eligible expenditures.** Appropriations made for the grant program under this  
55.13 section may be used only to:

55.14 (1) provide grants as specified in this section; and

55.15 (2) reimburse the reasonable expenses of the Pollution Control Agency in administering  
55.16 the grant program.

55.17 Subd. 6. **Grant awards.** In awarding grants under this section, the commissioner shall  
55.18 give priority to applications filed by applicants who meet the conditions of subdivision 3,  
55.19 clause (3).

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

55.21 Sec. 49. **[115A.561] ZERO-WASTE GRANT PROGRAM.**

55.22 Subdivision 1. **Definitions.** (a) For the purposes of this section, the following definitions  
55.23 apply.

55.24 (b) "Adaptive management practices" means the integration of project design,  
55.25 management, and monitoring to identify project impacts and outcomes as they arise and  
55.26 adjust behaviors to improve outcomes.

55.27 (c) "Commissioner" means the commissioner of the Pollution Control Agency.

55.28 (d) "Eligible entity" means a nonprofit or unit of government.

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

56.1 (f) "Living wage" means the minimum income necessary to allow a person working 40  
56.2 hours per week to afford the cost of housing, food, and other material necessities.

56.3 (g) "Organics recycling" means the biological processes by which organics streams are  
56.4 converted to compost which is not harmful to humans, plants, or animals.

56.5 (h) "Recycling" means the mechanical processing of materials that have reached the end  
56.6 of their current use into materials to be used in the production of new products. It does not  
56.7 include incineration or any energy recovery process or depolymerization or a similar process.

56.8 (i) "Reuse" does not mean incineration, but does mean:

56.9 (1) using a product, packaging, or resource more than once for the same or a new function  
56.10 with little or no processing; or

56.11 (2) repairing a product so it can be used longer, sharing or renting it, or selling or donating  
56.12 it to another party.

56.13 (j) "Source reduction" does not mean incineration, but does mean:

56.14 (1) activities that reduce consumption of products or services that create physical outputs,  
56.15 such as packaging, that is secondary to the intended use of the item being consumed;

56.16 (2) measures or techniques that reduce the amount of waste generated during production  
56.17 processes; and

56.18 (3) the reduction or elimination of the use of materials which are not able to be recycled  
56.19 without degrading the quality of the material.

56.20 (k) "Source separated" means the separation of a stream of recyclable materials at the  
56.21 point of waste creation before materials are collected and centralized. It does not include  
56.22 technologies that sort mixed municipal solid waste into recyclable and nonrecyclable  
56.23 materials.

56.24 (l) "Waste prevention" means reuse, recycling, and other methods to reduce the amount  
56.25 of materials disposed of in landfills or incinerated.

56.26 (m) "Zero waste" means conservation of all resources by means of responsible production,  
56.27 consumption, reuse, and recovery of products, packaging, and materials without burning  
56.28 or otherwise destroying embodied energy, with no discharges to land, water, or air that  
56.29 threaten the environment or human health.

56.30 (n) "Zero-waste practice" means a practice used to help achieve zero waste, including  
56.31 source reduction and waste prevention.

57.1 Subd. 2. **Establishment.** The commissioner shall establish a competitive grant program  
57.2 for eligible entities to pursue projects that are consistent with zero-waste practices. This  
57.3 shall include projects in four categories:

57.4 (1) electronic waste reuse and recycling, under subdivision 3;

57.5 (2) source reduction, under subdivision 4;

57.6 (3) market development, under subdivision 5; and

57.7 (4) organics recycling infrastructure, under subdivision 6.

57.8 Subd. 3. **Electronic waste reuse and recycling.** Projects under this subdivision must  
57.9 relate to electronic waste reuse and recycling and must be carried out by an organization  
57.10 certified in sustainable electronic waste standards by an organization accredited by the  
57.11 National Accreditation Board of the American National Standards Institute and The American  
57.12 Society for Quality, or another accrediting body as determined by the commissioner. Grant  
57.13 funds for such projects may be used for infrastructure, technology, research and development,  
57.14 and product refurbishment. Projects must not include an electronic waste buy-back program  
57.15 that provides compensation for used electronics as a credit toward the purchase of additional  
57.16 electronics.

57.17 Subd. 4. **Source reduction.** Projects under this subdivision must relate to source  
57.18 reduction. Grant funds for such projects may be used for educational programming and  
57.19 outreach activities to encourage consumer behavior change or for product or manufacturing  
57.20 redesign or redevelopment to reduce byproducts, packaging, and other outputs. For projects  
57.21 involving product or manufacturing redesign or redevelopment, the applicable manufacturer  
57.22 must pay a living wage and the redevelopment or redesign must not result in higher toxicity  
57.23 or more complicated recyclability of the product or byproducts or increased volume of the  
57.24 byproducts.

57.25 Subd. 5. **Market development.** Projects under this subdivision must relate to market  
57.26 development with respect to source reduction or waste prevention, including creating demand  
57.27 for sorted recyclable commodities and refurbished goods. Such projects must target easily  
57.28 or commonly recycled materials which are disproportionately disposed of in landfills or  
57.29 incinerated and must reduce the volume, weight, or toxicity of waste and waste byproducts.  
57.30 Projects must not conflict with other laws or requirements as identified by the commissioner.

57.31 Subd. 6. **Organics recycling infrastructure.** Projects under this subdivision must relate  
57.32 to organics recycling infrastructure. Grant funds for such projects may be used for facilities,  
57.33 machinery, equipment, and other physical necessities required for organics collection or

58.1 processing on a city- or county-wide scale. Projects under this subdivision must result in  
58.2 increased capacity for residential and commercial source separated organics streams and  
58.3 generate a usable product that has demonstrable environmental benefits when compared to  
58.4 the input materials such as compost with added nutritional content. Projects may not include  
58.5 mixed-waste composting.

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

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

58.11 (c) The application must demonstrate that the eligible entity has set specific source  
58.12 reduction or waste prevention targets and that the project will happen in a community in  
58.13 the 80th percentile or higher for one or more pollutants as noted in the EJScreen tool, or  
58.14 any successor system, of the Environmental Protection Agency.

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

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

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

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

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

58.25 (5) will develop innovative or new technologies or strategies for source reduction and  
58.26 waste prevention;

58.27 (6) will encourage further investment in source reduction and waste prevention projects;

58.28 or

58.29 (7) will incorporate multistakeholder involvement, including nonprofit, commercial,  
58.30 and public sector partners.

58.31 Subd. 9. **Report to the legislature.** By January 15, 2024, the commissioner must submit  
58.32 a report as required under section 3.195 that details the use of grant funds. A copy of this

59.1 report must also be sent to the chairs and ranking minority members of the legislative  
59.2 committees having jurisdiction over economic development and the environment.

59.3 **Sec. 50. [115A.993] PROHIBITED DISPOSAL METHODS.**

59.4 A person must not dispose of seed treated with neonicotinoid pesticide in a manner  
59.5 inconsistent with the product label, where applicable, or by:

59.6 (1) burial near a drinking water source or any creek, stream, river, lake, or other surface  
59.7 water;

59.8 (2) composting; or

59.9 (3) incinerating within a home or other dwelling.

59.10 Sec. 51. Minnesota Statutes 2020, section 115B.17, subdivision 14, is amended to read:

59.11 **Subd. 14. Requests for review, investigation, and oversight.** (a) The commissioner  
59.12 may, upon request, assist a person in determining whether real property has been the site  
59.13 of a release or threatened release of a hazardous substance, pollutant, or contaminant. The  
59.14 commissioner may also assist in, or supervise, the development and implementation of  
59.15 reasonable and necessary response actions. Assistance may include review of agency records  
59.16 and files, and review and approval of a requester's investigation plans and reports and  
59.17 response action plans and implementation.

59.18 (b) Except as otherwise provided in this paragraph, the person requesting assistance  
59.19 under this subdivision shall pay the agency for the agency's cost, as determined by the  
59.20 commissioner, of providing assistance. A state agency, political subdivision, or other public  
59.21 entity is not required to pay for the agency's cost to review agency records and files. ~~Money~~  
59.22 ~~received by the agency for assistance under this section~~ The first \$350,000 received annually  
59.23 by the agency for assistance under this subdivision from persons who are not otherwise  
59.24 responsible under sections 115B.01 to 115B.18 must be deposited in the remediation fund  
59.25 and is exempt from section 16A.1285. Money received after the first \$350,000 must be  
59.26 deposited in the state treasury and credited to an account in the special revenue fund. Money  
59.27 in the account is annually appropriated to the commissioner for the purposes of administering  
59.28 this subdivision.

59.29 (c) When a person investigates a release or threatened release in accordance with an  
59.30 investigation plan approved by the commissioner under this subdivision, the investigation  
59.31 does not associate that person with the release or threatened release for the purpose of section  
59.32 115B.03, subdivision 3, paragraph (a), clause (4).

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

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

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

60.5 (i) determine how the priorities in the settlement will be met and how the spending will  
60.6 move from the first priority to the second priority and the second priority to the third priority  
60.7 outlined in the settlement; and

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

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

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

60.17 Sec. 53. Minnesota Statutes 2020, section 116.06, subdivision 1, is amended to read:

60.18 Subdivision 1. **Applicability.** The definitions given in this section shall obtain for the  
60.19 purposes of sections 116.01 to ~~116.075~~ 116.076 except as otherwise expressly provided or  
60.20 indicated by the context.

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

60.22 Sec. 54. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to  
60.23 read:

60.24 Subd. 6a. **Commissioner.** "Commissioner" means the commissioner of the Pollution  
60.25 Control Agency.

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

60.27 Sec. 55. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to  
60.28 read:

60.29 Subd. 10a. **Environmental justice.** "Environmental justice" means that:

61.1 (1) communities of color, Indigenous communities, and low-income communities have  
61.2 a healthy environment and are treated fairly when environmental statutes, rules, and policies  
61.3 are developed, adopted, implemented, and enforced; and

61.4 (2) in all decisions that have the potential to affect the environment of an environmental  
61.5 justice area or the public health of its residents, due consideration is given to the history of  
61.6 the area's and its residents' cumulative exposure to pollutants and to any current  
61.7 socioeconomic conditions that increase the physical sensitivity of those residents to additional  
61.8 exposure to pollutants.

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

61.10 Sec. 56. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to  
61.11 read:

61.12 Subd. 10b. **Environmental justice area.** "Environmental justice area" means one or  
61.13 more census tracts in Minnesota:

61.14 (1) in which, based on the most recent data published by the United States Census Bureau:

61.15 (i) 40 percent or more of the population is nonwhite;

61.16 (ii) 35 percent or more of the households have an income at or below 200 percent of the  
61.17 federal poverty level; or

61.18 (iii) 40 percent or more of the population over the age of five have limited English  
61.19 proficiency; or

61.20 (2) located within Indian Country, as defined in United State Code, title 18, section 1151.

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

61.22 Sec. 57. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to  
61.23 read:

61.24 Subd. 14a. **Microplastics.** "Microplastics" means small pieces of plastic debris in the  
61.25 environment resulting from the disposal and breakdown of consumer products and industrial  
61.26 waste that are less than five millimeters in length.

62.1 Sec. 58. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to  
62.2 read:

62.3 Subd. 14b. **Nanoplastics.** "Nanoplastics" means particles within a size ranging from  
62.4 one to 1,000 nanometers that are unintentionally produced from the manufacture or  
62.5 degradation of plastic objects and that exhibit a colloidal behavior.

62.6 Sec. 59. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to  
62.7 read:

62.8 Subd. 17a. **Plastic.** "Plastic" means an organic or petroleum derivative synthetic or a  
62.9 semisynthetic organic solid that is moldable, and to which additives or other substances  
62.10 may have been added. Plastic does not mean natural polymers that have not been chemically  
62.11 modified.

62.12 Sec. 60. Minnesota Statutes 2020, section 116.07, subdivision 4a, is amended to read:

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

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

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

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

63.1 (2) the demographic, social, and economic characteristics of the exposed population in  
63.2 the environmental justice area that affect the population's sensitivity to exposure to additional  
63.3 pollution, as required under subdivision 4m.

63.4 ~~(1) is within a half mile of a site designated by the federal government as an EPA~~  
63.5 ~~superfund site due to residential arsenic contamination;~~

63.6 ~~(2) a majority of the population are low-income persons of color and American Indians;~~

63.7 ~~(3) a disproportionate percent of the children have childhood lead poisoning, asthma,~~  
63.8 ~~or other environmentally related health problems;~~

63.9 ~~(4) is located in a city that has experienced numerous air quality alert days of dangerous~~  
63.10 ~~air quality for sensitive populations between February 2007 and February 2008; and~~

63.11 ~~(5) is located near the junctions of several heavily trafficked state and county highways~~  
63.12 ~~and two one-way streets which carry both truck and auto traffic.~~

63.13 (d) ~~The Pollution Control Agency~~ commissioner may revoke or modify any permit issued  
63.14 under this subdivision and section 116.081 whenever it is necessary, in the opinion of the  
63.15 agency commissioner, to prevent or abate pollution.

63.16 (e) ~~The Pollution Control Agency~~ commissioner has the authority for approval over the  
63.17 siting, expansion, or operation of a solid waste facility with regard to environmental issues.  
63.18 However, ~~the agency's~~ issuance of a permit does not release the permittee from any liability,  
63.19 penalty, or duty imposed by any applicable county ordinances. Nothing in this chapter  
63.20 precludes, or shall be construed to preclude, a county from enforcing land use controls,  
63.21 regulations, and ordinances existing at the time of the permit application and adopted  
63.22 pursuant to sections 366.10 to 366.181, 394.21 to 394.37, or 462.351 to 462.365, with regard  
63.23 to the siting, expansion, or operation of a solid waste facility.

63.24 (f) Except as prohibited by federal law, a person may commence construction,  
63.25 reconstruction, replacement, or modification of any facility ~~prior to the issuance of a~~  
63.26 ~~construction permit by the agency~~ before the commissioner issues a construction permit.

63.27 (g) A permit application must indicate whether the permit action sought is likely to  
63.28 impact the environment or the health of residents of an environmental justice area and must  
63.29 include the data used by the applicant to make the determination. If the application is filed  
63.30 before the commissioner identifies all environmental justice areas in the state under section  
63.31 116.076, the commissioner must determine whether, based on the application's projected  
63.32 impacts of issuing the permit, the area impacted qualifies as an environmental justice area  
63.33 and whether, as a result, a cumulative analysis is required.

64.1 (h) The commissioner must review the applicant's determination made under paragraph  
64.2 (g), and is responsible for determining whether a proposed permit will impact the environment  
64.3 or health of an environmental justice area.

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

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

64.9 Sec. 61. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
64.10 read:

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

64.20 (1) racial and ethnic characteristics;

64.21 (2) income and poverty levels;

64.22 (3) the age distribution;

64.23 (4) the birth rate;

64.24 (5) education levels;

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

64.28 (7) the incidence of substandard housing conditions;

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

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

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

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

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

65.8 (13) microclimate or topographical factors of the area that affect exposure levels;

65.9 (14) other environmental stressors, including but not limited to noise, that impact the  
65.10 area population; and

65.11 (15) how the factors examined under this paragraph may interact to increase the likelihood  
65.12 of portions of the population sustaining an adverse effect from exposure to the additional  
65.13 pollution emitted by the permitted facility.

65.14 (b) A permit applicant must provide the information required under this subdivision to  
65.15 the commissioner in a format and at a level of quality and completeness required by the  
65.16 commissioner.

65.17 (c) The costs of complying with this subdivision must be paid by the permit applicant.

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

65.21 Sec. 62. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
65.22 read:

65.23 Subd. 4n. **Permits; environmental justice area.** (a) At a public meeting held on a permit  
65.24 application required to undergo a cumulative analysis under subdivision 4a, paragraph (c),  
65.25 the commissioner must ensure that an accurate and complete reporting of public comments  
65.26 is made part of the public record on which the decision on permit issuance is based.

65.27 (b) Notwithstanding any other law, the commissioner must, after reviewing the permit  
65.28 application, the analysis of cumulative pollution conducted under subdivision 4a, paragraph  
65.29 (c), the permit applicant's demographic analysis under subdivision 4m, and any additional  
65.30 relevant information, including testimony and written comments received at a public meeting,  
65.31 determine whether the incremental environmental impacts that would result in an  
65.32 environmental justice area from approving the permit will, in conjunction with the cumulative

66.1 pollution impacts and any heightened sensitivity to additional pollution of residents of the  
66.2 environmental justice area, cause or contribute to increased levels of environmental or health  
66.3 impacts compared with denying the permit.

66.4 (b) If the commissioner determines that approving the permit would cause or contribute  
66.5 to increased levels of environmental or health impacts compared with denying the permit,  
66.6 the commissioner must:

66.7 (1) deny the permit; or

66.8 (2) place conditions on the permit that eliminate any contribution to increased levels of  
66.9 environmental or health impacts from the permitted facility in an environmental justice  
66.10 area.

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

66.14 Sec. 63. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
66.15 read:

66.16 Subd. 7f. **Financial assurance.** (a) Before the commissioner issues or renews a permit  
66.17 for a feedlot with a capacity of 1,000 or more animal units, the permit applicant must submit  
66.18 to the commissioner proof of financial assurance that satisfies the requirements under this  
66.19 subdivision. Financial assurance must be of an amount sufficient to pay the closure costs  
66.20 determined under paragraph (c) for the feedlot and manure storage area, with all terms and  
66.21 conditions of the financial assurance instrument approved by the commissioner. The  
66.22 commissioner, in evaluating financial assurance, may consult individuals with documented  
66.23 experience in the analysis. The applicant must pay all costs incurred by the commissioner  
66.24 to obtain this analysis.

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

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

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

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

67.1 (4) the financial assurance provider will give the commissioner at least 120 days' notice  
67.2 before cancelling the financial assurance instrument.

67.3 (c) The permit applicant must submit to the commissioner a documented estimate of  
67.4 costs required to implement the closure requirements established by the commissioner in  
67.5 rule for feedlots and manure storage areas. Cost estimates must incorporate current dollar  
67.6 values at the time of estimate and any additional costs required by the commissioner to  
67.7 oversee and hire a third party to implement the closure requirements. The applicant must  
67.8 not incorporate the estimated salvage or market value of manure, animals, structures,  
67.9 equipment, land, or other assets. The commissioner must evaluate and may modify the  
67.10 applicant's cost estimates and may consult individuals with documented experience in feedlot  
67.11 or manure storage area closure or remediation. The applicant must pay all costs incurred  
67.12 by the commissioner to obtain this consultation.

67.13 Sec. 64. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
67.14 read:

67.15 Subd. 7g. **Abandoned feedlots and manure storage areas.** At least annually, the  
67.16 commissioner must compile a list of abandoned feedlots and manure storage areas in this  
67.17 state. A list compiled under this subdivision is not a feedlot inventory for purposes of  
67.18 subdivision 7b. For purposes of this subdivision, "abandoned feedlots and manure storage  
67.19 areas" means feedlots and manure storage areas that have:

67.20 (1) permanently ceased operation and are subject to, but not in compliance with, the  
67.21 closure requirements established by the commissioner in rule for feedlots and manure storage  
67.22 areas; or

67.23 (2) been unused for at least two years.

67.24 Sec. 65. **[116.076] ENVIRONMENTAL JUSTICE AREAS; BOUNDARIES; MAPS.**

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

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

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

68.4 Sec. 66. Minnesota Statutes 2020, section 116C.03, subdivision 2a, is amended to read:

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

68.8 Sec. 67. Minnesota Statutes 2020, section 116D.04, is amended by adding a subdivision  
68.9 to read:

68.10 Subd. 2c. **Demographic analysis.** An environmental assessment worksheet and  
68.11 environmental impact statement that indicate that a proposed project increases pollution  
68.12 levels or the toxicity of emissions in an environmental justice area, as defined under section  
68.13 116.06, must contain a demographic analysis of the population exposed to the proposed  
68.14 project's impacts as required under section 116.07, subdivision 4m.

68.15 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
68.16 applies to an environmental assessment worksheet that has been determined by a responsible  
68.17 governmental unit to be complete on or after that date and to an environmental impact  
68.18 statement determined by a responsible governmental unit to be adequate on or after that  
68.19 date.

68.20 Sec. 68. Minnesota Statutes 2020, section 116P.05, subdivision 1, is amended to read:

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

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

68.30 (c) Seven citizens are members of the commission, five appointed by the governor, one  
68.31 appointed by the Senate Subcommittee on Committees of the Committee on Rules and

69.1 Administration, and one appointed by the speaker of the house. The citizen members are  
69.2 selected and recommended to the appointing authorities according to subdivision 1a and  
69.3 must:

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

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

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

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

69.15 (e) Appointed legislative members shall serve on the commission for two-year terms,  
69.16 beginning in January of each odd-numbered year and continuing through the end of December  
69.17 of the next even-numbered year. Appointed citizen members shall serve four-year terms,  
69.18 beginning in January of the first year and continuing through the end of December of the  
69.19 final year. Citizen and legislative members continue to serve until their successors are  
69.20 appointed.

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

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

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

69.29 Sec. 69. Minnesota Statutes 2020, section 171.07, is amended by adding a subdivision to  
69.30 read:

69.31 Subd. 20. Watercraft operator's permit. (a) The department must maintain in its  
69.32 records information transmitted electronically from the commissioner of natural resources

70.1 identifying each person to whom the commissioner of natural resources has issued a  
70.2 watercraft operator's permit. The records transmitted from the Department of Natural  
70.3 Resources must contain the full name and date of birth as required for the driver's license  
70.4 or identification card. Records that are not matched to a driver's license or identification  
70.5 card record may be deleted after seven years.

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

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

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

70.15 Sec. 70. Minnesota Statutes 2020, section 282.08, is amended to read:

70.16 **282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.**

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

70.20 (1) the portion required to pay any amounts included in the appraised value under section  
70.21 282.01, subdivision 3, as representing increased value due to any public improvement made  
70.22 after forfeiture of the parcel to the state, but not exceeding the amount certified by the  
70.23 appropriate governmental authority must be apportioned to the governmental subdivision  
70.24 entitled to it;

70.25 (2) the portion required to pay any amount included in the appraised value under section  
70.26 282.019, subdivision 5, representing increased value due to response actions taken after  
70.27 forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by  
70.28 the Pollution Control Agency or the commissioner of agriculture, must be apportioned to  
70.29 the agency or the commissioner of agriculture and deposited in the fund from which the  
70.30 expenses were paid;

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

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

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

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

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

71.12 (1) according to section 282.09, subdivision 2;

71.13 (2) for remediating contamination at tax-forfeited properties; or

71.14 (3) for correcting blighted conditions at tax-forfeited properties.

71.15 An election made under this item is effective for a minimum of five years, unless the county  
71.16 board specifies a shorter duration.

71.17 (iv) Any balance remaining must be apportioned as follows: county, 40 percent; town  
71.18 or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized  
71.19 territory that portion which would have accrued to the township must be administered by  
71.20 the county board of commissioners.

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

71.22 Sec. 71. Minnesota Statutes 2020, section 297A.94, is amended to read:

71.23 **297A.94 DEPOSIT OF REVENUES.**

71.24 (a) Except as provided in this section, the commissioner shall deposit the revenues,  
71.25 including interest and penalties, derived from the taxes imposed by this chapter in the state  
71.26 treasury and credit them to the general fund.

71.27 (b) The commissioner shall deposit taxes in the Minnesota agricultural and economic  
71.28 account in the special revenue fund if:

71.29 (1) the taxes are derived from sales and use of property and services purchased for the  
71.30 construction and operation of an agricultural resource project; and

72.1 (2) the purchase was made on or after the date on which a conditional commitment was  
72.2 made for a loan guaranty for the project under section 41A.04, subdivision 3.

72.3 The commissioner of management and budget shall certify to the commissioner the date on  
72.4 which the project received the conditional commitment. The amount deposited in the loan  
72.5 guaranty account must be reduced by any refunds and by the costs incurred by the Department  
72.6 of Revenue to administer and enforce the assessment and collection of the taxes.

72.7 (c) The commissioner shall deposit the revenues, including interest and penalties, derived  
72.8 from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3,  
72.9 paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

72.10 (1) first to the general obligation special tax bond debt service account in each fiscal  
72.11 year the amount required by section 16A.661, subdivision 3, paragraph (b); and

72.12 (2) after the requirements of clause (1) have been met, the balance to the general fund.

72.13 (d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit  
72.14 in the state treasury the revenues collected under section 297A.64, subdivision 1, including  
72.15 interest and penalties and minus refunds, and credit them to the highway user tax distribution  
72.16 fund.

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

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

72.29 (g) Starting after July 1, 2017, the commissioner shall deposit an amount of the  
72.30 remittances monthly into the state treasury and credit them to the highway user tax  
72.31 distribution fund as a portion of the estimated amount of taxes collected from the sale and  
72.32 purchase of motor vehicle repair parts in that month. For the remittances between July 1,  
72.33 2017, and June 30, 2019, the monthly deposit amount is \$2,628,000. For remittances in

73.1 each subsequent fiscal year, the monthly deposit amount is \$12,137,000. For purposes of  
73.2 this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11,  
73.3 and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories,  
73.4 and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle  
73.5 maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor  
73.6 vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph,  
73.7 "tire" means any tire of the type used on highway vehicles, if wholly or partially made of  
73.8 rubber and if marked according to federal regulations for highway use.

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

73.12 (1) 50 percent of the receipts must be deposited in the heritage enhancement account in  
73.13 the game and fish fund, and may be spent only on activities that improve, enhance, or protect  
73.14 fish and wildlife resources, including conservation, restoration, and enhancement of land,  
73.15 water, and other natural resources of the state;

73.16 (2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may  
73.17 be spent only for state parks and trails;

73.18 (3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may  
73.19 be spent only on metropolitan park and trail grants;

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

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

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

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

74.5 (1) 25 percent to the volunteer fire assistance grant account established under section  
74.6 88.068;

74.7 (2) 25 percent to the fire safety account established under section 297I.06, subdivision  
74.8 3; and

74.9 (3) the remainder to the general fund.

74.10 For purposes of this paragraph, the percentage of total sales and use tax revenue derived  
74.11 from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be  
74.12 sold to persons 18 years old or older and are not prohibited from use by the general public  
74.13 under section 624.21, is a set percentage of the total sales and use tax revenues collected in  
74.14 the state, with the percentage determined under Laws 2017, First Special Session chapter  
74.15 1, article 3, section 39.

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

74.20 **Sec. 72. [325E.3892] LEAD AND CADMIUM IN CONSUMER PRODUCTS;**  
74.21 **PROHIBITION.**

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

74.24 (1) jewelry;

74.25 (2) toys;

74.26 (3) cosmetics and personal care products;

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

74.28 (5) play sets and play structures;

74.29 (6) outdoor games;

74.30 (7) school supplies;

74.31 (8) pots and pans;

75.1 (9) cups, bowls, and other food containers;

75.2 (10) craft supplies and jewelry-making supplies;

75.3 (11) chalk, crayons, paints, and other art supplies;

75.4 (12) fidget spinners;

75.5 (13) costumes, costume accessories, and children's and seasonal party supplies;

75.6 (14) keys, key chains, and key rings; and

75.7 (15) clothing, footwear, headwear, and accessories.

75.8 Subd. 2. **Prohibition.** (a) A person must not import, manufacture, sell, hold for sale, or  
75.9 distribute or offer for use in this state any covered product containing:

75.10 (1) lead at more than 0.009 percent by total weight (90 parts per million); or

75.11 (2) cadmium at more than 0.0075 percent by total weight (75 parts per million).

75.12 (b) This section does not apply to covered products containing lead or cadmium, or both,  
75.13 when regulation is preempted by federal law.

75.14 Subd. 3. **Enforcement.** The commissioners of the Pollution Control Agency, commerce,  
75.15 and health may coordinate in enforcing this section. The commissioner of the Pollution  
75.16 Control Agency or commerce may, with the attorney general, enforce any federal restrictions  
75.17 on the sale of products containing lead or cadmium, or both, as allowed under federal law.  
75.18 The commissioner of the Pollution Control Agency may enforce this section under sections  
75.19 115.071 and 116.072. The commissioner of commerce may enforce this section under  
75.20 section 45.027, subdivisions 1 to 6, 325F.10 to 325F.12, and 325F.14 to 325F.16. The  
75.21 attorney general may enforce this section under section 8.31.

75.22 **EFFECTIVE DATE.** This section is effective July 1, 2023.

75.23 Sec. 73. Minnesota Statutes 2020, section 394.36, subdivision 4, is amended to read:

75.24 Subd. 4. **Nonconformities; certain classes of property.** This subdivision applies to  
75.25 homestead and nonhomestead residential real estate and seasonal residential real estate  
75.26 occupied for recreational purposes. Except as otherwise provided by law, a nonconformity,  
75.27 including the lawful use or occupation of land or premises existing at the time of the adoption  
75.28 of an official control under this chapter, may be continued, including through repair,  
75.29 replacement, restoration, maintenance, or improvement, but not including expansion. If the  
75.30 nonconformity or occupancy is discontinued for a period of more than one year, or any  
75.31 nonconforming building or structure is destroyed by fire or other peril to the extent of greater

76.1 than 50 percent of its estimated market value, as indicated in the records of the county  
76.2 assessor at the time of damage, and no building permit has been applied for within 180 days  
76.3 of when the property is damaged, any subsequent use or occupancy of the land or premises  
76.4 must be a conforming use or occupancy. If a nonconforming building or structure is destroyed  
76.5 by fire or other peril to the extent of greater than 50 percent of its estimated market value,  
76.6 as indicated in the records of the county assessor at the time of damage, the board may  
76.7 impose reasonable conditions upon a zoning or building permit in order to mitigate any  
76.8 newly created impact on adjacent property or water body. When a nonconforming structure  
76.9 in the shoreland district with less than 50 percent of the required setback from the water is  
76.10 destroyed by fire or other peril to greater than 50 percent of its estimated market value, as  
76.11 indicated in the records of the county assessor at the time of damage, the structure setback  
76.12 may be increased if practicable and reasonable conditions are placed upon a zoning or  
76.13 building permit to mitigate created impacts on the adjacent property or water body. A county  
76.14 may, by ordinance, permit an expansion or impose upon nonconformities reasonable  
76.15 regulations to prevent and abate nuisances and to protect the public health, welfare, or safety.

76.16 Sec. 74. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision  
76.17 to read:

76.18 Subd. 37. **Community water system.** "Community water system" has the meaning  
76.19 given in United States Code, title 42, section 300f(15).

76.20 Sec. 75. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision  
76.21 to read:

76.22 Subd. 38. **Lead service line.** "Lead service line" means a water supply connection that  
76.23 is made of or lined with a material consisting of lead and that connects a water main to a  
76.24 building. A lead pigtail, lead gooseneck, or other lead fitting shall be considered a lead  
76.25 service line, regardless of the composition of the service line or other portions of piping to  
76.26 which the piece is attached. A galvanized service line shall be considered a lead service  
76.27 line.

76.28 Sec. 76. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision  
76.29 to read:

76.30 Subd. 39. **Service line.** "Service line" means any piping, tubing, or fitting connecting a  
76.31 water main to a building. Service line includes the property owner side and the system side  
76.32 of a service line.

77.1 Sec. 77. Minnesota Statutes 2020, section 473.121, is amended by adding a subdivision  
77.2 to read:

77.3 Subd. 40. **System side.** "System side" means the portion of a service line that is owned  
77.4 by a community water system.

77.5 Sec. 78. **PERSON WITH A DISABILITY; RULEMAKING.**

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

77.8 (b) The commissioner may use the good-cause exemption under Minnesota Statutes,  
77.9 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota  
77.10 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section  
77.11 14.388.

77.12 Sec. 79. **COMMUNITY AIR MONITORING SYSTEM PILOT GRANT PROGRAM.**

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

77.15 (b) "Agency" means the Minnesota Pollution Control Agency.

77.16 (c) "Commissioner" means the commissioner of the Minnesota Pollution Control Agency.

77.17 (d) "Community air monitoring system" means a system of devices monitoring ambient  
77.18 air quality at many locations within a small geographic area that is subject to air pollution  
77.19 from a variety of stationary and mobile sources in order to obtain frequent measurements  
77.20 of pollution levels, to detect differences in exposure to pollution over distances no larger  
77.21 than a city block, and to identify areas where pollution levels are inordinately elevated.

77.22 (e) "Environmental justice area" has the meaning given in Minnesota Statutes, section  
77.23 116.06, subdivision 10b.

77.24 (f) "Nonprofit organization" means an organization that is exempt from taxation under  
77.25 section 501(c)(3) of the Internal revenue Code.

77.26 Subd. 2. **Establishment of program.** A community air monitoring system pilot grant  
77.27 program is established in the Pollution Control Agency for the purpose of measuring air  
77.28 pollution levels at many locations within an environmental justice area in Minneapolis.

77.29 Subd. 3. **Eligible applicants.** Grants under this section may be awarded to applicants  
77.30 consisting of a partnership between a nonprofit organization located in an environmental

78.1 justice area in which the community air monitoring system is to be deployed and an entity  
78.2 that has experience deploying, operating, and interpreting data from air monitoring systems.

78.3 Subd. 4. **Eligible projects.** Grants may be awarded under this section to applicants  
78.4 whose proposals:

78.5 (1) utilize a variety of air monitoring technologies approved for use by the agency,  
78.6 including, but not limited to, stationary monitors, sensor-based handheld devices, and mobile  
78.7 devices that can be attached to vehicles or drones to measure air pollution levels;

78.8 (2) obtain data at fixed locations and from handheld monitoring devices carried by  
78.9 residents of the community on designated walking routes in the targeted community that  
78.10 can provide high-frequency measurements; and

78.11 (3) use the monitoring data to generate maps of pollution levels throughout the monitored  
78.12 area.

78.13 Subd. 5. **Eligible expenditures.** Grant awards may be used only to fund the following  
78.14 activities:

78.15 (1) planning the configuration and deployment of the community air monitoring system;

78.16 (2) purchasing and installing air monitoring devices as part of the community air  
78.17 monitoring system;

78.18 (3) training and paying persons who operate stationary, handheld, and mobile devices  
78.19 to measure air pollution;

78.20 (4) developing data and mapping systems to analyze, organize, and present the air  
78.21 monitoring data collected; and

78.22 (5) the writing of a final report on the project under subdivision 9.

78.23 Subd. 6. **Air monitoring technologies; agency approval.** The agency must approve of  
78.24 air monitoring technologies proposed to be used in a project awarded a grant under this  
78.25 section. Approved air monitoring technologies must meet a reasonable level of accuracy  
78.26 and consistency.

78.27 Subd. 7. **Application and grant award process.** An eligible applicant must submit an  
78.28 application to the commissioner on a form prescribed by the commissioner. The  
78.29 commissioner shall develop administrative procedures governing the application and grant  
78.30 award process. The commissioner shall act as fiscal agent for the grant program and shall  
78.31 be responsible for receiving and reviewing grant applications and awarding grants under  
78.32 this section.

79.1 Subd. 8. **Grant awards; priorities.** In awarding grants under this section, the  
79.2 commissioner shall give priority to proposed projects that:

79.3 (1) take place in areas with high rates of illness associated with exposure to air pollution,  
79.4 including asthma, chronic obstructive pulmonary disease, heart disease, chronic bronchitis,  
79.5 and cancer;

79.6 (2) promote public access to and transparency of air monitoring data developed through  
79.7 the project; and

79.8 (3) conduct outreach activities to promote community awareness of and engagement  
79.9 with the project.

79.10 Subd. 9. **Report to agency.** No later than 90 days following the end of the project, the  
79.11 applicant must submit a written report to the agency describing the project's findings and  
79.12 results, and any recommendations for agency actions, programs, or activities to reduce levels  
79.13 of air pollution measured by the community air monitoring system. The applicant must also  
79.14 forward to the agency all air monitoring data developed by the project.

79.15 Subd. 10. **Report to legislature.** No later than January 15, 2024, the commissioner shall  
79.16 submit a report to the chairs and ranking minority members of the senate and house  
79.17 committees with primary responsibility for environment policy and finance on the results  
79.18 of the grant program, including:

79.19 (1) any changes in the agency's air monitoring network that will occur as a result of data  
79.20 developed under the program;

79.21 (2) any actions the agency has taken or proposes to take to reduce levels of pollution  
79.22 that impact the environmental justice areas that received grants under the program; and

79.23 (3) any recommendations for legislation, including whether the program should be  
79.24 extended or expanded.

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

79.26 Sec. 80. **RULEMAKING; AIR TOXICS EMISSIONS.**

79.27 Subdivision 1. **Definitions.** For the purposes of this section:

79.28 (1) "agency" means the Minnesota Pollution Control Agency;

79.29 (2) "air toxic" has the meaning given under section 116.062;

79.30 (3) "commissioner" has the meaning given in Minnesota Statutes, section 116.06,  
79.31 subdivision 6a;

80.1 (4) "continuous emissions monitoring system" has the meaning given in Minnesota  
80.2 Rules, chapter 7017.1002, subpart 4;

80.3 (5) "environmental justice area" has the meaning given in Minnesota Statutes, section  
80.4 116.06, subdivision 10b;

80.5 (6) "performance test" has the meaning given in Minnesota Rules, chapter 7017.2005;  
80.6 and

80.7 (7) "volatile organic compound" means any compound of carbon, excluding carbon  
80.8 monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium  
80.9 carbonate, which participates in atmospheric photochemical reactions.

80.10 Subd. 2. **Rulemaking required.** No later than January 15, 2023, the commissioner of  
80.11 the Pollution Control Agency must initiate rulemaking under Minnesota Statutes, chapter  
80.12 14 to regulate air toxics emissions by providing notice of a rulemaking hearing as required  
80.13 under Minnesota Statutes, section 14.14, subdivision 1a.

80.14 Subd. 3. **Content of rules.** (a) The rulemaking required under subdivision 1 must address,  
80.15 at a minimum, the following issues:

80.16 (1) the specific air toxics to be subject to the rules, including, at a minimum, those defined  
80.17 in section 116.062;

80.18 (2) the types of facilities to be subject to the rules, including, at a minimum, facilities  
80.19 that have been issued an air quality permit by the commissioner and:

80.20 (i) emit air toxics, whether the emissions are limited in a permit or not; or

80.21 (ii) purchase or use material containing volatile organic compounds;

80.22 (3) performance tests conducted by facilities to measure the volume of air toxics  
80.23 emissions, testing methods, testing procedures and protocols, and testing frequency;

80.24 (4) air monitoring required, including the use of continuous emissions monitoring systems  
80.25 for certain facilities;

80.26 (5) requirements for reporting to the agency information to assist it in determining the  
80.27 volume of the facility's air toxics emissions, and its compliance with emissions limits in the  
80.28 facility's permit;

80.29 (6) recordkeeping related to air toxics emissions; and

80.30 (7) frequency of facility inspections and inspection activities that provide information  
80.31 about air toxics emissions.

81.1 (b) In developing rules, the commissioner must establish testing, monitoring, reporting  
81.2 recordkeeping, and inspection requirements for facilities that reflect:

81.3 (1) the different risks to human health and the environment posed by the specific air  
81.4 toxics and volumes emitted by a facility, such that facilities posing greater risks are required  
81.5 to conduct performance tests and air monitoring and receive inspections and report to the  
81.6 agency more frequently;

81.7 (2) the facility's record of compliance with air toxics emission limits and other permit  
81.8 conditions; and

81.9 (3) any exposure of residents of an environmental justice area to the facility's air toxics  
81.10 emissions.

81.11 Subd. 4. **Modifying permits.** After completion of the rulemaking required in subdivision  
81.12 1, the commissioner must incorporate air toxics emission limits to conform with the rule  
81.13 changes in existing air quality permits that:

81.14 (1) contain emission limits for air toxics; and

81.15 (2) do not contain emission limits for air toxics but whose facilities do emit air toxics.

81.16 Subd. 5. **Relation to federal law.** The commissioner must implement the requirements  
81.17 of this section in a manner that is consistent with federal law and to the fullest extent allowed  
81.18 by federal law. Nothing in this section may be construed to conflict with federal law.

81.19 Subd. 6. **Rulemaking cost.** The commissioner must collect the agency's costs to develop  
81.20 the rulemaking required under this section and to conduct regulatory activities required as  
81.21 a result of the rulemaking through the annual fee paid by owners or operators of facilities  
81.22 required to obtain air quality permits from the agency, as required under Minnesota Statutes,  
81.23 section 116.07, subdivision 4d, paragraph (b).

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

81.25 Sec. 81. **PIG'S EYE LANDFILL TASK FORCE.**

81.26 Subdivision 1. **Pig's Eye Landfill Task Force.** The commissioner of the Pollution  
81.27 Control Agency must establish a Pig's Eye Landfill Task Force to coordinate efforts to  
81.28 remediate and restore the Pig's Eye Landfill Superfund site and address perfluoroalkyl and  
81.29 polyfluoroalkyl substances (PFAS) contamination of Battle Creek, Pig's Eye Lake, and  
81.30 nearby groundwater. The task force is subject to Minnesota Statutes, section 15.059,  
81.31 subdivision 6.

81.32 Subd. 2. **Membership.** The task force must consist of:

- 82.1 (1) the commissioner of the Pollution Control Agency;
- 82.2 (2) the commissioner of natural resources;
- 82.3 (3) the commissioner of health;
- 82.4 (4) a representative from the Metropolitan Council;
- 82.5 (5) a representative from the United States Army Corps of Engineers;
- 82.6 (6) a representative from the United States Coast Guard;
- 82.7 (7) a representative from the federal Environmental Protection Agency;
- 82.8 (8) a representative from the National Park Service;
- 82.9 (9) a representative from the Ramsey-Washington Metro Watershed District; and
- 82.10 (10) one representative from each of the following impacted local governments:
- 82.11 (i) St. Paul;
- 82.12 (ii) South St. Paul;
- 82.13 (iii) Ramsey County; and
- 82.14 (iv) Dakota County.
- 82.15 Subd. 3. **Organization.** (a) By October 15, 2022, the commissioner or the commissioner's
- 82.16 designee must convene the first meeting of the task force.
- 82.17 (b) The task force must meet monthly or as determined by the chair. Meetings of the
- 82.18 task force must be open to the public.
- 82.19 (c) The members of the task force must annually elect a chair, vice chair, and other
- 82.20 officers as the members deem necessary.
- 82.21 Subd. 4. **Staff.** The commissioner must provide support staff, office space, and
- 82.22 administrative services for the task force.
- 82.23 Subd. 5. **Reports.** By February 15 each year, the commissioner must submit an annual
- 82.24 report to the chairs and ranking minority members of the legislative committees and divisions
- 82.25 with jurisdiction over the environment and natural resources on the status of the task force's
- 82.26 work. The final report, due February 15, 2026, must:
- 82.27 (1) summarize the history of the Pig's Eye Landfill, including cleanup efforts and impacts;
- 82.28 (2) include a coordinated plan to:
- 82.29 (i) cleanup and remediate the brownfield site;

- 83.1 (ii) restore and enhance wildlife habitat;
- 83.2 (iii) prevent future water contamination; and
- 83.3 (iv) address existing water quality issues;
- 83.4 (3) identify infrastructure needs;
- 83.5 (4) identify potential funding sources; and
- 83.6 (5) include any recommendations for legislative action.
- 83.7 Subd. 6. **Sunset.** The task force expires June 30, 2026.

83.8 Sec. 82. **TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

83.9 The commissioner of natural resources must not renew or transfer a turtle seller's license

83.10 after the effective date of this section.

83.11 Sec. 83. **SEED DISPOSAL RULEMAKING REQUIRED.**

83.12 The commissioner of the Pollution Control Agency, in consultation with the commissioner

83.13 of agriculture and the University of Minnesota, must adopt rules under Minnesota Statutes,

83.14 chapter 14, providing for the safe and lawful disposal of unwanted or unused seed treated

83.15 with neonicotinoid pesticide. The rules must clearly identify the regulatory jurisdiction of

83.16 state agencies and local governments with regard to such seed.

83.17 Sec. 84. **DESIGNATED SWAN RESTING AREAS.**

83.18 Subdivision 1. **Swan resting areas.** (a) The commissioner of natural resources may

83.19 designate waters within Minnesota's swan migration corridor as swan resting areas.

83.20 Subd. 2. **Public notice and meeting.** (a) Before the commissioner designates or removes

83.21 a designation of a swan resting area, public comment must be received and a public meeting

83.22 must be held in the county where the largest portion of the water is located.

83.23 (b) At least 90 days before the public meeting, notice of the proposed designation or

83.24 removal of the designation must be posted at publicly maintained access points on the water.

83.25 (c) Before the public meeting, notice of the meeting must be published in a news release

83.26 issued by the commissioner and in a newspaper of general circulation in the area where the

83.27 proposed swan resting area is located. The notice must be published at least once between

83.28 30 and 60 days before the meeting and at least once between seven and 30 days before the

83.29 meeting.

84.1 (d) The notices required in this subdivision must summarize the proposed action, invite  
84.2 public comment, and specify a deadline for receiving public comments. The commissioner  
84.3 must send each required notice to persons who have registered their names with the  
84.4 commissioner for this purpose. The commissioner must consider any public comments  
84.5 received in making a final decision.

84.6 Subd. 3. **Using lead sinkers.** A person may not use lead sinkers on a water designated  
84.7 by the commissioner as a swan resting area under subdivision 1. The commissioner must  
84.8 maintain a list of swan resting areas and information on the lead sinker restrictions on the  
84.9 department's website and in any summary of fishing regulations required under Minnesota  
84.10 Statutes, section 97A.051.

84.11 Subd. 4. **Report.** By January 15, 2025, the commissioner of natural resources must  
84.12 submit a report to the chairs and ranking minority members of the legislative committees  
84.13 and divisions with jurisdiction over the environment and natural resources on the  
84.14 implementation of this section and any recommendations.

84.15 Subd. 5. **Sunset.** This section expires January 1, 2026.

84.16 Sec. 85. **SWAN RESTITUTION VALUES; RULE AMENDMENTS.**

84.17 (a) The commissioner of natural resources must amend Minnesota Rules, part 6133.0030,  
84.18 to increase the restitution value of a tundra swan from \$200 to \$1,000 and the restitution  
84.19 value of a trumpeter swan from \$1,000 to \$2,500.

84.20 (b) The commissioner may use the good cause exemption under Minnesota Statutes,  
84.21 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota  
84.22 Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section  
84.23 14.388.

84.24 Sec. 86. **FEEDLOT AND MANURE STORAGE AREA REPORTS REQUIRED.**

84.25 (a) No later than January 15, 2023, each county must report to the commissioner of the  
84.26 Pollution Control Agency a list of abandoned feedlots and manure storage areas located in  
84.27 the county. The report must be submitted by the county feedlot officer for a delegated county  
84.28 or a comparable county officer or employee for a nondelegated county.

84.29 (b) No later than February 15, 2023, the commissioner of the Pollution Control Agency  
84.30 must submit a compilation report and list of abandoned feedlots and manure storage areas  
84.31 to the legislative committees with jurisdiction over agriculture and environment. The report  
84.32 must include recommendations, including existing and any proposed options for remediation.

85.1 (c) For purposes of this section, "abandoned feedlots and manure storage areas" has the  
85.2 meaning given in Minnesota Statutes, section 116.07, subdivision 7g.

85.3 (d) Reports and lists required under this section are not feedlot inventories for purposes  
85.4 of Minnesota Statutes, section 116.07, subdivision 7b.

85.5 **Sec. 87. PETROLEUM TANK RELEASE CLEANUP; REPORT TO**  
85.6 **LEGISLATURE.**

85.7 The commissioner of the Pollution Control Agency must perform the duties under clauses  
85.8 (1) to (5) with respect to the petroleum tank release cleanup program governed by Minnesota  
85.9 Statutes, chapter 115C, and must, no later than January 15, 2023, report the results to the  
85.10 chairs and ranking minority members of the senate and house of representatives committees  
85.11 with primary jurisdiction over environment policy and finance. The report must include any  
85.12 recommendations for legislation. The commissioner must:

85.13 (1) explicitly define the conditions that must be present in order for the commissioner  
85.14 to classify a site as posing a low potential risk to public health and the environment and  
85.15 ensure that all agency staff use the definition in assessing potential risks. In determining  
85.16 the conditions that indicate that a site poses a low risk, the commissioner must consider the  
85.17 biodegradable nature of the petroleum contaminants found at the site and relevant site  
85.18 conditions, including but not limited to the nature of groundwater flow, soil type, and  
85.19 proximity of features at or near the site that could potentially become contaminated;

85.20 (2) develop guidelines to incorporate consideration of potential future uses of a  
85.21 contaminated property into all agency staff decisions regarding site remediation;

85.22 (3) develop measurable objectives that allow the quality of the agency's performance in  
85.23 remediating petroleum-contaminated properties to be evaluated and conduct such evaluations  
85.24 periodically;

85.25 (4) in collaboration with the Petroleum Tank Release Compensation Board and the  
85.26 commissioner of commerce, examine whether and how to establish technical qualifications  
85.27 for consultants hired to remediate petroleum-contaminated properties as a strategy to improve  
85.28 the quality of remediation work, and how agencies can share information on consultant  
85.29 performance; and

85.30 (5) in collaboration with the commissioner of commerce, make consultants who remediate  
85.31 petroleum-contaminated sites more accountable for the quality of their work by:

85.32 (i) developing a formal system of measures and procedures by which to evaluate the  
85.33 work; and

86.1 (ii) sharing evaluations with the commissioner of commerce and with responsible parties.

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

86.3 **Sec. 88. CARPET STEWARDSHIP PROGRAM; REPORT.**

86.4 Subdivision 1. **Carpet stewardship program plan.** The commissioner of the Pollution  
86.5 Control Agency must develop a plan for establishing a carpet stewardship program designed  
86.6 to reduce carpet-related waste generation by promoting the collection and recycling of  
86.7 discarded carpet. The plan must include:

86.8 (1) an organizational structure for the program, including roles for the state, carpet  
86.9 producers, retailers, collection site operators, and recyclers;

86.10 (2) a timeline for implementing the program;

86.11 (3) a fee structure that ensures the costs of the program are recovered, including  
86.12 recommendations for determining the amount, methods of collecting the fee, and how fee  
86.13 revenues will be managed;

86.14 (4) a plan for how discarded carpet will be collected and transported to recyclers in this  
86.15 state;

86.16 (5) strategies for improving education and training of retailers, carpet installers, and  
86.17 collection site operators to improve the recycling rates of carpet; and

86.18 (6) draft legislation necessary for implementing the plan.

86.19 Subd. 2. **Task force; public engagement.** (a) The commissioner must convene a task  
86.20 force to assist with developing the plan required under subdivision 1. The task force must  
86.21 include:

86.22 (1) one representative of a statewide association representing retailers;

86.23 (2) two representatives of producers;

86.24 (3) two representatives of recyclers;

86.25 (4) one representative of statewide associations representing waste disposal companies;

86.26 (5) one representative of an environmental organization;

86.27 (6) one representative of county or municipal waste management programs;

86.28 (7) two representatives of companies that use discarded carpet to manufacture products  
86.29 other than new carpet;

86.30 (8) one representative of carpet installers; and

87.1 (9) two members of the general public.

87.2 (b) Members of the task force must not be registered lobbyists.

87.3 (c) The commissioner must provide opportunities for the public to provide input on the  
87.4 program.

87.5 Subd. 3. **Report.** The commissioner must submit a report with the plan required under  
87.6 this section to the chairs and ranking minority members of the legislative committees and  
87.7 divisions with jurisdiction over the environment by January 15, 2023.

87.8 Sec. 89. **REPEALER.**

87.9 (a) Minnesota Statutes 2020, section 97C.605, subdivisions 2, 2a, 2b, and 5, and  
87.10 Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.

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

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

87.14 **EFFECTIVE DATE.** Paragraph (b) is effective July 1, 2023 and paragraph (c) is  
87.15 effective July 1, 2024.

87.16 **ARTICLE 3**

87.17 **FARMED CERVIDAE**

87.18 Section 1. Minnesota Statutes 2020, section 13.643, subdivision 6, is amended to read:

87.19 Subd. 6. **Animal premises data.** (a) Except for farmed Cervidae premises location data  
87.20 collected and maintained under section 35.155, the following data collected and maintained  
87.21 by the Board of Animal Health related to registration and identification of premises and  
87.22 animals under chapter 35, are classified as private or nonpublic:

87.23 (1) the names and addresses;

87.24 (2) the location of the premises where animals are kept; and

87.25 (3) the identification number of the premises or the animal.

87.26 (b) Except as provided in section 347.58, subdivision 5, data collected and maintained  
87.27 by the Board of Animal Health under sections 347.57 to 347.64 are classified as private or  
87.28 nonpublic.

88.1 (c) The Board of Animal Health may disclose data collected under paragraph (a) or (b)  
88.2 to any person, agency, or to the public if the board determines that the access will aid in the  
88.3 law enforcement process or the protection of public or animal health or safety.

88.4 Sec. 2. Minnesota Statutes 2020, section 35.155, subdivision 1, is amended to read:

88.5 Subdivision 1. **Running at large prohibited.** (a) An owner may not allow farmed  
88.6 Cervidae to run at large. The owner must make all reasonable efforts to return escaped  
88.7 farmed Cervidae to their enclosures as soon as possible. The owner must immediately notify  
88.8 the commissioner of natural resources of the escape of farmed Cervidae if the farmed  
88.9 Cervidae are not returned or captured by the owner within 24 hours of their escape.

88.10 (b) An owner is liable for expenses of another person in capturing, caring for, and  
88.11 returning farmed Cervidae that have left their enclosures if the person capturing the farmed  
88.12 Cervidae contacts the owner as soon as possible.

88.13 (c) If an owner is unwilling or unable to capture escaped farmed Cervidae, the  
88.14 commissioner of natural resources may destroy the escaped farmed Cervidae. The  
88.15 commissioner of natural resources must allow the owner to attempt to capture the escaped  
88.16 farmed Cervidae prior to destroying the farmed Cervidae. Farmed Cervidae that are not  
88.17 captured by 24 hours after escape may be destroyed.

88.18 (d) A hunter licensed by the commissioner of natural resources under chapter 97A may  
88.19 kill and possess escaped farmed Cervidae in a lawful manner and is not liable to the owner  
88.20 for the loss of the animal.

88.21 (e) Escaped farmed Cervidae killed by a hunter or destroyed by the commissioner of  
88.22 natural resources must be tested for chronic wasting disease at the owner's expense.

88.23 (f) The owner is responsible for proper disposal, as determined by the board, of farmed  
88.24 Cervidae that are killed or destroyed under this subdivision and test positive for chronic  
88.25 wasting disease.

88.26 (g) An owner is liable for any additional costs associated with escaped farmed Cervidae  
88.27 that are infected with chronic wasting disease, including the cost of additional surveillance  
88.28 and capture caused by the escape. This paragraph may be enforced by the attorney general  
88.29 on behalf of any state agency affected.

88.30 **EFFECTIVE DATE.** This section is effective September 1, 2022.

89.1 Sec. 3. Minnesota Statutes 2020, section 35.155, subdivision 4, is amended to read:

89.2 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent  
89.3 escape. Except as provided in subdivision 4a, all perimeter fences for farmed Cervidae must  
89.4 be at least 96 inches in height and be constructed and maintained in a way that prevents the  
89.5 escape of farmed Cervidae or, entry into the premises by free-roaming Cervidae, and physical  
89.6 contact between farmed Cervidae and free-roaming Cervidae. ~~After July 1, 2019, All new~~  
89.7 ~~fencing installed and all fencing used to repair deficiencies must be high tensile. By~~  
89.8 ~~December 1, 2019, All entry areas for farmed Cervidae enclosure areas must have two~~  
89.9 ~~redundant gates, which must be maintained to prevent the escape of animals through an~~  
89.10 ~~open gate. If a fence deficiency allows entry or exit by farmed or wild Cervidae, the owner~~  
89.11 ~~must repair the deficiency within a reasonable time, as determined by the Board of Animal~~  
89.12 ~~Health, not to exceed 45 14 days. If a fence deficiency is detected during an inspection, the~~  
89.13 ~~facility must be reinspected at least once in the subsequent three months. The farmed~~  
89.14 ~~Cervidae owner must pay a reinspection fee equal to one-half the applicable annual inspection~~  
89.15 ~~fee under subdivision 7a for each reinspection related to a fence violation. If the facility~~  
89.16 ~~experiences more than one escape incident in any six-month period or fails to correct a~~  
89.17 ~~deficiency found during an inspection, the board may revoke the facility's registration and~~  
89.18 ~~order the owner to remove or destroy the animals as directed by the board. If the board~~  
89.19 ~~revokes a facility's registration, the commissioner of natural resources may seize and destroy~~  
89.20 ~~animals at the facility.~~

89.21 **EFFECTIVE DATE.** This section is effective September 1, 2023.

89.22 Sec. 4. Minnesota Statutes 2020, section 35.155, is amended by adding a subdivision to  
89.23 read:

89.24 Subd. 4a. **Fencing; commercial herds.** In addition to the requirements in subdivision  
89.25 4, commercially farmed white-tailed deer must be confined by two or more perimeter fences,  
89.26 with each perimeter fence at least 120 inches in height.

89.27 **EFFECTIVE DATE.** This section is effective September 1, 2023.

89.28 Sec. 5. Minnesota Statutes 2020, section 35.155, subdivision 6, is amended to read:

89.29 Subd. 6. **Identification.** (a) Farmed Cervidae must be identified by means approved by  
89.30 the Board of Animal Health. The identification must include a distinct number that has not  
89.31 been used during the previous three years and must be visible to the naked eye during  
89.32 daylight under normal conditions at a distance of 50 yards. Within 14 days of birth,  
89.33 white-tailed deer must be identified before October 31 of the year in which the animal is

90.1 ~~born, at the time of weaning, or before movement from the premises, whichever occurs first~~  
90.2 with an ear tag that adheres to the National Uniform Ear-Tagging System (NUES) or the  
90.3 Animal Identification Number (AIN) system. Elk and other cervids must be identified by  
90.4 December 31 of the year in which the animal is born or before movement from the premises,  
90.5 whichever occurs first. As coordinated by the board, the commissioner of natural resources  
90.6 may destroy any animal that is not identified as required under this subdivision.

90.7 (b) The Board of Animal Health shall register farmed Cervidae. The owner must submit  
90.8 the registration request on forms provided by the board. The forms must include sales  
90.9 receipts or other documentation of the origin of the Cervidae. The board must provide copies  
90.10 of the registration information to the commissioner of natural resources upon request. The  
90.11 owner must keep written records of the acquisition and disposition of registered farmed  
90.12 Cervidae.

90.13 **EFFECTIVE DATE.** This section is effective September 1, 2023.

90.14 Sec. 6. Minnesota Statutes 2020, section 35.155, subdivision 10, is amended to read:

90.15 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in  
90.16 Minnesota unless the person is registered with the Board of Animal Health and meets all  
90.17 the requirements for farmed Cervidae under this section. Cervidae possessed in violation  
90.18 of this subdivision may be seized and destroyed by the commissioner of natural resources.

90.19 (b) A person whose registration is revoked by the board is ineligible for future registration  
90.20 under this section unless the board determines that the person has undertaken measures that  
90.21 make future escapes extremely unlikely.

90.22 (c) The board must not allow new registrations under this section for possessing  
90.23 white-tailed deer. This paragraph does not prohibit a person holding a valid registration  
90.24 under this subdivision from selling or transferring the person's registration to a family  
90.25 member who resides in this state and is related to the person within the third degree of  
90.26 kindred according to the rules of civil law. A valid registration may be sold or transferred  
90.27 only once under this paragraph. Before the board approves a sale or transfer under this  
90.28 paragraph, the board must verify that the herd is free from chronic wasting disease and the  
90.29 person or eligible family member must pay a onetime transfer fee of \$500 to the board.

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

91.1 Sec. 7. Minnesota Statutes 2021 Supplement, section 35.155, subdivision 11, is amended  
91.2 to read:

91.3 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)

91.4 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian  
91.5 and filed with the Board of Animal Health every 12 months.

91.6 (b) Movement of farmed Cervidae from any premises to another location must be reported  
91.7 to the Board of Animal Health within 14 days of the movement on forms approved by the  
91.8 Board of Animal Health. A person must not move farmed white-tailed deer from any premises  
91.9 to another location.

91.10 (c) All animals from farmed Cervidae herds that are over ~~12~~ six months of age that die  
91.11 or are slaughtered must be tested for chronic wasting disease.

91.12 (d) The owner of a premises where chronic wasting disease is detected must:

91.13 (1) allow and cooperate with inspections of the premises as determined by the Board of  
91.14 Animal Health and Department of Natural Resources conservation officers and wildlife  
91.15 managers;

91.16 ~~(1)~~ (2) depopulate the premises of Cervidae after the federal indemnification process  
91.17 has been completed or, if an indemnification application is not submitted, within a ~~reasonable~~  
91.18 ~~time determined by the board in consultation with the commissioner of natural resources~~  
91.19 30 days;

91.20 ~~(2)~~ (3) maintain the fencing required under ~~subdivision~~ subdivisions 4 and 4a on the  
91.21 premises for ~~five~~ ten years after the date of detection; ~~and~~

91.22 ~~(3)~~ (4) post the fencing on the premises with biohazard signs as directed by the board;

91.23 (5) not raise farmed Cervidae on the premises for at least ten years;

91.24 (6) before any sale or transfer of the premises, test the soil for evidence of chronic wasting  
91.25 disease using a method approved by the board and report the results to the board; and

91.26 (7) record with the county recorder or registrar of titles a notice, in the form required by  
91.27 the board, that includes the location and legal description of the premises, the date of  
91.28 detection, the date of depopulation, the landowner requirements under this paragraph, and  
91.29 any other information required by the board.

91.30 (e) An owner of farmed Cervidae that test positive for chronic wasting disease is  
91.31 responsible for proper disposal of the animals, as determined by the board.

92.1 Sec. 8. Minnesota Statutes 2020, section 35.155, subdivision 12, is amended to read:

92.2 Subd. 12. **Importation.** (a) A person must not import live Cervidae or Cervidae semen  
92.3 into the state from a herd that is:

92.4 (1) infected with or has been exposed to chronic wasting disease; or

92.5 (2) from a ~~known~~ state or province where chronic wasting disease ~~endemic area, as~~  
92.6 ~~determined by the board~~ is present in farmed or wild Cervidae populations.

92.7 (b) A person may import live Cervidae or Cervidae semen into the state only from a  
92.8 herd that:

92.9 (1) is not ~~in a known~~ located in a state or province where chronic wasting disease ~~endemic~~  
92.10 ~~area, as determined by the board,~~ is present in farmed or wild Cervidae populations; and  
92.11 the herd

92.12 (2) has been subject to a ~~state or provincial approved~~ state- or provincial-approved  
92.13 chronic wasting disease monitoring program for at least three years.

92.14 (c) Cervidae or Cervidae semen imported in violation of this section may be seized and  
92.15 destroyed by the commissioner of natural resources.

92.16 Sec. 9. **WHITE-TAILED DEER TESTING REQUIRED; CHRONIC WASTING**  
92.17 **DISEASE.**

92.18 Subdivision 1. **Live-animal testing.** No later than December 31, 2022, an owner of  
92.19 farmed white-tailed deer registered with the Board of Animal Health under Minnesota  
92.20 Statutes, section 35.155, must have each farmed white-tailed deer tested for chronic wasting  
92.21 disease using a real-time quaking-induced conversion (RT-QuIC) test and report the results  
92.22 to the Board of Animal Health in the form required by the board. If a white-tailed deer tests  
92.23 positive, the owner must have the animal tested a second time using an RT-QuIC test.

92.24 Subd. 2. **Postmortem testing.** If a farmed white-tailed deer tests positive twice under  
92.25 subdivision 1, the owner must have the animal destroyed and tested for chronic wasting  
92.26 disease using a postmortem test approved by the Board of Animal Health.

92.27 Subd. 3. **Herd depopulation.** If a farmed white-tailed deer tests positive for chronic  
92.28 wasting disease under subdivision 2, the owner must depopulate the premises of farmed  
92.29 Cervidae as required under Minnesota Statutes, section 35.155.

93.1 Sec. 10. **TRANSFER OF DUTIES; FARMED CERVIDAE.**

93.2 (a) Except as provided in paragraph (b), the responsibilities for administering and  
93.3 enforcing the statutes and rules listed in clauses (1) and (2) are transferred pursuant to  
93.4 Minnesota Statutes, section 15.039, from the Board of Animal Health to the commissioner  
93.5 of natural resources:

93.6 (1) Minnesota Statutes, sections 35.153 and 35.155; and

93.7 (2) Minnesota Rules, parts 1721.0370 to 1721.0420.

93.8 (b) Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, the transfer of  
93.9 personnel will not take place. The commissioner of natural resources may contract with the  
93.10 Board of Animal Health for any veterinary services required to administer this program.

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

93.12 Sec. 11. **REVISOR INSTRUCTION.**

93.13 The revisor of statutes must recodify the relevant sections in Minnesota Statutes, chapter  
93.14 35, and Minnesota Rules, chapter 1721, as necessary to conform with section 9. The revisor  
93.15 must also change the responsible agency, remove obsolete language, and make necessary  
93.16 cross-reference changes consistent with section 9 and the renumbering.

93.17 **ARTICLE 4**

93.18 **POLLUTION CONTROL; PFAS**

93.19 Section 1. **[116.943] PFAS IN CARPETS AND TEXTILES.**

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

93.22 (1) "carpet or rug" means a fabric marketed or intended for use as a floor covering;

93.23 (2) "fabric treatment" means a substance applied to fabric to give the fabric one or more  
93.24 characteristics, including but not limited to stain resistance or water resistance;

93.25 (3) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that  
93.26 include any member of the class of fluorinated organic chemicals containing at least one  
93.27 fully fluorinated carbon atom;

93.28 (4) "upholstered furniture" means an article of furniture that is designed to be used for  
93.29 sitting, resting, or reclining and that is wholly or partly stuffed or filled with any filling  
93.30 material;

94.1 (5) "textile" means an item made in whole or part from a natural or synthetic fiber, yarn,  
94.2 or fabric. Textile includes but is not limited to leather, cotton, silk, jute, hemp, wool, nylon,  
94.3 and polyester; and

94.4 (6) "textile furnishings" means textile goods of a type customarily used in households  
94.5 and businesses, including but not limited to draperies, floor coverings, furnishings, beddings,  
94.6 towels, and tablecloths.

94.7 Subd. 2. **Prohibition.** (a) A person must not manufacture, sell, offer to sell, or distribute  
94.8 for sale in the state any of the following that contains perfluoroalkyl and polyfluoroalkyl  
94.9 substances:

94.10 (1) a carpet or rug;

94.11 (2) a fabric treatment;

94.12 (3) upholstered furniture; or

94.13 (4) textile furnishings.

94.14 (b) This subdivision does not apply to sale or resale of used products.

94.15 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may  
94.16 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate  
94.17 with the commissioners of commerce and health in enforcing this section.

94.18 (b) When requested by the commissioner of the Pollution Control Agency, a person  
94.19 must furnish to the commissioner any information that the person may have or may  
94.20 reasonably obtain that is relevant to show compliance with this section.

94.21 **EFFECTIVE DATE.** This section is effective January 1, 2025.

94.22 Sec. 2. **[116.944] PFAS IN COOKWARE.**

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

94.25 (1) "cookware" means durable houseware items that are used in homes and restaurants  
94.26 to prepare, dispense, or store food, foodstuffs, or beverages. Cookware includes pots, pans,  
94.27 skillets, grills, baking sheets, baking molds, trays, bowls, and cooking utensils; and

94.28 (2) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that  
94.29 include any member of the class of fluorinated organic chemicals containing at least one  
94.30 fully fluorinated carbon atom.

95.1 Subd. 2. **Prohibition.** (a) A person must not manufacture, distribute, sell, or offer for  
95.2 sale in the state any cookware that contains perfluoroalkyl and polyfluoroalkyl substances.

95.3 (b) This subdivision does not apply to the sale or resale of used products.

95.4 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may  
95.5 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate  
95.6 with the commissioners of commerce and health in enforcing this section.

95.7 (b) When requested by the commissioner of the Pollution Control Agency, a person  
95.8 must furnish to the commissioner any information that the person may have or may  
95.9 reasonably obtain that is relevant to show compliance with this section.

95.10 **EFFECTIVE DATE.** This section is effective January 1, 2025.

95.11 Sec. 3. **[116.945] PFAS IN COSMETICS.**

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

95.14 (1) "cosmetic product" means an article intended to be applied to the human body for  
95.15 cleansing, beautifying, promoting attractiveness, or altering appearance. Cosmetic product  
95.16 does not include a product for which a prescription is required for distribution or dispensing;  
95.17 and

95.18 (2) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that  
95.19 include any member of the class of fluorinated organic chemicals containing at least one  
95.20 fully fluorinated carbon atom.

95.21 Subd. 2. **Prohibition.** A person must not manufacture, distribute, sell, or offer for sale  
95.22 in the state any cosmetic product that contains perfluoroalkyl and polyfluoroalkyl substances.

95.23 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may  
95.24 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate  
95.25 with the commissioners of commerce and health in enforcing this section.

95.26 (b) When requested by the commissioner of the Pollution Control Agency, a person  
95.27 must furnish to the commissioner any information that the person may have or may  
95.28 reasonably obtain that is relevant to show compliance with this section.

95.29 **EFFECTIVE DATE.** This section is effective January 1, 2025.

96.1 Sec. 4. [116.946] PFAS IN JUVENILE PRODUCTS.

96.2 Subdivision 1. Definitions. For purposes of this section, the following terms have the  
96.3 meanings given:

96.4 (1) "adult mattress" means a mattress other than a crib mattress or toddler mattress;

96.5 (2) "juvenile product" means a product designed or marketed for use by infants and  
96.6 children under 12 years of age:

96.7 (i) including but not limited to a baby or toddler foam pillow; bassinet; bedside sleeper;  
96.8 booster seat; changing pad; child restraint system for use in motor vehicles and aircraft;  
96.9 co-sleeper; crib mattress; highchair; highchair pad; infant bouncer; infant carrier; infant  
96.10 seat; infant sleep positioner; infant swing; infant travel bed; infant walker; nap cot; nursing  
96.11 pad; nursing pillow; play mat; playpen; play yard; polyurethane foam mat, pad, or pillow;  
96.12 portable foam nap mat; portable infant sleeper; portable hook-on chair; soft-sided portable  
96.13 crib; stroller; and toddler mattress; and

96.14 (ii) not including a children's electronic product such as a personal computer, audio and  
96.15 video equipment, calculator, wireless phone, game console, handheld device incorporating  
96.16 a video screen, or any associated peripheral such as a mouse, keyboard, power supply unit,  
96.17 or power cord; a medical device; or an adult mattress;

96.18 (3) "medical device" has the meaning given "device" under United States Code, title 21,  
96.19 section 321, subsection (h); and

96.20 (4) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that  
96.21 include any member of the class of fluorinated organic chemicals containing at least one  
96.22 fully fluorinated carbon atom.

96.23 Subd. 2. Prohibition. (a) A person must not manufacture, sell, offer for sale, or distribute  
96.24 in commerce in the state any new juvenile product that contains perfluoroalkyl and  
96.25 polyfluoroalkyl substances.

96.26 (b) This subdivision does not apply to sale or resale of used juvenile products.

96.27 Subd. 3. Enforcement. (a) The commissioner of the Pollution Control Agency may  
96.28 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate  
96.29 with the commissioners of commerce and health in enforcing this section.

96.30 (b) When requested by the commissioner of the Pollution Control Agency, a person  
96.31 must furnish to the commissioner any information that the person may have or may  
96.32 reasonably obtain that is relevant to show compliance with this section.

97.1 **EFFECTIVE DATE.** This section is effective January 1, 2025.

97.2 Sec. 5. **[116.947] PFAS IN SKI WAX.**

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

97.5 (1) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that  
97.6 include any member of the class of fluorinated organic chemicals containing at least one  
97.7 fully fluorinated carbon atom; and

97.8 (2) "ski wax" means a lubricant applied to the bottom of snow runners, including skis  
97.9 and snowboards, to improve their grip and glide properties.

97.10 Subd. 2. **Prohibition.** (a) A person must not manufacture, distribute, sell, or offer for  
97.11 sale in the state ski wax or a related tuning product that contains perfluoroalkyl and  
97.12 polyfluoroalkyl substances.

97.13 (b) This subdivision does not apply to the sale or resale of used products.

97.14 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may  
97.15 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate  
97.16 with the commissioners of commerce and health in enforcing this section.

97.17 (b) When requested by the commissioner of the Pollution Control Agency, a person  
97.18 must furnish to the commissioner any information that the person may have or may  
97.19 reasonably obtain that is relevant to show compliance with this section.

97.20 **EFFECTIVE DATE.** This section is effective January 1, 2025.

97.21 Sec. 6. **[116.948] DISCLOSURE OF PFAS IN PRODUCTS.**

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

97.24 (1) "commissioner" means the commissioner of the Pollution Control Agency;

97.25 (2) "intentionally added PFAS" means PFAS that a manufacturer intentionally adds to  
97.26 a product and that have a functional or technical effect in the product, including the PFAS  
97.27 components of intentionally added chemicals and PFAS that are intentional breakdown  
97.28 products of an added chemical that also have a functional or technical effect in the product;

97.29 (3) "manufacturer" means the person that manufactures a product or whose brand name  
97.30 is affixed to the product. In the case of a product imported into the United States,

98.1 manufacturer includes the importer or first domestic distributor of the product if the person  
98.2 that manufactured or assembled the product or whose brand name is affixed to the product  
98.3 does not have a presence in the United States;

98.4 (4) "perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means substances that  
98.5 include any member of the class of fluorinated organic chemicals containing at least one  
98.6 fully fluorinated carbon atom;

98.7 (5) "product" means an item manufactured, assembled, packaged, or otherwise prepared  
98.8 for sale to consumers, including the product components, sold or distributed for personal,  
98.9 residential, commercial, or industrial use, including for use in making other products. Product  
98.10 does not mean used products offered for sale or resale; and

98.11 (6) "product component" means an identifiable component of a product, regardless of  
98.12 whether the manufacturer of the product is the manufacturer of the component.

98.13 Subd. 2. **Notice required.** (a) Except as provided under subdivision 3 and rules adopted  
98.14 under subdivision 4, a manufacturer of a product for sale in the state that contains  
98.15 intentionally added PFAS must submit to the commissioner a written notice that includes:

98.16 (1) a brief description of the product;

98.17 (2) the function served by PFAS in the product, including in any product components;

98.18 (3) the amount of each of the PFAS, identified by its Chemical Abstracts Service Registry  
98.19 number, in the product, reported as an exact quantity determined using commercially  
98.20 available analytical methods or as falling within a range approved for reporting purposes  
98.21 by the commissioner;

98.22 (4) the name and address of the manufacturer and the name, address, and telephone  
98.23 number of a contact person for the manufacturer; and

98.24 (5) any other information, as required by rule adopted by the commissioner, necessary  
98.25 to implement this section.

98.26 (b) This subdivision does not apply to the sale or resale of used products.

98.27 (c) For products containing intentionally added PFAS that are sold, offered for sale, or  
98.28 distributed in the state as of the effective date of this subdivision, a manufacturer must  
98.29 submit the notice required under paragraph (a) to the commissioner before April 1, 2025.  
98.30 For products containing intentionally added PFAS that are first sold, offered for sale, or  
98.31 distributed in the state after the effective date of this subdivision, a manufacturer must

99.1 submit the notice required under paragraph (a) to the commissioner no later than 30 days  
 99.2 before the initial sale, offer for sale, or distribution of the products in the state.

99.3 Subd. 3. **Commissioner's authority.** (a) The commissioner may waive all or part of the  
 99.4 notice requirement under subdivision 2 if the commissioner determines that substantially  
 99.5 equivalent information is already publicly available.

99.6 (b) The commissioner may enter into an agreement with one or more other states or  
 99.7 political subdivisions of a state to collect notices and may accept notices to a shared system  
 99.8 as meeting the notice requirement under subdivision 2.

99.9 (c) The commissioner may extend the deadline for a manufacturer to submit the notice  
 99.10 under subdivision 2 if the commissioner determines that more time is needed by the  
 99.11 manufacturer to comply.

99.12 Subd. 4. **Rulemaking.** The commissioner must adopt rules to implement this section.

99.13 The rules:

99.14 (1) may prioritize products subject to subdivision 2 based on the products that, in the  
 99.15 commissioner's judgment, are most likely to cause contamination of the state's land or water  
 99.16 resources;

99.17 (2) may allow a manufacturer to supply the notice under subdivision 2 for a category or  
 99.18 type of product rather than for each individual product;

99.19 (3) must require a manufacturer to update and revise the information required in the  
 99.20 notice under subdivision 2 when there is a substantive change in the information; and

99.21 (4) notwithstanding section 16A.1283, may establish a fee to be paid by a manufacturer  
 99.22 upon submitting the notice under subdivision 2 to cover the commissioner's reasonable costs  
 99.23 in developing rules to implement this section. The fees may be based on the volume of  
 99.24 PFAS, volume of sales, or type of PFAS.

99.25 **EFFECTIVE DATE.** Subdivisions 1, 3, and 4 are effective the day following final  
 99.26 enactment. Subdivision 2 is effective January 1, 2025.

99.27 Sec. 7. Minnesota Statutes 2020, section 325E.046, is amended to read:

99.28 **325E.046 STANDARDS FOR LABELING PLASTIC BAGS, FOOD OR**  
 99.29 **BEVERAGE PRODUCTS, AND PACKAGING.**

99.30 Subdivision 1. **"Biodegradable" label.** A manufacturer, distributor, or wholesaler may  
 99.31 not sell or offer for sale and any other person may not knowingly sell or offer for sale in  
 99.32 this state a ~~plastic bag~~ covered product labeled "biodegradable," "degradable,"

100.1 "decomposable," or any form of those terms, or in any way imply that the bag covered  
100.2 product will chemically decompose into innocuous elements in a reasonably short period  
100.3 of time in a landfill, composting, or other terrestrial environment unless a scientifically  
100.4 based standard for biodegradability is developed and the bags are certified as meeting the  
100.5 standard. break down, fragment, degrade, biodegrade, or decompose in a landfill or other  
100.6 environment, unless an ASTM standard specification is adopted for the term claimed and  
100.7 the specification is approved by the legislature.

100.8 Subd. 2. **"Compostable" label.** (a) A manufacturer, distributor, or wholesaler may not  
100.9 sell or offer for sale and any other person may not knowingly sell or offer for sale in this  
100.10 state a plastic bag covered product labeled "compostable" unless, at the time of sale or offer  
100.11 for sale, the bag covered product:

100.12 (1) meets the ASTM Standard Specification for Compostable Labeling of Plastics  
100.13 Designed to be Aerobically Composted in Municipal or Industrial Facilities (D6400). Each  
100.14 bag must be labeled to reflect that it meets the standard. For purposes of this subdivision,  
100.15 "ASTM" has the meaning given in section 296A.01, subdivision 6., or its successor, or the  
100.16 ASTM Standard Specification for Labeling of End Items that Incorporate Plastics and  
100.17 Polymers as Coatings or Additives with Paper and Other Substrates Designed to be  
100.18 Aerobically Composted in Municipal or Industrial Facilities (D6868), or its successor, and  
100.19 the covered product is labeled to reflect that it meets the specification;

100.20 (2) is comprised of only wood without any coatings or additives; or

100.21 (3) is comprised of only paper without any coatings or additives.

100.22 (b) A covered product labeled "compostable" and meeting the criteria under paragraph  
100.23 (a) must be clearly and prominently labeled on the product, or on the product's smallest unit  
100.24 of sale, to reflect that it is intended for an industrial or commercial compost facility. The  
100.25 label required under this paragraph must be in a legible text size and font.

100.26 Subd. 2a. **Certification of compostable products.** Beginning January 1, 2024, a  
100.27 manufacturer, distributor, or wholesaler may not sell or offer for sale and any other person  
100.28 may not knowingly sell or offer for sale in this state a covered product labeled as  
100.29 "compostable" unless the covered product is certified as meeting the requirements of  
100.30 subdivision 2 by an entity that:

100.31 (1) is a nonprofit corporation;

101.1 (2) as its primary focus of operation, promotes the production, use, and appropriate end  
101.2 of life for materials and products that are designed to fully biodegrade in specific biologically  
101.3 active environments such as industrial composting; and

101.4 (3) is technically capable of and willing to perform analysis necessary to determine a  
101.5 product's compliance with subdivision 2.

101.6 **Subd. 3. Enforcement; civil penalty; injunctive relief.** (a) ~~A manufacturer, distributor,~~  
101.7 ~~or wholesaler person~~ who violates subdivision 1 or 2 this section is subject to a civil or  
101.8 administrative penalty of \$100 for each prepackaged saleable unit sold or offered for sale  
101.9 up to a maximum of \$5,000 and may be enjoined from those violations.

101.10 (b) The attorney general may bring an action in the name of the state in a court of  
101.11 competent jurisdiction for recovery of civil penalties or for injunctive relief as provided in  
101.12 this subdivision. The attorney general may accept an assurance of discontinuance of acts  
101.13 in violation of ~~subdivision 1 or 2~~ this section in the manner provided in section 8.31,  
101.14 subdivision 2b.

101.15 (c) The commissioner of the Pollution Control Agency may enforce this section under  
101.16 sections 115.071 and 116.072.

101.17 (d) When requested by the attorney general or the commissioner of the Pollution Control  
101.18 Agency, a person selling or offering for sale a covered product labeled as "compostable"  
101.19 must furnish to the attorney general or the commissioner any information that the person  
101.20 may have or may reasonably obtain that is relevant to show compliance with this section.

101.21 **Subd. 4. Definitions.** For purposes of this section, the following terms have the meanings  
101.22 given:

101.23 (1) "ASTM" has the meaning given in section 296A.01, subdivision 6;

101.24 (2) "covered product" means a bag, food or beverage product, or packaging;

101.25 (3) "food or beverage product" means a product that is used to wrap, package, contain,  
101.26 serve, store, prepare, or consume a food or beverage, such as plates, bowls, cups, lids, trays,  
101.27 straws, utensils, and hinged or lidded containers; and

101.28 (4) "packaging" has the meaning given in section 115A.03, subdivision 22b.

101.29 **EFFECTIVE DATE.** This section is effective January 1, 2024.

102.1 Sec. 8. Minnesota Statutes 2020, section 325F.072, subdivision 1, is amended to read:

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

102.4 (b) "Class B firefighting foam" means foam designed ~~for flammable liquid fires to~~  
102.5 prevent or extinguish a fire in flammable liquids, combustible liquids, petroleum greases,  
102.6 tars, oils, oil-based paints, solvents, lacquers, alcohols, and flammable gases.

102.7 (c) "PFAS chemicals" or "perfluoroalkyl and polyfluoroalkyl substances" means, ~~for~~  
102.8 ~~the purposes of firefighting agents,~~ a class of fluorinated organic chemicals containing at  
102.9 least one fully fluorinated carbon atom ~~and designed to be fully functional in class B~~  
102.10 ~~firefighting foam formulations.~~

102.11 (d) "Political subdivision" means a county, city, town, or a metropolitan airports  
102.12 commission organized and existing under sections 473.601 to 473.679.

102.13 (e) "State agency" means an agency as defined in section 16B.01, subdivision 2.

102.14 (f) "Testing" means calibration testing, conformance testing, and fixed system testing.

102.15 Sec. 9. Minnesota Statutes 2020, section 325F.072, subdivision 3, is amended to read:

102.16 Subd. 3. **Prohibition of testing and training.** (a) ~~Beginning July 1, 2020,~~ No person,  
102.17 political subdivision, or state agency shall ~~discharge class B firefighting foam that contains~~  
102.18 ~~intentionally added~~ manufacture or knowingly sell, offer for sale, distribute for sale, or  
102.19 distribute for use in this state, and no person shall use in this state, class B firefighting foam  
102.20 containing PFAS chemicals.

102.21 (1) ~~for testing purposes, unless the testing facility has implemented appropriate~~  
102.22 ~~containment, treatment, and disposal measures to prevent releases of foam to the environment;~~  
102.23 ~~or~~

102.24 (2) ~~for training purposes, unless otherwise required by law, and with the condition that~~  
102.25 ~~the training event has implemented appropriate containment, treatment, and disposal measures~~  
102.26 ~~to prevent releases of foam to the environment. For training purposes, class B foam that~~  
102.27 ~~contains intentionally added PFAS chemicals shall not be used.~~

102.28 (b) ~~This section does not restrict:~~

102.29 (1) ~~the manufacture, sale, or distribution of class B firefighting foam that contains~~  
102.30 ~~intentionally added PFAS chemicals; or~~

103.1 ~~(2) the discharge or other use of class B firefighting foams that contain intentionally~~  
103.2 ~~added PFAS chemicals in emergency firefighting or fire prevention operations.~~

103.3 (b) This subdivision does not apply to the manufacture, sale, distribution, or use of class  
103.4 B firefighting foam for which the inclusion of PFAS chemicals is required by federal law,  
103.5 including but not limited to Code of Federal Regulations, title 14, section 139.317. If a  
103.6 federal requirement to include PFAS chemicals in class B firefighting foam is revoked after  
103.7 January 1, 2023, class B firefighting foam subject to the revoked requirements is no longer  
103.8 exempt under this paragraph effective one year following the day of revocation.

103.9 **EFFECTIVE DATE.** This section is effective January 1, 2023.

103.10 **Sec. 10. PFAS WATER QUALITY STANDARDS.**

103.11 The commissioner of the Pollution Control Agency must adopt rules establishing water  
103.12 quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid  
103.13 (PFOS). The commissioner must adopt the rules establishing the PFOA and PFOS water  
103.14 quality standards by July 1, 2025, and Minnesota Statutes, section 14.125, does not apply.

103.15 **Sec. 11. HEALTH RISK LIMIT; PERFLUOROCTANE SULFONATE.**

103.16 By July 1, 2024, the commissioner of health must amend the health risk limit for  
103.17 perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that  
103.18 the health risk limit does not exceed 0.015 parts per billion. In amending the health risk  
103.19 limit for PFOS, the commissioner must comply with Minnesota Statutes, section 144.0751,  
103.20 requiring a reasonable margin of safety to adequately protect the health of infants, children,  
103.21 and adults.

## 103.22 **ARTICLE 5**

### 103.23 **STATE LANDS**

103.24 Section 1. Minnesota Statutes 2021 Supplement, section 84.63, is amended to read:

103.25 **84.63 CONVEYING INTERESTS IN LANDS TO STATE, FEDERAL, AND**  
103.26 **TRIBAL GOVERNMENTS.**

103.27 (a) Notwithstanding any existing law to the contrary, the commissioner of natural  
103.28 resources is hereby authorized on behalf of the state to convey to the United States, to a  
103.29 federally recognized Indian Tribe, or to the state of Minnesota or any of its subdivisions,  
103.30 upon state-owned lands under the administration of the commissioner of natural resources,  
103.31 permanent or temporary easements for specified periods or otherwise for trails, highways,

104.1 roads including limitation of right of access from the lands to adjacent highways and roads,  
104.2 flowage for development of fish and game resources, stream protection, flood control, and  
104.3 necessary appurtenances thereto, such conveyances to be made upon such terms and  
104.4 conditions including provision for reversion in the event of non-user as the commissioner  
104.5 of natural resources may determine.

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

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

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

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

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

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

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

104.26 (g) In addition to fees specified in this section, the applicant must reimburse the state  
104.27 for costs incurred for cultural resources review, monitoring, or other services provided by  
104.28 the Minnesota Historical Society under contract with the commissioner of natural resources  
104.29 or the State Historic Preservation Office of the Department of Administration in connection  
104.30 with the easement application, preparing the easement terms, or constructing the trail,  
104.31 highway, road, or other improvements.

104.32 (h) Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may  
104.33 elect to assume the application fee under paragraph (b), clause (1), and waive or assume

105.1 some or all of the remaining fees and costs imposed under this section if the commissioner  
105.2 determines that issuing the easement will benefit the state's land management interests.

105.3 Sec. 2. Minnesota Statutes 2021 Supplement, section 84.631, is amended to read:

105.4 **84.631 ROAD EASEMENTS ACROSS STATE LANDS.**

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

105.11 (b) The commissioner shall:

105.12 (1) require the applicant to pay the market value of the easement;

105.13 (2) limit the easement term to 50 years if the road easement is across school trust land;

105.14 (3) provide that the easement reverts to the state in the event of nonuse; and

105.15 (4) impose other terms and conditions of use as necessary and appropriate under the  
105.16 circumstances.

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

105.20 (d) In addition to the payment for the market value of the easement and the application  
105.21 fee, the commissioner of natural resources shall assess the applicant a monitoring fee to  
105.22 cover the projected reasonable costs for monitoring the construction of the road and preparing  
105.23 special terms and conditions for the easement. The commissioner must give the applicant  
105.24 an estimate of the monitoring fee before the applicant submits the fee. The applicant shall  
105.25 pay the application and monitoring fees to the commissioner of natural resources. The  
105.26 commissioner shall not issue the easement until the applicant has paid in full the application  
105.27 fee, the monitoring fee, and the market value payment for the easement.

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

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

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

106.6 (h) Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may  
106.7 elect to assume the application fee under paragraph (c) and waive or assume some or all of  
106.8 the remaining fees and costs imposed under this section if the commissioner determines  
106.9 that issuing the easement will benefit the state's land management interests.

106.10 Sec. 3. Minnesota Statutes 2020, section 84.632, is amended to read:

106.11 **84.632 CONVEYANCE OF UNNEEDED STATE EASEMENTS.**

106.12 (a) Notwithstanding section 92.45, the commissioner of natural resources may, in the  
106.13 name of the state, release all or part of an easement acquired by the state upon application  
106.14 of a landowner whose property is burdened with the easement if the easement is not needed  
106.15 for state purposes.

106.16 (b) All or part of an easement may be released by payment of the market value of the  
106.17 easement. The release must be in a form approved by the attorney general.

106.18 (c) Money received under paragraph (b) must be credited to the account from which  
106.19 money was expended for purchase of the easement. If there is no specific account, the money  
106.20 must be credited to the land acquisition account established in section 94.165.

106.21 (d) In addition to payment under paragraph (b), the commissioner of natural resources  
106.22 shall assess a landowner who applies for a release under this section an application fee of  
106.23 \$2,000 for reviewing the application and preparing the release of easement. The applicant  
106.24 shall pay the application fee to the commissioner of natural resources. The commissioner  
106.25 shall not issue the release of easement until the applicant has paid the application fee in full.  
106.26 The commissioner shall not return the application fee, even if the application is withdrawn  
106.27 or denied.

106.28 (e) Money received under paragraph (d) must be credited to the land management account  
106.29 in the natural resources fund and is appropriated to the commissioner of natural resources  
106.30 to cover the reasonable costs incurred under this section.

106.31 (f) Notwithstanding paragraphs (a) to (e), the commissioner of natural resources may  
106.32 elect to assume the application fee under paragraph (d) and waive or assume some or all of

107.1 the remaining fees and costs imposed under this section if the commissioner determines  
107.2 that issuing the easement release will benefit the state's land management interests.

107.3 Sec. 4. Minnesota Statutes 2021 Supplement, section 92.502, is amended to read:

107.4 **92.502 LEASING TAX-FORFEITED AND STATE LANDS.**

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

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

107.9 (c) The commissioner of natural resources may enter a 30-year lease of land administered  
107.10 by the commissioner for recreational trails ~~and~~ or facilities. The commissioner may assess  
107.11 the lease applicant a monitoring fee to cover the projected reasonable costs of monitoring  
107.12 construction of the recreational trail or facility and preparing special terms and conditions  
107.13 of the license to ensure proper construction. The commissioner must give the applicant an  
107.14 estimate of the monitoring fee before the applicant is required to submit the fee. Upon  
107.15 completion of construction of the trail or facility, the commissioner must refund the  
107.16 unobligated balance from the monitoring fee revenue.

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

107.20 Sec. 5. Minnesota Statutes 2020, section 282.04, subdivision 1, is amended to read:

107.21 Subdivision 1. **Timber sales; land leases and uses.** (a) The county auditor, with terms  
107.22 and conditions set by the county board, may sell timber upon any tract that may be approved  
107.23 by the natural resources commissioner. The sale of timber shall be made for cash at not less  
107.24 than the appraised value determined by the county board to the highest bidder after not less  
107.25 than one week's published notice in an official paper within the county. Any timber offered  
107.26 at the public sale and not sold may thereafter be sold at private sale by the county auditor  
107.27 at not less than the appraised value thereof, until the time as the county board may withdraw  
107.28 the timber from sale. The appraised value of the timber and the forestry practices to be  
107.29 followed in the cutting of said timber shall be approved by the commissioner of natural  
107.30 resources.

107.31 (b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be made  
107.32 in cash at the time of the timber sale, except in the case of oral or sealed bid auction sales,

108.1 the down payment shall be no less than 15 percent of the appraised value, and the balance  
108.2 shall be paid prior to entry. In the case of auction sales that are partitioned and sold as a  
108.3 single sale with predetermined cutting blocks, the down payment shall be no less than 15  
108.4 percent of the appraised price of the entire timber sale which may be held until the satisfactory  
108.5 completion of the sale or applied in whole or in part to the final cutting block. The value of  
108.6 each separate block must be paid in full before any cutting may begin in that block. With  
108.7 the permission of the county contract administrator the purchaser may enter unpaid blocks  
108.8 and cut necessary timber incidental to developing logging roads as may be needed to log  
108.9 other blocks provided that no timber may be removed from an unpaid block until separately  
108.10 scaled and paid for. If payment is provided as specified in this paragraph as security under  
108.11 paragraph (a) and no cutting has taken place on the contract, the county auditor may credit  
108.12 the security provided, less any down payment required for an auction sale under this  
108.13 paragraph, to any other contract issued to the contract holder by the county under this chapter  
108.14 to which the contract holder requests in writing that it be credited, provided the request and  
108.15 transfer is made within the same calendar year as the security was received.

108.16 (c) The county board may sell any timber, including biomass, as appraised or scaled.  
108.17 Any parcels of land from which timber is to be sold by scale of cut products shall be so  
108.18 designated in the published notice of sale under paragraph (a), in which case the notice shall  
108.19 contain a description of the parcels, a statement of the estimated quantity of each species  
108.20 of timber, and the appraised price of each species of timber for 1,000 feet, per cord or per  
108.21 piece, as the case may be. In those cases any bids offered over and above the appraised  
108.22 prices shall be by percentage, the percent bid to be added to the appraised price of each of  
108.23 the different species of timber advertised on the land. The purchaser of timber from the  
108.24 parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the  
108.25 notice of sale as estimated to be standing on the land, and in addition shall pay at the same  
108.26 rate for any additional amounts which the final scale shows to have been cut or was available  
108.27 for cutting on the land at the time of sale under the terms of the sale. Where the final scale  
108.28 of cut products shows that less timber was cut or was available for cutting under terms of  
108.29 the sale than was originally paid for, the excess payment shall be refunded from the forfeited  
108.30 tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board  
108.31 as in case of other claims against the county. No timber, except hardwood pulpwood, may  
108.32 be removed from the parcels of land or other designated landings until scaled by a person  
108.33 or persons designated by the county board and approved by the commissioner of natural  
108.34 resources. Landings other than the parcel of land from which timber is cut may be designated  
108.35 for scaling by the county board by written agreement with the purchaser of the timber. The  
108.36 county board may, by written agreement with the purchaser and with a consumer designated

109.1 by the purchaser when the timber is sold by the county auditor, and with the approval of  
109.2 the commissioner of natural resources, accept the consumer's scale of cut products delivered  
109.3 at the consumer's landing. No timber shall be removed until fully paid for in cash. Small  
109.4 amounts of timber not exceeding 500 cords in appraised volume may be sold for not less  
109.5 than the full appraised value at private sale to individual persons without first publishing  
109.6 notice of sale or calling for bids, provided that in case of a sale involving a total appraised  
109.7 value of more than \$200 the sale shall be made subject to final settlement on the basis of a  
109.8 scale of cut products in the manner above provided and not more than two of the sales,  
109.9 directly or indirectly to any individual shall be in effect at one time.

109.10 (d) As directed by the county board, the county auditor may lease tax-forfeited land to  
109.11 individuals, corporations or organized subdivisions of the state at public or private sale, and  
109.12 at the prices and under the terms as the county board may prescribe, for use as cottage and  
109.13 camp sites and for agricultural purposes and for the purpose of taking and removing of hay,  
109.14 stumpage, sand, gravel, clay, rock, marl, and black dirt from the land, and for garden sites  
109.15 and other temporary uses provided that no leases shall be for a period to exceed ten years;  
109.16 provided, further that any leases involving a consideration of more than \$12,000 per year,  
109.17 except to an organized subdivision of the state shall first be offered at public sale in the  
109.18 manner provided herein for sale of timber. Upon the sale of any leased land, it shall remain  
109.19 subject to the lease for not to exceed one year from the beginning of the term of the lease.  
109.20 Any rent paid by the lessee for the portion of the term cut off by the cancellation shall be  
109.21 refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and  
109.22 allowed by the county board as in case of other claims against the county.

109.23 (e) As directed by the county board, the county auditor may lease tax-forfeited land to  
109.24 individuals, corporations, or organized subdivisions of the state at public or private sale, at  
109.25 the prices and under the terms as the county board may prescribe, for the purpose of taking  
109.26 and removing for use for road construction and other purposes tax-forfeited stockpiled  
109.27 iron-bearing material. The county auditor must determine that the material is needed and  
109.28 suitable for use in the construction or maintenance of a road, tailings basin, settling basin,  
109.29 dike, dam, bank fill, or other works on public or private property, and that the use would  
109.30 be in the best interests of the public. No lease shall exceed ten years. The use of a stockpile  
109.31 for these purposes must first be approved by the commissioner of natural resources. The  
109.32 request shall be deemed approved unless the requesting county is notified to the contrary  
109.33 by the commissioner of natural resources within six months after receipt of a request for  
109.34 approval for use of a stockpile. Once use of a stockpile has been approved, the county may

110.1 continue to lease it for these purposes until approval is withdrawn by the commissioner of  
110.2 natural resources.

110.3 (f) The county auditor, with the approval of the county board is authorized to grant  
110.4 permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores,  
110.5 tailings, or waste products from mines or ore milling plants, or to use for facilities needed  
110.6 to recover iron-bearing oxides from tailings basins or stockpiles, or for a buffer area needed  
110.7 for a mining operation, upon the conditions and for the consideration and for the period of  
110.8 time, not exceeding 25 years, as the county board may determine. The permits, licenses, or  
110.9 leases are subject to approval by the commissioner of natural resources.

110.10 (g) Any person who removes any timber from tax-forfeited land before said timber has  
110.11 been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor.

110.12 (h) The county auditor may, with the approval of the county board, and without first  
110.13 offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of  
110.14 peat and for the production or removal of farm-grown closed-loop biomass as defined in  
110.15 section 216B.2424, subdivision 1, or short-rotation woody crops from tax-forfeited lands  
110.16 upon the terms and conditions as the county board may prescribe. Any lease for the removal  
110.17 of peat, farm-grown closed-loop biomass, or short-rotation woody crops from tax-forfeited  
110.18 lands must first be reviewed and approved by the commissioner of natural resources if the  
110.19 lease covers 320 or more acres. No lease for the removal of peat, farm-grown closed-loop  
110.20 biomass, or short-rotation woody crops shall be made by the county auditor pursuant to this  
110.21 section without first holding a public hearing on the auditor's intention to lease. One printed  
110.22 notice in a legal newspaper in the county at least ten days before the hearing, and posted  
110.23 notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

110.24 (i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis County  
110.25 auditor may, at the discretion of the county board, sell timber to the party who bids the  
110.26 highest price for all the several kinds of timber, as provided for sales by the commissioner  
110.27 of natural resources under section 90.14. Bids offered over and above the appraised price  
110.28 need not be applied proportionately to the appraised price of each of the different species  
110.29 of timber.

110.30 (j) In lieu of any payment or deposit required in paragraph (b), as directed by the county  
110.31 board and under terms set by the county board, the county auditor may accept an irrevocable  
110.32 bank letter of credit in the amount equal to the amount otherwise determined in paragraph  
110.33 (b). If an irrevocable bank letter of credit is provided under this paragraph, at the written  
110.34 request of the purchaser, the county may periodically allow the bank letter of credit to be

111.1 reduced by an amount proportionate to the value of timber that has been harvested and for  
111.2 which the county has received payment. The remaining amount of the bank letter of credit  
111.3 after a reduction under this paragraph must not be less than 20 percent of the value of the  
111.4 timber purchased. If an irrevocable bank letter of credit or cash deposit is provided for the  
111.5 down payment required in paragraph (b), and no cutting of timber has taken place on the  
111.6 contract for which a letter of credit has been provided, the county may allow the transfer  
111.7 of the letter of credit to any other contract issued to the contract holder by the county under  
111.8 this chapter to which the contract holder requests in writing that it be credited.

111.9 (k) As directed by the county board, the county auditor may lease tax-forfeited land  
111.10 under the terms and conditions prescribed by the county board for the purposes of  
111.11 investigating, analyzing, and developing conservation easements that provide ecosystem  
111.12 services.

111.13 Sec. 6. Minnesota Statutes 2020, section 282.04, is amended by adding a subdivision to  
111.14 read:

111.15 Subd. 4b. **Conservation easements.** The county auditor, with prior review and  
111.16 consultation with the commissioner of natural resources and under the terms and conditions  
111.17 prescribed by the county board, including reversion in the event of nonuse, may convey  
111.18 conservation easements as defined in section 84C.01 on tax-forfeited land.

111.19 Sec. 7. **ADDITION TO STATE PARK.**

111.20 **[85.012] [Subd. 27.] Myre-Big Island State Park, Freeborn County.** The following  
111.21 area is added to Myre-Big Island State Park, Freeborn County: all that part of the Northeast  
111.22 Quarter of the Southeast Quarter of Section 11, Township 102 North, Range 21 West of the  
111.23 5th principal meridian, lying South of the Chicago, Milwaukee, St. Paul and Pacific Railway,  
111.24 and subject to road easement on the easterly side thereof.

111.25 Sec. 8. **DELETION FROM STATE FOREST.**

111.26 **[89.021] [Subd. 13.] Cloquet Valley State Forest.** The following areas are deleted from  
111.27 Cloquet Valley State Forest:

111.28 (1) those parts of St. Louis County in Township 52 North, Range 16 West, described as  
111.29 follows:

111.30 (i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter,  
111.31 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,  
111.32 Section 21;

- 112.1 (ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the  
112.2 Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;
- 112.3 (iii) Government Lot 3, Section 23;
- 112.4 (iv) Government Lot 2, Section 24;
- 112.5 (v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;
- 112.6 (vi) Government Lot 1, Section 26;
- 112.7 (vii) Government Lots 2 and 7, Section 26;
- 112.8 (viii) Government Lots 3 and 4, Section 27, reserving unto grantor and grantor's  
112.9 successors and assigns a 66-foot-wide access road easement across said Government Lot 3  
112.10 for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's  
112.11 presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section  
112.12 27, said access road being measured 33 feet from each side of the centerline of that road  
112.13 that is presently existing at various widths and running in a generally  
112.14 southwesterly-northeasterly direction;
- 112.15 (ix) Government Lots 1 and 2, Section 28;
- 112.16 (x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter  
112.17 and Southwest Quarter of the Northeast Quarter, Section 29;
- 112.18 (xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto grantor and grantor's  
112.19 successors and assigns a 66-foot-wide access road easement across said Government Lots  
112.20 1, 2, and 3 for the purpose of access to grantor's or grantor's successor's or assign's land and  
112.21 grantor's presently owned lands that may be sold, assigned, or transferred in Government  
112.22 Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline  
112.23 of that road that is presently existing at various widths and running in a generally East-West  
112.24 direction and any future extensions thereof as may be reasonably necessary to provide the  
112.25 access contemplated herein;
- 112.26 (xii) Government Lots 5, 7, 8, and 9, Section 31;
- 112.27 (xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter  
112.28 of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the  
112.29 Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the  
112.30 Northwest Quarter, Section 32, reserving unto grantor and grantor's successors and assigns  
112.31 an access road easement across the West 66 feet of the North 66 feet of said Government  
112.32 Lot 1 for the purpose of access to grantor's or grantor's successor's or assign's land and

- 113.1 grantor's presently owned land that may be sold, assigned, or transferred in Government  
113.2 Lot 4, Section 29; and
- 113.3 (xiv) the Northeast Quarter of the Northeast Quarter, Section 35;
- 113.4 (2) those parts of St. Louis County in Township 53 North, Range 13 West, described as  
113.5 follows:
- 113.6 (i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West  
113.7 of the Little Cloquet River, Section 4;
- 113.8 (ii) Government Lots 1, 2, 3, 4, and 5 and the Northeast Quarter of the Northeast Quarter,  
113.9 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,  
113.10 Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter,  
113.11 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter,  
113.12 Section 5;
- 113.13 (iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter,  
113.14 Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter,  
113.15 Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,  
113.16 Section 6;
- 113.17 (iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast  
113.18 Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest  
113.19 Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest  
113.20 Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest  
113.21 Quarter, Section 7;
- 113.22 (v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,  
113.23 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,  
113.24 Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,  
113.25 Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest  
113.26 Quarter, Section 8; and
- 113.27 (vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest  
113.28 Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest  
113.29 Quarter, Section 17;
- 113.30 (3) those parts of St. Louis County in Township 54 North, Range 13 West, described as  
113.31 follows:
- 113.32 (i) Government Lots 1, 4, 5, 6, and 7, Section 20;

- 114.1 (ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter,  
114.2 Section 21;
- 114.3 (iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;
- 114.4 (iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and
- 114.5 (v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter,  
114.6 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,  
114.7 Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter,  
114.8 Section 31;
- 114.9 (4) those parts of St. Louis County in Township 54 North, Range 16 West, described as  
114.10 follows:
- 114.11 (i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter,  
114.12 Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter,  
114.13 and Southwest Quarter of the Northeast Quarter, Section 1;
- 114.14 (ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast  
114.15 Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast  
114.16 Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest  
114.17 Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;
- 114.18 (iii) all that part of Government Lot 9 lying South of the Whiteface River and West of  
114.19 County Road 547, also known as Comstock Lake Road, Section 3; and
- 114.20 (iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and  
114.21 Southwest Quarter of the Northeast Quarter, Section 10;
- 114.22 (5) those parts of St. Louis County in Township 55 North, Range 15 West, described as  
114.23 follows:
- 114.24 (i) Government Lots 1 and 2, Section 11;
- 114.25 (ii) Government Lot 9, except the Highway 4 right-of-way, Section 11;
- 114.26 (iii) Government Lot 10, except the Highway 4 right-of-way, Section 11;
- 114.27 (iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;
- 114.28 (v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of the Southwest  
114.29 Quarter, Section 21;
- 114.30 (vi) the Southwest Quarter of the Northeast Quarter, reserving unto grantor and grantor's  
114.31 successors and assigns a 66-foot-wide access easement across said Southwest Quarter of

115.1 the Northeast Quarter for the purpose of access to grantor's or grantor's successor's or assign's  
115.2 land and grantor's presently owned land that may be sold, assigned, or transferred in  
115.3 Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road being  
115.4 measured 33 feet on each side of the centerline of that road that is presently existing and  
115.5 known as the Whiteface Truck Trail, Section 21;

115.6 (vii) Government Lots 1, 2, and 3, Section 22;

115.7 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter,  
115.8 Section 28;

115.9 (ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter,  
115.10 Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter,  
115.11 Section 29;

115.12 (x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter,  
115.13 Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter,  
115.14 Section 30;

115.15 (xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the  
115.16 Southwest Quarter, Section 31; and

115.17 (xii) Government Lot 1, Section 32; and

115.18 (6) those parts of St. Louis County in Township 55 North, Range 16 West, described as  
115.19 follows:

115.20 (i) the Southwest Quarter of the Southeast Quarter, reserving unto grantor and grantor's  
115.21 successors and assigns a 66-foot-wide access road easement across said Southwest Quarter  
115.22 of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or  
115.23 assign's land and grantor's presently owned land that may be sold, assigned, or transferred  
115.24 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and

115.25 (ii) the Southeast Quarter of the Southeast Quarter, reserving unto grantor and grantor's  
115.26 successors and assigns a 66-foot-wide access road easement across said Southeast Quarter  
115.27 of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or  
115.28 assign's land and grantor's presently owned land that may be sold, assigned, or transferred  
115.29 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35.

115.30 **Sec. 9. ADDITION TO STATE FOREST.**

115.31 **[89.021] [Subd. 42a.] Riverlands State Forest.** The following areas are added to  
115.32 Riverlands State Forest, those parts of St. Louis County, described as follows:

116.1 (1) the Northwest Quarter of the Northwest Quarter, Section 16, Township 50 North,  
116.2 Range 17 West;

116.3 (2) Government Lot 9, Section 26, Township 50 North, Range 17 West;

116.4 (3) the Northeast Quarter of the Southeast Quarter, Section 30, Township 51 North,  
116.5 Range 19 West;

116.6 (4) Government Lot 6, Section 22, Township 51 North, Range 20 West; and

116.7 (5) Government Lot 9, Section 24, Township 52 North, Range 20 West.

116.8 **Sec. 10. PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

116.9 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
116.10 other law to the contrary, Beltrami County may sell by private sale the tax-forfeited land  
116.11 described in paragraph (c).

116.12 (b) The conveyance must be in a form approved by the attorney general. The attorney  
116.13 general may make changes to the land description to correct errors and ensure accuracy.

116.14 (c) The land to be sold is part of parcel number 45.00258.00 described as: that part of  
116.15 Government Lot 3, Section 31, Township 148 North, Range 31 West, Beltrami County,  
116.16 Minnesota, described as follows:

116.17 Commencing at the southwest corner of said Section 31; thence North 89 degrees 46  
116.18 minutes 25 seconds East, bearing based on the Beltrami County Coordinate System,  
116.19 South Zone, along the south line of said Section 31, a distance of 960.47 feet; thence  
116.20 North 01 degrees 00 minutes 40 seconds West a distance of 2,116.07 feet to the point  
116.21 of beginning of land to be described, said point designated by an iron pipe, 1/2 inch in  
116.22 diameter, stamped LS 15483; thence continue North 01 degree 00 minutes 40 seconds  
116.23 West a distance of 108.00 feet to a point designated by an iron pipe, 1/2 inch in diameter,  
116.24 stamped LS 15483; thence North 88 degrees 59 minutes 20 seconds East a distance of  
116.25 60.00 feet to the intersection with the east line of said Government Lot 3; thence South  
116.26 01 degree 00 minutes 40 seconds East, along said east line of Government Lot 3, a  
116.27 distance of 108.00 feet to the intersection with a line bearing North 88 degrees 59 minutes  
116.28 20 seconds East from the point of beginning; thence South 88 degrees 59 seconds 20  
116.29 minutes West, along said line, a distance of 60.00 feet to the point of beginning (0.15  
116.30 acre).

116.31 (d) The county has determined that the county's land management interests would best  
116.32 be served if the lands were returned to private ownership.

117.1 **Sec. 11. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
117.2 **WATER; CASS COUNTY.**

117.3 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
117.4 resources may sell by public sale the surplus land bordering public water that is described  
117.5 in paragraph (c).

117.6 (b) The commissioner may make necessary changes to the legal description to correct  
117.7 errors and ensure accuracy.

117.8 (c) The land that may be sold is located in Cass County and is described as:

117.9 (1) the West 970 feet of the Northeast Quarter of the Southwest Quarter of Section 32,  
117.10 Township 135 North, Range 29 West, Cass County, Minnesota, EXCEPT therefrom a  
117.11 rectangular piece in the southeast corner thereof 370 feet North and South by 420 feet East  
117.12 and West; and

117.13 (2) that part of Government Lot 6 of said Section 32, described as follows: beginning  
117.14 at the northwest corner of said Government Lot 6; thence East along the north line of said  
117.15 Government Lot 6 550 feet; thence South 30 degrees West 528 feet, more or less, to shoreline  
117.16 of Agate Lake; thence northwest along said shoreline of Agate Lake to the west line of said  
117.17 Government Lot 6; thence northerly along said west line 260 feet, more or less, to the point  
117.18 of beginning.

117.19 (d) The land borders Agate Lake and is not contiguous to other state lands. The  
117.20 Department of Natural Resources has determined that the land is not needed for natural  
117.21 resource purposes and that the state's land management interests would best be served if  
117.22 the land was returned to private ownership.

117.23 **Sec. 12. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
117.24 **WATER; FILLMORE COUNTY.**

117.25 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
117.26 resources may sell by public sale the surplus land bordering public water that is described  
117.27 in paragraph (c), subject to the state's reservation of trout stream easements.

117.28 (b) The commissioner may make necessary changes to the legal description to correct  
117.29 errors and ensure accuracy.

117.30 (c) The land that may be sold is located in Fillmore County and is described as: the South  
117.31 13 acres, except the East 2 acres thereof, of the Northwest Quarter of the Southeast Quarter,  
117.32 Section 21, Township 103, Range 10 West, Fillmore County, Minnesota, excepting therefrom

118.1 the Harmony-Preston Valley State Trail corridor, formerly the Chicago, Milwaukee, St.  
118.2 Paul and Pacific Railroad Company right-of-way.

118.3 (d) The land borders the Root River and Watson Creek and is not contiguous to other  
118.4 state lands. The Department of Natural Resources has determined that the land is not needed  
118.5 for natural resource purposes, provided that trout stream easements are reserved on the Root  
118.6 River and Watson Creek, and that the state's land management interests would best be served  
118.7 if the land was returned to private ownership.

118.8 **Sec. 13. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC**  
118.9 **WATER; GOODHUE COUNTY.**

118.10 (a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and  
118.11 the public sale provisions of Minnesota Statutes, chapter 282, Goodhue County may convey  
118.12 to the city of Wanamingo for no consideration the tax-forfeited land bordering public water  
118.13 that is described in paragraph (c).

118.14 (b) The conveyance must be in a form approved by the attorney general and provide  
118.15 that the land reverts to the state if the city of Wanamingo stops using the land for the public  
118.16 purpose described in paragraph (d). The attorney general may make changes to the land  
118.17 description to correct errors and ensure accuracy.

118.18 (c) The land to be conveyed is located in Goodhue County and is described as: That part  
118.19 of the Southeast Quarter of Section 30, Township 110 North, Range 16 West, Goodhue  
118.20 County, Minnesota, described as follows: Commencing at the northeast corner of Lot 7,  
118.21 Block 2, Axelson's Hillcrest Addition, according to the recorded plat thereof; thence South  
118.22 89 degrees 48 minutes 15 seconds East (assuming that the east line of Axelson's Hillcrest  
118.23 Addition also being the west line of the Southeast Quarter of said Section 30, has a bearing  
118.24 of North 00 degrees 11 minutes 45 seconds East), a distance of 30.00 feet; thence North 00  
118.25 degrees 11 minutes 45 seconds East, a distance of 342.00 feet to the point of beginning;  
118.26 thence South 89 degrees 48 minutes 15 seconds East, a distance of 60.00 feet; thence North  
118.27 00 degrees 11 minutes 45 seconds East, a distance of 280.00 feet; thence South 89 degrees  
118.28 48 minutes 15 seconds East, a distance of 60.00 feet; thence North 00 degrees 11 minutes  
118.29 45 seconds East, a distance of 394 feet, more or less to the north line of the Southeast Quarter  
118.30 of said Section 30, thence westerly, along said north line, a distance of 150.00 feet, more  
118.31 or less, to the northwest corner of said Southeast Quarter; thence South 00 degrees 11  
118.32 minutes 45 seconds West, along the west line of said Southeast Quarter, a distance of 674  
118.33 feet, more or less, to an intersection with a line bearing North 89 degrees 48 minutes 15  
118.34 seconds West from said point of beginning; thence South 89 degrees 48 minutes 15 seconds

119.1 East, a distance of 30.00 feet to the point of beginning. EXCEPT that part of the above  
119.2 description now platted as Emerald Valley (parcel number 70.380.0710).

119.3 (d) The county has determined that the land is needed for a park trail extension.

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

119.5 Sec. 14. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
119.6 **HENNEPIN COUNTY.**

119.7 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
119.8 commissioner of natural resources may sell by private sale the surplus land bordering public  
119.9 water that is described in paragraph (c) to a local unit of government for less than market  
119.10 value.

119.11 (b) The commissioner may make necessary changes to the legal description to correct  
119.12 errors and ensure accuracy.

119.13 (c) The land that may be conveyed is located in Hennepin County and is described as:  
119.14 all those parts of Government Lot 5, Section 35, Township 118, Range 23, lying northerly  
119.15 and northwesterly of East Long Lake Road, as it existed in 2021, easterly of a line drawn  
119.16 parallel with and distant 924.88 feet westerly of the east line of said Government Lot 5, and  
119.17 southerly of a line drawn westerly at a right angle to the east line of said Government Lot  
119.18 5 from a point distant 620 feet South of the northeast corner of said Government Lot 5.

119.19 (d) The land borders Long Lake. The Department of Natural Resources has determined  
119.20 that the land is not needed for natural resource purposes and that the state's land management  
119.21 interests would best be served if the land were conveyed to a local unit of government.

119.22 Sec. 15. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
119.23 **WATER; ITASCA COUNTY.**

119.24 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
119.25 resources may sell by public sale the surplus land bordering public water that is described  
119.26 in paragraph (c).

119.27 (b) The commissioner may make necessary changes to the legal description to correct  
119.28 errors and ensure accuracy.

119.29 (c) The land that may be sold is located in Itasca County and is described as:

119.30 (1) the North 1,050.00 feet of Government Lot 1, Section 16, Township 55 North, Range  
119.31 24 West of the fourth principal meridian, except that part described as follows: commencing

120.1 at the southeast corner of said Government Lot 1; thence North 0 degrees 46 minutes 09  
120.2 seconds East, bearing assumed, along the east line thereof, a distance of 280.00 feet to the  
120.3 point of beginning; thence North 89 degrees 13 minutes 51 seconds West, a distance of  
120.4 345.00 feet; thence South 0 degrees 46 minutes 09 seconds West, a distance of 21.60 feet  
120.5 to its intersection with the south line of the North 1,050.00 feet of said Government Lot 1;  
120.6 thence South 89 degrees 08 minutes 51 seconds East along the south line of the North  
120.7 1,050.00 feet of said Government Lot 1, a distance of 345.00 feet to the east line of said  
120.8 Government Lot 1; thence North 0 degrees 46 minutes 09 seconds East, along the east line  
120.9 of said Government Lot 1, a distance of 22.10 feet to the point of beginning. Subject to an  
120.10 easement for ingress and egress over 66.00 feet in width, over, under, and across part of  
120.11 Government Lot 1, Section 16, Township 55, Range 24. The centerline of said easement is  
120.12 described as follows: commencing at the northeast corner of said Government Lot 1; thence  
120.13 South 0 degrees 46 minutes 09 seconds West, bearing assumed, along the east line thereof,  
120.14 a distance of 750.00 feet to the point of beginning of the centerline to be described; thence  
120.15 North 89 degrees 08 minutes 51 seconds West, a distance of 845.00 feet; thence South 7  
120.16 degrees 18 minutes 51 seconds East, a distance of 302.89 feet, and there terminating; and

120.17 (2) Lots 1 through 4 of Block 2 and Outlot "B," Loons Landing, according to the plat  
120.18 thereof on file and of record in the Office of the Itasca County Recorder.

120.19 (d) The land borders Trout Lake. The Department of Natural Resources has determined  
120.20 that the land is not needed for natural resource purposes and that the state's land management  
120.21 interests would best be served if the land was returned to private ownership.

120.22 **Sec. 16. PRIVATE SALE OF SURPLUS STATE LAND; PINE COUNTY.**

120.23 (a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of  
120.24 natural resources may sell by private sale the surplus land that is described in paragraph (c),  
120.25 subject to the state's reservation of a perpetual flowage easement.

120.26 (b) The commissioner may make necessary changes to the legal description to correct  
120.27 errors and ensure accuracy.

120.28 (c) The land that may be sold is located in Pine County and is described as: the north 2  
120.29 rods of the Southeast Quarter of Section 10, Township 38 North, Range 22 West, Pine  
120.30 County, Minnesota.

120.31 (d) The Department of Natural Resources has determined that the land is not needed for  
120.32 natural resource purposes and that the state's land management interests would best be  
120.33 served if the land was returned to private ownership.

121.1 **Sec. 17. LAND EXCHANGE; ST. LOUIS COUNTY.**

121.2 (a) Notwithstanding Minnesota Statutes, section 92.461, and the riparian restrictions in  
121.3 Minnesota Statutes, section 94.342, subdivision 3, St. Louis County may, with the approval  
121.4 of the Land Exchange Board as required under the Minnesota Constitution, article XI,  
121.5 section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342  
121.6 to 94.347, exchange the land described in paragraph (c).

121.7 (b) The conveyance must be in the form approved by the attorney general. The attorney  
121.8 general may make necessary changes to the legal description to correct errors and ensure  
121.9 accuracy.

121.10 (c) The lands that may be conveyed are located in St. Louis County and are described  
121.11 as:

121.12 (1) Sections 1 and 2, Township 53 North, Range 18 West;

121.13 (2) Sections 19, 20, 29, 30, 31, and 32, Township 54 North, Range 17 West;

121.14 (3) Sections 24, 25, 26, and 35, Township 54 North, Range 18 West;

121.15 (4) Sections 22, 23, 26, and 27, Township 54 North, Range 19 West; and

121.16 (5) Sections 8, 9, 17, and 18, Township 55 North, Range 18 West.

121.17 **Sec. 18. LAND ACQUISITION TRUST FUND; ST. LOUIS COUNTY.**

121.18 Notwithstanding Minnesota Statutes, chapter 282, and any other law relating to the  
121.19 apportionment of proceeds from the sale of tax-forfeited land, St. Louis County may deposit  
121.20 proceeds from the sale of tax-forfeited lands into a tax-forfeited land acquisition trust fund  
121.21 established by St. Louis County under this section. The principal and interest from the fund  
121.22 may be spent on the purchase of lands better suited for retention and management by St.  
121.23 Louis County. Lands purchased with money from the land acquisition trust fund must:

121.24 (1) become subject to a trust in favor of the governmental subdivision wherein the lands  
121.25 lie and all laws related to tax-forfeited lands; and

121.26 (2) be used for forestry, mineral management, or environmental services.

121.27 **Sec. 19. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

121.28 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
121.29 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
121.30 described in paragraph (c).

122.1 (b) The conveyances must be in a form approved by the attorney general. The attorney  
122.2 general may make changes to the land descriptions to correct errors and ensure accuracy.

122.3 (c) The lands to be sold are located in St. Louis County and are described as:

122.4 (1) Lots 23 through 30, including part of adjacent vacant alley, Block 54, Bay View  
122.5 Addition to Duluth No. 2, Township 49, Range 15, Section 11 (parcel identification number  
122.6 010-0230-03300); and

122.7 (2) Lot 2, except the South 760 feet, Township 62, Range 20, Section 18 (part of parcel  
122.8 identification number 430-0010-02916).

122.9 (d) The county has determined that the county's land management interests would best  
122.10 be served if the lands were returned to private ownership.

122.11 **Sec. 20. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
122.12 **SHERBURNE COUNTY.**

122.13 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
122.14 commissioner of natural resources may sell by private sale the surplus land bordering public  
122.15 water that is described in paragraph (c) for less than market value.

122.16 (b) The commissioner may make necessary changes to the legal description to correct  
122.17 errors and ensure accuracy.

122.18 (c) The land that may be conveyed is located in Sherburne County and is described as:  
122.19 that part of the North 595.50 feet of Government Lot 6, Section 31, Township 34 North,  
122.20 Range 27 West, Sherburne County, Minnesota, lying southerly of the following described  
122.21 line: commencing at a Minnesota Department of Conservation monument on the south line  
122.22 of the said North 595.50 feet; thence North 89 degrees 38 minutes 17 seconds West, bearing  
122.23 per plat of Eagle Lake Estates Boundary Registration, along said south line 71.28 feet to a  
122.24 Judicial Land Mark; thence North 21 degrees 51 minutes 43 seconds West, along the easterly  
122.25 line of Outlot A of said Eagle Lake Estates Boundary Registration 27.5 feet to the point of  
122.26 beginning; thence North 80 degrees East 72 feet, more or less, to the shoreline of Eagle  
122.27 Lake and there terminating.

122.28 (d) The Department of Natural Resources has determined that the land is not needed for  
122.29 natural resource purposes and that the state's land management interests would best be  
122.30 served if the land were returned to private ownership.

123.1 Sec. 21. **AUTHORIZATION OF ADJUTANT GENERAL TO EXCHANGE**  
123.2 **SURPLUS PROPERTY WITHIN THE CITY OF ROSEMOUNT.**

123.3 (a) Notwithstanding Minnesota Statutes, sections 94.3495 and 193.36, the adjutant  
123.4 general of the Minnesota National Guard may, with the approval of the Land Exchange  
123.5 Board as required under the Minnesota Constitution, article XI, section 10, exchange the  
123.6 surplus land described in paragraph (b) for an equal amount of land owned by the city of  
123.7 Rosemount, regardless of a difference in market value.

123.8 (b) The land to be exchanged is within the city of Rosemount adjacent to a Minnesota  
123.9 National Guard field maintenance shop.

123.10 Sec. 22. **REPEALER.**

123.11 Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2016, chapter  
123.12 154, section 11, Laws 2019, First Special Session chapter 4, article 4, section 7, is repealed.

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

123.14 Amend the title accordingly