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**ARTICLE 2**

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**ENVIRONMENT AND NATURAL RESOURCES POLICY**

37.20

Section 1. **11A.236] ACCOUNT TO INVEST FINANCIAL ASSURANCE MONEY FROM PERMITS TO MINE.**

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

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

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

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**ARTICLE 4**

**POLLUTION CONTROL**

**ARTICLE 5**

**NATURAL RESOURCES**

**ARTICLE 6**

**WATER AND SOIL RESOURCES**

**ARTICLE 10**

**STATE LANDS**

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

132.9 Section 1. Minnesota Statutes 2020, section 16A.151, subdivision 2, is amended to read:  
 132.10 Subd. 2. **Exceptions.** (a) If a state official litigates or settles a matter on behalf of specific  
 132.11 injured persons or entities, this section does not prohibit distribution of money to the specific  
 132.12 injured persons or entities on whose behalf the litigation or settlement efforts were initiated.  
 132.13 If money recovered on behalf of injured persons or entities cannot reasonably be distributed  
 132.14 to those persons or entities because they cannot readily be located or identified or because  
 132.15 the cost of distributing the money would outweigh the benefit to the persons or entities, the  
 132.16 money must be paid into the general fund.  
 132.17 (b) Money recovered on behalf of a fund in the state treasury other than the general fund  
 132.18 may be deposited in that fund.  
 132.19 (c) This section does not prohibit a state official from distributing money to a person or  
 132.20 entity other than the state in litigation or potential litigation in which the state is a defendant  
 132.21 or potential defendant.  
 132.22 (d) State agencies may accept funds as directed by a federal court for any restitution or  
 132.23 monetary penalty under United States Code, title 18, section 3663(a)(3), or United States  
 132.24 Code, title 18, section 3663A(a)(3). Funds received must be deposited in a special revenue  
 132.25 account and are appropriated to the commissioner of the agency for the purpose as directed  
 132.26 by the federal court.  
 132.27 (e) Tobacco settlement revenues as defined in section 16A.98, subdivision 1, paragraph  
 132.28 (t), may be deposited as provided in section 16A.98, subdivision 12.  
 132.29 (f) Any money received by the state resulting from a settlement agreement or an assurance  
 132.30 of discontinuance entered into by the attorney general of the state, or a court order in litigation  
 132.31 brought by the attorney general of the state, on behalf of the state or a state agency, against  
 132.32 one or more opioid manufacturers or opioid wholesale drug distributors related to alleged  
 133.1 violations of consumer fraud laws in the marketing, sale, or distribution of opioids in this  
 133.2 state or other alleged illegal actions that contributed to the excessive use of opioids, must  
 133.3 be deposited in a separate account in the state treasury and the commissioner shall notify  
 133.4 the chairs and ranking minority members of the Finance Committee in the senate and the  
 133.5 Ways and Means Committee in the house of representatives that an account has been created.  
 133.6 This paragraph does not apply to attorney fees and costs awarded to the state or the Attorney  
 133.7 General's Office, to contract attorneys hired by the state or Attorney General's Office, or to  
 133.8 other state agency attorneys. If the licensing fees under section 151.065, subdivision 1,  
 133.9 clause (16), and subdivision 3, clause (14), are reduced and the registration fee under section  
 133.10 151.066, subdivision 3, is repealed in accordance with section 256.043, subdivision 4, then

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

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

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

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

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

177.13 (1) capital projects needed to comply with the Americans with Disabilities Act, ~~for;~~

177.14 (2) asset preservation projects to which section 16B.307 applies, ~~or for;~~

177.15 (3) projects funded by an agency's operating budget; or

177.16 (4) projects funded by a capital asset preservation and replacement account under section  
177.17 16A.632, ~~or~~ a higher education asset preservation and replacement account under section

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

40.28 (c) For transportation and stocking of waters that are not public waters:

40.29 (1) a bill of lading must be submitted to the regional fisheries manager 72 hours before

40.30 transporting fish for stocking;

41.1 (2) a bill of lading must be submitted to the regional fisheries manager within five days

41.2 after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to

41.3 stocking by the regional fisheries office not to be public waters; or

41.4 (3) a completed bill of lading may be submitted to the regional fisheries office by telecopy

41.5 prior to transporting fish for stocking. Confirmation that the waters to be stocked are not

41.6 public waters may be made by returning the bill of lading by telecopy or in writing, in which

41.7 cases additional copies need not be submitted to the Department of Natural Resources.

41.8 (d) Bill of lading forms may only be issued by the Department of Natural Resources in

41.9 St. Paul, and new bill of lading forms may not be issued until all previously issued forms

41.10 have been returned.

41.11 Sec. 9. Minnesota Statutes 2020, section 17.4985, subdivision 3, is amended to read:

41.12 Subd. 3. **Exemptions for transportation permits and bills of lading.** (a) A state-issued

41.13 bill of lading or transportation permit is not required by an aquatic farm licensee for

41.14 ~~importation of importing animals not on the official list of viral hemorrhagic septicemia~~

41.15 ~~susceptible species published by the United States Department of Agriculture, Animal and~~

41.16 ~~Plant Health Inspection Services; transportation of VHS-susceptible-species list, transporting~~

41.17 ~~animals not on the official list of viral hemorrhagic septicemia susceptible species published~~

41.18 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services;~~

41.19 ~~or export for VHS-susceptible-species list, or exporting the following:~~

41.20 (1) minnows taken under an aquatic farm license in this state and transported intrastate;

41.21 (2) aquarium or ornamental fish including goldfish and tropical, subtropical, and saltwater

41.22 species that cannot survive in the waters of the state, which may be imported or transported

41.23 if accompanied by shipping documents;

41.24 (3) fish or fish eggs that have been processed for use as food, bait, or other purposes

41.25 unrelated to fish propagation;

41.26 (4) live fish from a licensed aquatic farm, which may be transported directly to an outlet

41.27 for processing or for other food purposes if accompanied by shipping documents;

41.28 (5) fish being exported if accompanied by shipping documents;

41.29 (6) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation

41.30 or feeding of cultural aquatic life, except that if either species becomes listed on the ~~official~~

41.31 ~~list of viral hemorrhagic septicemia susceptible species published by the United States~~

42.1 ~~Department of Agriculture, Animal and Plant Health Inspection Services~~

42.2 ~~VHS-susceptible-species list~~, then a transportation permit is required;

179.31 (c) For transportation and stocking of waters that are not public waters:

180.1 (1) a bill of lading must be submitted to the regional fisheries manager 72 hours before

180.2 transporting fish for stocking;

180.3 (2) a bill of lading must be submitted to the regional fisheries manager within five days

180.4 after stocking if the waters to be stocked are confirmed by telecopy or telephone prior to

180.5 stocking by the regional fisheries office not to be public waters; or

180.6 (3) a completed bill of lading may be submitted to the regional fisheries office by telecopy

180.7 prior to transporting fish for stocking. Confirmation that the waters to be stocked are not

180.8 public waters may be made by returning the bill of lading by telecopy or in writing, in which

180.9 cases additional copies need not be submitted to the Department of Natural Resources.

180.10 (d) Bill of lading forms may only be issued by the Department of Natural Resources in

180.11 St. Paul, and new bill of lading forms may not be issued until all previously issued forms

180.12 have been returned.

180.13 Sec. 9. Minnesota Statutes 2020, section 17.4985, subdivision 3, is amended to read:

180.14 Subd. 3. **Exemptions for transportation permits and bills of lading.** (a) A state-issued

180.15 bill of lading or transportation permit is not required by an aquatic farm licensee for

180.16 ~~importation of importing animals not on the official list of viral hemorrhagic septicemia~~

180.17 ~~susceptible species published by the United States Department of Agriculture, Animal and~~

180.18 ~~Plant Health Inspection Services; transportation of VHS-susceptible-species list, transporting~~

180.19 ~~animals not on the official list of viral hemorrhagic septicemia susceptible species published~~

180.20 ~~by the United States Department of Agriculture, Animal and Plant Health Inspection Services;~~

180.21 ~~or export for VHS-susceptible-species list, or exporting the following:~~

180.22 (1) minnows taken under an aquatic farm license in this state and transported intrastate;

180.23 (2) aquarium or ornamental fish including goldfish and tropical, subtropical, and saltwater

180.24 species that cannot survive in the waters of the state, which may be imported or transported

180.25 if accompanied by shipping documents;

180.26 (3) fish or fish eggs that have been processed for use as food, bait, or other purposes

180.27 unrelated to fish propagation;

180.28 (4) live fish from a licensed aquatic farm, which may be transported directly to an outlet

180.29 for processing or for other food purposes if accompanied by shipping documents;

180.30 (5) fish being exported if accompanied by shipping documents;

180.31 (6) sucker eggs, sucker fry, or fathead minnows transported intrastate for bait propagation

180.32 or feeding of cultural aquatic life, except that if either species becomes listed on the ~~official~~

181.1 ~~list of viral hemorrhagic septicemia susceptible species published by the United States~~

181.2 ~~Department of Agriculture, Animal and Plant Health Inspection Services~~

181.3 ~~VHS-susceptible-species list~~, then a transportation permit is required;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

185.29 (c) This subdivision does not apply to:

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

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

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

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

186.7 (5) a pesticide-treated wood product.

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

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

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

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

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

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

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

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

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

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

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

47.15 (1) manage the school trust lands efficiently and in a manner that reflects the undivided  
47.16 loyalty to the beneficiaries consistent with the commissioner's fiduciary duties;

47.17 (2) reduce the management expenditures of school trust lands and maximize the revenues  
47.18 deposited in the permanent school trust fund;

47.19 (3) manage the sale, exchange, and commercial leasing of school trust lands, requiring  
47.20 returns of not less than fair market value, to maximize the revenues deposited in the  
47.21 permanent school trust fund and retain the value from the long-term appreciation of the  
47.22 school trust lands;

47.23 (4) manage the school trust lands to maximize the long-term economic return for the  
47.24 permanent school trust fund while maintaining sound natural resource conservation and  
47.25 management principles;

47.26 (5) optimize school trust land revenues and maximize the value of the trust consistent  
47.27 with balancing short-term and long-term interests, so that long-term benefits are not lost in  
47.28 an effort to maximize short-term gains; and

47.29 (6) maintain the integrity of the trust and prevent the misapplication of its lands and its  
47.30 revenues.

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

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

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

187.3 (1) manage the school trust lands efficiently and in a manner that reflects the undivided  
187.4 loyalty to the beneficiaries consistent with the commissioner's fiduciary duties;

187.5 (2) reduce the management expenditures of school trust lands and maximize the revenues  
187.6 deposited in the permanent school trust fund;

187.7 (3) manage the sale, exchange, and commercial leasing of school trust lands, requiring  
187.8 returns of not less than fair market value, to maximize the revenues deposited in the  
187.9 permanent school trust fund and retain the value from the long-term appreciation of the  
187.10 school trust lands;

187.11 (4) manage the school trust lands to maximize the long-term economic return for the  
187.12 permanent school trust fund while maintaining sound natural resource conservation and  
187.13 management principles;

187.14 (5) optimize school trust land revenues and maximize the value of the trust consistent  
187.15 with balancing short-term and long-term interests, so that long-term benefits are not lost in  
187.16 an effort to maximize short-term gains; and

187.17 (6) maintain the integrity of the trust and prevent the misapplication of its lands and its  
187.18 revenues.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

49.31 (3) seed development;

49.32 (4) impact of climate change;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

52.26 (b) The commissioner shall:

52.27 (1) require the applicant to pay the market value of the easement;

52.28 (2) limit the easement term to 50 years if the road easement is across school trust land;

52.29 (3) provide that the easement reverts to the state in the event of nonuse; and

52.30 (4) impose other terms and conditions of use as necessary and appropriate under the  
52.31 circumstances.

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

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

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

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

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

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

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

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

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

244.29 (b) The commissioner shall:

244.30 (1) require the applicant to pay the market value of the easement;

244.31 (2) limit the easement term to 50 years if the road easement is across school trust land;

244.32 (3) provide that the easement reverts to the state in the event of nonuse; and

245.1 (4) impose other terms and conditions of use as necessary and appropriate under the  
245.2 circumstances.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

188.18 (1) producing timber and other forest products;

188.19 (2) maintaining forest landscapes;

188.20 (3) providing public recreation; and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

55.8 (2) acceptance by the commissioner of gifts of land or interests in land as program  
55.9 projects.  
55.10 (c) To the extent of available appropriations other than bond proceeds, the money matched  
55.11 to the nongame wildlife management account may be used for:  
55.12 (1) the management of nongame wildlife projects as specified in section 290.431;  
55.13 (2) restoration and enhancement activities for critical natural habitat; or  
55.14 (3) monitoring and evaluation activities for rare resources and native plant communities  
55.15 that inform the management of critical natural habitat.  
55.16 No more than 30 percent of the nongame wildlife management account appropriations each  
55.17 fiscal year may be used to match money from the critical habitat private sector matching  
55.18 account for monitoring and evaluation activities.

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

190.13 Sec. 27. Minnesota Statutes 2020, section 84.943, is amended by adding a subdivision to  
190.14 read:  
190.15 Subd. 6. **Expenditures.** Money in the account is appropriated to the commissioner and  
190.16 may be expended only as follows:  
190.17 (1) revenue from license plates depicting big game, turkey, or pheasant or license plates  
190.18 not otherwise specified under this subdivision must be used to:  
190.19 (i) purchase land or an interest in land;  
190.20 (ii) inventory and monitor lands acquired under this section; or  
190.21 (iii) accept gifts of land or interests in land as program projects;  
190.22 (2) revenue from license plates depicting a loon, chickadee, or lady slipper must be used  
190.23 in addition to appropriations from the nongame wildlife management account for the purposes  
190.24 specified in section 290.431;  
190.25 (3) revenue from license plates depicting anglers or fish must be used for aquatic  
190.26 management area purposes under section 86A.05, subdivision 14, including acquisition,  
190.27 development, and restoration;  
190.28 (4) revenue from license plates depicting bees or other pollinators must be transferred  
190.29 to the Board of Water and Soil Resources for grants or payments under section 103B.104;  
190.30 and  
191.1 (5) private contributions and other revenue must be used for the purposes under clause  
191.2 (1), unless specified for another purpose under this subdivision by the donor.

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

55.20 Subdivision 1. **Acquisition, restoration, and enhancement considerations.** (a) In

55.21 determining what critical natural habitat shall be acquired or improved, restored, or enhanced,

55.22 the commissioner shall consider:

55.23 (1) the significance of the land or water as existing or potential habitat for fish and

55.24 wildlife and providing fish and wildlife oriented recreation;

55.25 (2) the significance of the land, water, or habitat improvement to maintain or enhance

55.26 native plant, fish, or wildlife species designated as endangered or threatened under section

55.27 84.0895;

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

55.29 and

55.30 (4) the significance of the land, water or habitat improvement to protect or enhance

55.31 natural features within or contiguous to natural areas including fish spawning areas, wildlife

56.1 management areas, scientific and natural areas, riparian habitat and fish and wildlife

56.2 management projects.

56.3 (b) Based on the above clauses, the commissioner by rule must establish a process to

56.4 prioritize what critical habitat shall be acquired or improved.

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

56.6 Subd. 4. **Priorities; report.** The commissioner of natural resources must establish

56.7 priorities for natural resource asset preservation and replacement projects. By ~~January 15,~~

56.8 March 1 each year, the commissioner must submit to the commissioner of management and

56.9 budget a list of the projects that have been paid for with money from a natural resource

56.10 asset preservation and replacement appropriation during the preceding calendar year.

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

191.4 read:

191.5 Subd. 7. **Report.** By January 15, 2024, and every two years thereafter, the commissioner

191.6 must submit a report to the chairs and ranking minority members of the house of

191.7 representatives and senate committees and divisions with jurisdiction over the environment

191.8 and natural resources on the expenditure of money from the critical habitat private sector

191.9 matching account and the nongame wildlife management account during the previous

191.10 biennium.

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

191.12 Subd. 4. **Priorities; report.** The commissioner of natural resources must establish

191.13 priorities for natural resource asset preservation and replacement projects. By ~~January 15,~~

191.14 March 1 each year, the commissioner must submit to the commissioner of management and

191.15 budget a list of the projects that have been paid for with money from a natural resource

191.16 asset preservation and replacement appropriation during the preceding calendar year.

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

191.18 A person may not use a pesticide containing an insecticide in a wildlife management

191.19 area, state park, state forest, aquatic management area, or scientific and natural area if the

191.20 insecticide is from the neonicotinoid class of insecticides or contains chlorpyrifos.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

193.2 **84D.15 INVASIVE SPECIES ACCOUNT ACCOUNTS.**

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

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

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

193.15 (1) \$21 from each surcharge must be deposited in the invasive species account; and

193.16 (2) \$4 from each surcharge must be deposited in the invasive species research account.

193.17 (c) Money received from surcharges on watercraft licenses under section 86B.415,  
193.18 subdivision 7, paragraph (b), must be deposited in the invasive species research account.

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

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

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

193.30 Sec. 35. Minnesota Statutes 2020, section 85.015, subdivision 10, is amended to read:  
193.31 Subd. 10. **Luce Line Trail, Hennepin, McLeod, and Meeker Counties.** (a) The trail  
193.32 shall originate at Gleason Lake in Plymouth Village, Hennepin County, ~~and shall follow~~  
194.1 the route of the Chicago Northwestern Railroad, and include a connection to Greenleaf Lake  
194.2 State Recreation Area.  
194.3 (b) The trail shall be developed for multiuse wherever feasible. The department shall  
194.4 cooperate in maintaining its integrity for modes of use consistent with local ordinances.  
194.5 (c) In establishing, developing, maintaining, and operating the trail, the commissioner  
194.6 shall cooperate with local units of government and private individuals and groups. Before  
194.7 acquiring any parcel of land for the trail, the commissioner of natural resources shall develop  
194.8 a management program for the parcel and conduct a public hearing on the proposed  
194.9 management program in the vicinity of the parcel to be acquired. The management program  
194.10 of the commissioner shall include but not be limited to the following: (a) fencing of portions  
194.11 of the trail where necessary to protect adjoining landowners; and (b) the maintenance of  
194.12 the trail in a litter free condition to the extent practicable.  
194.13 (d) The commissioner shall not acquire any of the right-of-way of the Chicago  
194.14 Northwestern Railway Company until the abandonment of the line described in this  
194.15 subdivision has been approved by the Surface Transportation Board or the former Interstate  
194.16 Commerce Commission. Compensation, in addition to the value of the land, shall include  
194.17 improvements made by the railroad, including but not limited to, bridges, trestles, public  
194.18 road crossings, or any portion thereof, it being the desire of the railroad that such  
194.19 improvements be included in the conveyance. The fair market value of the land and  
194.20 improvements shall be recommended by two independent appraisers mutually agreed upon  
194.21 by the parties. The fair market value thus recommended shall be reviewed by a review  
194.22 appraiser agreed to by the parties, and the fair market value thus determined, and supported  
194.23 by appraisals, may be the purchase price. The commissioner may exchange lands with  
194.24 landowners abutting the right-of-way described in this section to eliminate diagonally shaped  
194.25 separate fields.  
194.26 Sec. 36. Minnesota Statutes 2020, section 85.019, is amended by adding a subdivision to  
194.27 read:  
194.28 Subd. 6. **Administering grants.** Up to 2.5 percent of appropriations for grants under  
194.29 this section from revenue deposited in the natural resources fund under Minnesota Statutes,  
194.30 section 297A.94, paragraph (h), clause (4), may be used by the commissioner for the actual  
194.31 costs of administering the grants.  
195.1 Sec. 37. Minnesota Statutes 2020, section 85.052, subdivision 1, is amended to read:  
195.2 Subdivision 1. **Authority to establish.** (a) The commissioner may establish, by written  
195.3 order, provisions for the use of state parks for the following:



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

60.1 (ii) special park districts as provided in section 85.44 for construction and maintenance  
60.2 of cross-country-ski trails; ~~and~~  
60.3 (2) ~~administration of~~ administering the cross-country-ski trail grant-in-aid program;  
60.4 ~~and~~  
60.5 (3) developing and maintaining state cross-country-ski trails.  
60.6 ~~(b) Development and maintenance of state cross-country-ski trails are eligible for funding~~  
60.7 ~~from the cross-country-ski account if the money is appropriated by law.~~  
60.8 EFFECTIVE DATE. This section is effective retroactively from July 1, 2019.

198.15 (ii) special park districts as provided in section 85.44 for construction and maintenance  
198.16 of cross-country-ski trails; ~~and~~  
198.17 (2) ~~administration of~~ administering the cross-country-ski trail grant-in-aid program;  
198.18 ~~and~~  
198.19 (3) developing and maintaining state cross-country-ski trails.  
198.20 ~~(b) Development and maintenance of state cross-country-ski trails are eligible for funding~~  
198.21 ~~from the cross-country-ski account if the money is appropriated by law.~~  
198.22 EFFECTIVE DATE. This section is effective retroactively from July 1, 2019.  
198.23 Sec. 46. Minnesota Statutes 2020, section 85.47, is amended to read:  
198.24 85.47 SPECIAL-USE SPECIAL-USE PERMITS; FEES.  
198.25 Subdivision 1. Special-use permits. The commissioner may, by written order, develop  
198.26 reasonable policies for special-use permits to use state trails and state water access sites.  
198.27 The policies are exempt from rulemaking provisions under chapter 14, and section 14.386  
198.28 does not apply.  
198.29 Subd. 2. Disposition of fees. Fees collected for special-use special-use permits to use  
198.30 state trails and state water access sites not on state forest, state park, or state recreation area  
199.1 lands and for use of state water access sites must be deposited in the natural resources fund  
199.2 and are appropriated to the commissioner of natural resources for operating and maintaining  
199.3 state trails and water access sites.  
199.4 Sec. 47. Minnesota Statutes 2020, section 86B.415, subdivision 1, is amended to read:  
199.5 Subdivision 1. Watercraft 19 feet or less. (a) Except as provided in paragraph (b) and  
199.6 subdivision subdivisions 1a and 4, the fee for a watercraft license for watercraft 19 feet or  
199.7 less in length is \$27 \$39.  
199.8 (b) The watercraft license fee fees for the specified watercraft are as follows:  
199.9 (1) for watercraft, other than personal watercraft, 19 feet in length or less that is offered  
199.10 for rent or lease, the fee is \$9 \$13;  
199.11 (2) for a sailboat, 19 feet in length or less, the fee is \$10.50 \$15.25;  
199.12 (3) for a watercraft 19 feet in length or less used by a nonprofit corporation for teaching  
199.13 boat and water safety, the fee is fees are as provided in subdivision 4;  
199.14 (4) for a watercraft owned by a dealer under a dealer's license, the fee is as provided in  
199.15 subdivision 5;  
199.16 (5) for a personal watercraft, the fee is \$37.50 \$54.50, except for a personal watercraft  
199.17 that is offered for rent or lease according to section 86B.313, subdivision 4, the fee is \$47;  
199.18 and

- 199.19 (6) for a watercraft less than 17 feet in length, other than a watercraft listed in clauses  
199.20 (1) to (5), the fee is ~~\$18~~ \$26.
- 199.21 Sec. 48. Minnesota Statutes 2020, section 86B.415, subdivision 1a, is amended to read:
- 199.22 Subd. 1a. **Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing**  
199.23 **shells.** Except as provided under subdivision 4, the fee for a watercraft license for a canoe,  
199.24 kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet in length is ~~\$10.50~~  
199.25 \$15.25.
- 199.26 Sec. 49. Minnesota Statutes 2020, section 86B.415, subdivision 2, is amended to read:
- 199.27 Subd. 2. **Watercraft over 19 feet.** Except as provided in subdivisions 1a, 3, 4, and 5,  
199.28 the watercraft license fee:
- 199.29 (1) for a watercraft more than 19 feet but less than 26 feet in length is ~~\$45~~ \$65.25;
- 199.30 (2) for a watercraft 26 feet but less than 40 feet in length is ~~\$67.50~~ \$98; and
- 200.1 (3) for a watercraft 40 feet in length or longer is ~~\$90~~ \$130.50.
- 200.2 Sec. 50. Minnesota Statutes 2020, section 86B.415, subdivision 3, is amended to read:
- 200.3 Subd. 3. **Watercraft over 19 feet for hire.** Except as provided under subdivision 4, the  
200.4 license fee for a watercraft more than 19 feet in length for hire with an operator is ~~\$75~~  
200.5 \$108.75 each.
- 200.6 Sec. 51. Minnesota Statutes 2020, section 86B.415, subdivision 4, is amended to read:
- 200.7 Subd. 4. **Watercraft used by nonprofit corporation for teaching organization or**  
200.8 **homestead resort.** (a) The watercraft license fee for a watercraft used by a nonprofit  
200.9 organization for teaching boat and water safety is \$4.50 each.
- 200.10 (b) The following fees apply to watercraft owned and used by a homestead resort, as  
200.11 defined under section 273.13, subdivision 22, paragraph (c), that contains ten rental units  
200.12 or less, when the watercraft remains on a single water body:
- 200.13 (1) for a watercraft 40 feet in length or longer, \$90;
- 200.14 (2) for a watercraft 26 feet but less than 40 feet in length, \$67.50;
- 200.15 (3) for a watercraft more than 19 feet but less than 26 feet in length, \$45;
- 200.16 (4) for a watercraft more than 19 feet in length for hire with an operator, \$75;
- 200.17 (5) for a watercraft 17 to 19 feet in length, \$27, except as provided in clauses (6) to (10);
- 200.18 (6) for a watercraft, other than personal watercraft, 19 feet in length or less that is offered  
200.19 for rent or lease, \$9;

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

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

60.11 Subd. 42a. Riverlands State Forest.

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

60.13 **89.17 LEASES AND PERMITS.**

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

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

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

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

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

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

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

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

245.26 Subd. 42a. Riverlands State Forest.

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

245.28 **89.17 LEASES AND PERMITS.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

61.8 **89A.11 SUNSET.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

203.10 **89A.11 SUNSET.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

65.23 Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits  
65.24 for the activities in this section. A special permit may be issued in the form of a general  
65.25 permit to a governmental subdivision or to the general public to conduct one or more  
65.26 activities under subdivisions 2 to 7 8.

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

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

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

204.14 Subdivision 1. **Commissioner's authority.** The commissioner may issue special permits  
204.15 for the activities in this section. A special permit may be issued in the form of a general  
204.16 permit to a governmental subdivision or to the general public to conduct one or more  
204.17 activities under subdivisions 2 to 7 8.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

66.29 (1) trespassing;

66.30 (2) hunting game in closed season;

66.31 (3) hunting game in closed hours;

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

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

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

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

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

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

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

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

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

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

- 67.3 ~~(5) possessing unlawful firearms in deer zones in violation of section 97B.041.~~
- 67.4 Sec. 56. Minnesota Statutes 2020, section 97A.475, subdivision 2, is amended to read:
- 67.5 Subd. 2. **Resident hunting.** Fees for the following licenses, to be issued to residents
- 67.6 only, are:
- 67.7 (1) for persons age 18 or over and under age 65 to take small game, \$15.50;
- 67.8 (2) for persons age 65 or over, \$7 to take small game;
- 67.9 (3) for persons age 18 or over to take turkey, \$26;
- 67.10 (4) for persons age 13 or over and under age 18 to take turkey, \$5;
- 67.11 (5) for persons age 18 or over to take deer with firearms during the regular firearms
- 67.12 season, \$34;
- 67.13 (6) for persons age 18 or over to take deer by archery, \$34;
- 67.14 (7) for persons age 18 or over to take deer by muzzleloader during the muzzleloader
- 67.15 season, \$34;
- 67.16 (8) to take moose, for a party of not more than six persons, \$356;
- 67.17 (9) for persons age 18 or over to take bear, \$44;
- 67.18 (10) to take elk, for a party of not more than two persons, \$287;
- 67.19 (11) to take Canada geese during a special season, \$4;
- 67.20 (12) to take light geese during the light goose conservation order, \$2.50;
- 67.21 (13) to take sandhill crane during the sandhill crane season, \$3;
- 67.22 ~~(12)~~ (14) to take prairie chickens, \$23;
- 67.23 ~~(13)~~ (15) for persons age 13 or over and under age 18 to take deer with firearms during
- 67.24 the regular firearms season, \$5;
- 67.25 ~~(14)~~ (16) for persons age 13 or over and under age 18 to take deer by archery, \$5;
- 67.26 ~~(15)~~ (17) for persons age 13 or over and under age 18 to take deer by muzzleloader
- 67.27 during the muzzleloader season, \$5;
- 67.28 ~~(16)~~ (18) for persons age 10, 11, or 12 to take bear, no fee;
- 68.1 ~~(17)~~ (19) for persons age 13 or over and under age 18 to take bear, \$5;
- 68.2 ~~(18)~~ (20) for persons age 18 or over to take small game for a consecutive 72-hour period
- 68.3 selected by the licensee, \$19, of which an amount equal to one-half of the fee for the
- 68.4 migratory-waterfowl stamp under subdivision 5, clause (1), shall be deposited in the
- 68.5 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of

- 68.6 the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the  
68.7 pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half  
68.8 of the small-game surcharge under subdivision 4, shall be deposited in the wildlife acquisition  
68.9 account;
- 68.10 ~~(19)~~ (21) for persons age 16 or over and under age 18 to take small game, \$5;
- 68.11 ~~(20)~~ (22) to take wolf, \$30;
- 68.12 ~~(21)~~ (23) for persons age 12 and under to take turkey, no fee;
- 68.13 ~~(22)~~ (24) for persons age 10, 11, or 12 to take deer by firearm, no fee;
- 68.14 ~~(23)~~ (25) for persons age 10, 11, or 12 to take deer by archery, no fee; and
- 68.15 ~~(24)~~ (26) for persons age 10, 11, or 12 to take deer by muzzleloader during the  
68.16 muzzleloader season, no fee.
- 68.17 Sec. 57. Minnesota Statutes 2020, section 97A.475, subdivision 3, is amended to read:
- 68.18 Subd. 3. **Nonresident hunting.** (a) Fees for the following licenses, to be issued to  
68.19 nonresidents, are:
- 68.20 (1) for persons age 18 or over to take small game, \$90.50;
- 68.21 (2) for persons age 18 or over to take deer with firearms during the regular firearms  
68.22 season, \$180;
- 68.23 (3) for persons age 18 or over to take deer by archery, \$180;
- 68.24 (4) for persons age 18 or over to take deer by muzzleloader during the muzzleloader  
68.25 season, \$180;
- 68.26 (5) for persons age 18 or over to take bear, \$225;
- 68.27 (6) for persons age 18 or over to take turkey, \$91;
- 68.28 (7) for persons age 13 or over and under age 18 to take turkey, \$5;
- 68.29 (8) to take raccoon or bobcat, \$178;
- 68.30 (9) to take Canada geese during a special season, \$4;
- 69.1 (10) to take light geese during the light goose conservation order, \$2.50;
- 69.2 (11) to take sandhill crane during the sandhill crane season, \$3;
- 69.3 ~~(10)~~ (12) for persons age 13 or over and under age 18 to take deer with firearms during  
69.4 the regular firearms season in any open season option or time period, \$5;
- 69.5 ~~(11)~~ (13) for persons age 13 or over and under age 18 to take deer by archery, \$5;



- 69.6 ~~(12)~~ (14) for persons age 13 or over and under age 18 to take deer during the muzzleloader  
69.7 season, \$5;
- 69.8 ~~(13)~~ (15) for persons age 13 or over and under 18 to take bear, \$5;
- 69.9 ~~(14)~~ (16) for persons age 18 or over to take small game for a consecutive 72-hour period  
69.10 selected by the licensee, \$75, of which an amount equal to one-half of the fee for the  
69.11 migratory-waterfowl stamp under subdivision 5, clause (1), shall be deposited in the  
69.12 waterfowl habitat improvement account under section 97A.075, subdivision 2; one-half of  
69.13 the fee for the pheasant stamp under subdivision 5, clause (2), shall be deposited in the  
69.14 pheasant habitat improvement account under section 97A.075, subdivision 4; and one-half  
69.15 of the small-game surcharge under subdivision 4, shall be deposited into the wildlife  
69.16 acquisition account;
- 69.17 ~~(15)~~ (17) for persons age 16 or 17 to take small game, \$5;
- 69.18 ~~(16)~~ (18) to take wolf, \$250;
- 69.19 ~~(17)~~ (19) for persons age 12 and under to take turkey, no fee;
- 69.20 ~~(18)~~ (20) for persons age ten, 11, or 12 to take deer by firearm, no fee;
- 69.21 ~~(19)~~ (21) for persons age ten, 11, or 12 to take deer by archery, no fee;
- 69.22 ~~(20)~~ (22) for persons age ten, 11, or 12 to take deer by muzzleloader during the  
69.23 muzzleloader season, no fee; and
- 69.24 ~~(21)~~ (23) for persons age 10, 11, or 12 to take bear, no fee.
- 69.25 (b) A \$5 surcharge shall be added to nonresident hunting licenses issued under paragraph  
69.26 (a), clauses (1) to (6) and (8). An additional commission may not be assessed on this  
69.27 surcharge.
- 69.28 Sec. 58. Minnesota Statutes 2020, section 97A.475, subdivision 3a, is amended to read:
- 69.29 Subd. 3a. **Deer license donation and surcharge.** (a) A person may agree to add a  
69.30 donation of \$1, \$3, or \$5 to the fees for annual resident and nonresident licenses to take  
70.1 deer by firearms or archery established under subdivisions 2, clauses (5), (6), (7), ~~(13)~~ (15),  
70.2 ~~(14)~~ (16), and ~~(15)~~ (17), and 3, paragraph (a), clauses (2), (3), (4), ~~(10)~~ (12), ~~(11)~~ (13), and  
70.3 ~~(12)~~ (14).
- 70.4 (b) Beginning March 1, 2008, fees for bonus licenses to take deer by firearms or archery  
70.5 established under section 97B.301, subdivision 4, must be increased by a surcharge of \$1.
- 70.6 (c) An additional commission may not be assessed on the donation or surcharge.
- 70.7 Sec. 59. Minnesota Statutes 2020, section 97A.475, subdivision 4, is amended to read:
- 70.8 Subd. 4. **Small-game surcharge and donation.** (a) Fees for annual licenses to take  
70.9 small game must be increased by a surcharge of \$6.50, except licenses under subdivisions

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

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

70.19 Sec. 60. Minnesota Statutes 2020, section 97A.505, subdivision 3b, is amended to read:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

71.4 **97B.036 CROSSBOW HUNTING DURING FIREARMS SEASON.**

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

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

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

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

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

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

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

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

206.18 (4) ~~the any~~ muzzleloader used ~~is incapable of being~~ has the projectile loaded only at the  
206.19 ~~breech~~ muzzle;

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

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

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

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

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

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

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

71.24 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**  
71.25 **ORANGE OR BLAZE PINK.**

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

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

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

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

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

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

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

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

206.23 **97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE**  
206.24 **ORANGE OR BLAZE PINK.**

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

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

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

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

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

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

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

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

72.23 **97B.086 POSSESSING NIGHT VISION OR THERMAL IMAGING EQUIPMENT.**

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

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

72.28 (1) unloaded;

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

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

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

73.3 (1) completely encased or unstrung; and

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

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

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

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

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

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

73.14 **97B.311 DEER SEASONS AND RESTRICTIONS.**

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

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

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

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

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

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

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

74.2 **97B.415 TAKING BEAR TO PROTECT PROPERTY; SPECIAL PERMIT FOR**  
74.3 **TAKING NUISANCE BEAR.**

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

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

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

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

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

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

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

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

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

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

74.32 (1) residents and nonresidents under age 18 and residents over age 65;

75.1 (2) persons hunting on licensed commercial shooting preserves;

75.2 (3) resident disabled veterans with a license issued under section 97A.441, subdivision  
75.3 6a; and

75.4 (4) residents and nonresidents hunting on licenses issued under section 97A.475,  
75.5 subdivision 2, clause ~~(18)~~ (20); or 3, paragraph (a), clause ~~(14)~~ (16).

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

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

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

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

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

207.26 (1) steel shot;

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

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

207.30 Subd. 2. **Farmland zone.** For the purposes of this section, the farmland zone is the  
207.31 portion of the state that falls south and west of Minnesota Highway 70 westward from the  
207.32 Wisconsin border to Minnesota Highway 65 to Minnesota Highway 23 to U.S. Highway  
208.1 169 at Milaca to Minnesota Highway 18 at Garrison to Minnesota Highway 210 at Brainerd  
208.2 to U.S. Highway 10 at Motley to U.S. Highway 59 at Detroit Lakes northward to the  
208.3 Canadian border.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- 78.30 (c) Minnows must be certified free of viral hemorrhagic septicemia, infectious  
78.31 hematopoietic necrosis, infectious pancreatic necrosis, spring viremia of carp virus, fathead  
78.32 minnow nidovirus, and Heterosporis within the past 12 months.
- 79.1 (d) Minnows must originate from a biosecure facility that has tested negative for invasive  
79.2 species in the past 12 months.
- 79.3 (e) Only a person that holds a minnow dealer's license issued under section 97C.501,  
79.4 subdivision 2, may obtain a permit to import minnows.
- 79.5 (f) The following information must be available to the commissioner upon request for  
79.6 each load of imported minnows:
- 79.7 (1) the date minnows were imported;
- 79.8 (2) the number of pounds or gallons imported;
- 79.9 (3) the facility name from which the minnows originated; and
- 79.10 (4) a fish health certificate for the minnows.
- 79.11 (g) Minnows may be imported to feed hatchery fish if the requirements in paragraphs  
79.12 (a) to (f) are met.

- 79.13 Sec. 78. Minnesota Statutes 2020, section 97C.605, subdivision 2, is amended to read:
- 79.14 Subd. 2. **Turtle seller's license.** (a) A person may not take, possess, buy, or transport  
79.15 turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a  
79.16 turtle seller's license, except as provided in subdivision 2c.
- 79.17 (b) Except for renewals, no new turtle seller's licenses may be issued after August 1,  
79.18 2002.
- 79.19 (c) A turtle seller's license is transferable by the turtle seller licensee by making  
79.20 application to the commissioner. A turtle seller's license may be transferred only once under  
79.21 this paragraph and the transfer must be to a child of the person holding the turtle seller's  
79.22 license.

- 211.1 Sec. 78. Minnesota Statutes 2020, section 97C.605, subdivision 1, is amended to read:
- 211.2 Subdivision 1. **Resident angling license required Taking turtles; requirements.** ~~In~~  
211.3 ~~addition to any other license required in this section, (a) A person may not take, possess,~~  
211.4 ~~or transport turtles without a resident angling license, except as provided in subdivision 2c~~  
211.5 ~~and a recreational turtle license.~~
- 211.6 (b) Turtles taken from the wild are for personal use only and may not be resold.

79.23 Sec. 79. Minnesota Statutes 2020, section 97C.605, subdivision 3, is amended to read:

79.24 Subd. 3. **Taking; methods prohibited.** (a) A person may not take turtles ~~in any manner,~~

79.25 ~~except by the use of~~ using:

79.26 (1) explosives, drugs, poisons, lime, and other harmful substances;

79.27 (2) traps, except as provided in paragraph (b) and rules adopted under this section;

79.28 (3) nets other than anglers' fish landing nets; ~~or~~

79.29 (4) commercial equipment, except as provided in rules adopted under this section;

80.1 (5) firearms and ammunition;

80.2 (6) bow and arrow or crossbow; or

80.3 (7) spears, harpoons, or any other implements that impale turtles.

80.4 (b) Until new rules are adopted under this section, a person with a turtle seller's license

80.5 may take turtles with a floating turtle trap that:

80.6 (1) has one or more openings above the water surface that measure at least ten inches

80.7 by four inches; and

211.7 Sec. 79. Minnesota Statutes 2020, section 97C.605, subdivision 2c, is amended to read:

211.8 Subd. 2c. **License exemptions.** (a) A person does not need ~~a turtle seller's license or an~~

211.9 ~~angling license~~ the licenses specified under subdivision 1:

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

211.11 (2) ~~(1) when buying a turtle at a retail outlet; or~~

211.12 (3) ~~if the person is a nonresident buying a turtle from a licensed turtle seller for export~~

211.13 ~~out of state. Shipping documents provided by the turtle seller must accompany each shipment~~

211.14 ~~exported out of state by a nonresident. Shipping documents must include: name, address,~~

211.15 ~~city, state, and zip code of the buyer; number of each species of turtle; and name and license~~

211.16 ~~number of the turtle seller; or~~

211.17 (4) ~~(2) to take, possess, and rent or sell up to 25 turtles greater than four inches in length~~

211.18 ~~for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person~~

211.19 ~~is a resident under age 18. The person is responsible for the well-being of the turtles.~~

211.20 (b) A person with an aquatic farm license with a turtle endorsement or a private fish

211.21 hatchery license with a turtle endorsement may sell, obtain, possess, transport, and propagate

211.22 turtles and turtle eggs according to Minnesota Rules, part 6256.0900, without the licenses

211.23 specified under subdivision 1.

211.24 Sec. 80. Minnesota Statutes 2020, section 97C.605, subdivision 3, is amended to read:

211.25 Subd. 3. **Taking; methods prohibited.** (a) A person may not take turtles ~~in any manner,~~

211.26 ~~except by the use of~~ using:

211.27 (1) explosives, drugs, poisons, lime, and other harmful substances;

211.28 (2) traps, except as provided in paragraph (b) and rules adopted under this section;

211.29 (3) nets other than anglers' fish landing nets; ~~or~~

211.30 (4) commercial equipment, except as provided in rules adopted under this section; or

212.1 (5) spears, harpoons, or any other implements that impale turtles.

212.2 (b) Until new rules are adopted under this section, a person with a turtle seller's license

212.3 may take turtles with a floating turtle trap that:

212.4 (1) has one or more openings above the water surface that measure at least ten inches

212.5 by four inches; and

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

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

80.9 Sec. 80. Minnesota Statutes 2020, section 97C.611, is amended to read:

80.10 **97C.611 SNAPPING TURTLES TURTLE SPECIES; LIMITS.**

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

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

80.20 (b) This subdivision does not apply to persons acting under section 97C.605, subdivision  
80.21 2c, clause (4).

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

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

80.28 Sec. 81. Minnesota Statutes 2020, section 97C.805, subdivision 2, is amended to read:

80.29 Subd. 2. **Restrictions.** (a) ~~The~~ Netting of lake whitefish and ciscoes is subject to the  
80.30 restrictions in this subdivision.

81.1 (b) A person may not use:

81.2 (1) more than ~~two nets~~ one net;

81.3 (2) a net more than 100 feet long; or

81.4 (3) a net more than three feet wide.

81.5 (c) The mesh size of the ~~nets~~ net may not be less than:

81.6 (1) 1-3/4 inches, stretch measure, for nets used to take ciscoes; and

81.7 (2) 3-1/2 inches, stretch measure, for all other nets.

81.8 (d) A net may not be set in water, including ice thickness, deeper than six feet.

81.9 (e) The commissioner may designate waters where nets may be set so that portions of  
81.10 the net extend into water deeper than six feet under conditions prescribed by the

212.7 Sec. 81. Minnesota Statutes 2020, section 97C.611, is amended to read:

212.8 **97C.611 SNAPPING TURTLES TURTLE SPECIES; LIMITS.**

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

212.15 Subd. 2. **Western painted turtles.** (a) A person may not possess more than three Western  
212.16 painted turtles of the species *Chrysemys picta*. Western painted turtles must be between 4  
212.17 and 5-1/2 inches in shell length.

212.18 (b) This subdivision does not apply to persons acting under section 97C.605, subdivision  
212.19 2c, paragraph (a), clause (2).

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

212.23 Subd. 4. **Other species.** A person may not possess any other species of turtle except  
212.24 with an aquatic farm or private fish hatchery license with a turtle endorsement or as specified  
212.25 under section 97C.605, subdivision 2c.

212.26 Sec. 82. Minnesota Statutes 2020, section 97C.805, subdivision 2, is amended to read:

212.27 Subd. 2. **Restrictions.** (a) ~~The~~ Netting of lake whitefish and ciscoes is subject to the  
212.28 restrictions in this subdivision.

212.29 (b) A person may not use:

212.30 (1) more than ~~two nets~~ one net;

213.1 (2) a net more than 100 feet long; or

213.2 (3) a net more than three feet wide.

213.3 (c) The mesh size of the ~~nets~~ net may not be less than:

213.4 (1) 1-3/4 inches, stretch measure, for nets used to take ciscoes; and

213.5 (2) 3-1/2 inches, stretch measure, for all other nets.

213.6 (d) A net may not be set in water, including ice thickness, deeper than six feet.

213.7 (e) The commissioner may designate waters where nets may be set so that portions of  
213.8 the net extend into water deeper than six feet under conditions prescribed by the

81.11 commissioner to protect game fish. A pole or stake must project at least two feet above the  
81.12 surface of the water or ice at one end of ~~each~~ the net.

81.13 (f) A net may not be set within 50 feet of another net.

81.14 (g) A person may not have angling equipment in possession while netting lake whitefish  
81.15 or ciscoes.

81.16 Sec. 82. Minnesota Statutes 2020, section 97C.836, is amended to read:

81.17 **97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT**  
81.18 **HARVEST.**

81.19 The commissioner shall provide for taking of lake trout by licensed commercial operators  
81.20 in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale.  
81.21 The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake  
81.22 Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning  
81.23 annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone  
81.24 MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect  
81.25 the lake trout population or to manage the effects of invasive species or fish disease. Taking  
81.26 lake trout for expanded assessment and sale shall be allowed from June 1 to September 30,  
81.27 but may end earlier in the respective zones if the quotas are reached. The quotas must be  
81.28 reassessed at the expiration of the current ten-year Fisheries Management Plan for the  
81.29 Minnesota Waters of Lake Superior ~~dated September 2006~~.

82.1 Sec. 83. Minnesota Statutes 2020, section 103A.212, is amended to read:

82.2 **103A.212 WATERSHED MANAGEMENT POLICY.**

82.3 Subdivision 1. Purpose. The quality of life of every Minnesotan depends on water.  
82.4 Minnesota's rivers, lakes, streams, wetlands, and groundwater provide a foundation for  
82.5 drinking water and the state's recreational, municipal, commercial, industrial, agricultural,  
82.6 environmental, aesthetic, and economic well-being. The legislature finds that it is in the  
82.7 public interest to manage groundwater and surface water resources from the perspective of  
82.8 aquifers, watersheds, and river basins to achieve protection, preservation, enhancement,  
82.9 and restoration of the state's valuable groundwater and surface water resources.

82.10 Subd. 2. Coordination and cooperation. In implementing the policy under this section,  
82.11 state agencies and local and regional governments with authority over local water  
82.12 management, conservation, land use, land management, and development plans must take  
82.13 into consideration the manner in which their plans are consistent with the policy. To the  
82.14 extent practicable, state agencies and local and regional governments must endeavor to enter  
82.15 into formal and informal agreements and arrangements to jointly use staff and educational,  
82.16 technical, and financial resources to deliver programs or conduct activities to achieve the  
82.17 purposes of the policy.

213.9 commissioner to protect game fish. A pole or stake must project at least two feet above the  
213.10 surface of the water or ice at one end of ~~each~~ the net.

213.11 (f) A net may not be set within 50 feet of another net.

213.12 (g) A person may not have angling equipment in possession while netting lake whitefish  
213.13 or ciscoes.

213.14 Sec. 83. Minnesota Statutes 2020, section 97C.836, is amended to read:

213.15 **97C.836 LAKE SUPERIOR LAKE TROUT; EXPANDED ASSESSMENT**  
213.16 **HARVEST.**

213.17 The commissioner shall provide for taking of lake trout by licensed commercial operators  
213.18 in Lake Superior management zones MN-3 and MN-2 for expanded assessment and sale.  
213.19 The commissioner shall authorize expanded assessment taking and sale of lake trout in Lake  
213.20 Superior management zone MN-3 beginning annually in 2007 and zone MN-2 beginning  
213.21 annually in 2010. Total assessment taking and sale may not exceed 3,000 lake trout in zone  
213.22 MN-3 and 2,000 lake trout in zone MN-2 and may be reduced when necessary to protect  
213.23 the lake trout population or to manage the effects of invasive species or fish disease. Taking  
213.24 lake trout for expanded assessment and sale shall be allowed from June 1 to September 30,  
213.25 but may end earlier in the respective zones if the quotas are reached. The quotas must be  
213.26 reassessed at the expiration of the current ten-year Fisheries Management Plan for the  
213.27 Minnesota Waters of Lake Superior ~~dated September 2006~~.

220.15 Section 1. Minnesota Statutes 2020, section 103B.103, is amended to read:

220.16 **103B.103 EASEMENT STEWARDSHIP ACCOUNTS.**

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

220.22 (b) Revenue from contributions and money appropriated for any purposes of the account  
220.23 as described in subdivision 2 must be deposited in the water and soil conservation easement  
220.24 stewardship account. Revenue from contributions, wetland banking mitigation fees designated  
220.25 for stewardship purposes by the board, easement stewardship payments authorized under  
220.26 subdivision 3, and money appropriated for any purposes of the account as described in  
220.27 subdivision 2 must be deposited in the mitigation easement stewardship account.

220.28 Subd. 2. **Appropriation; purposes of accounts.** (a) Five percent of the balance on July  
220.29 1 each year in the water and soil conservation easement stewardship account and five percent  
220.30 of the balance on July 1 each year in the mitigation easement stewardship account are  
221.1 annually appropriated to the board and may be spent only to cover the costs of managing  
221.2 easements held by the board, including costs associated with:

221.3 (1) repairing or replacing structures;

221.4 (2) maintaining vegetation and hydrology;

221.5 (3) monitoring;

221.6 (4) landowner contacts;

221.7 (5) records storage and management;

221.8 (6) processing landowner notices;

221.9 (7) requests for approval or amendments;

221.10 (8) enforcement; and

221.11 (9) legal services associated with easement management activities.

221.12 (b) When the amount appropriated under paragraph (a) is not sufficient to cover the  
221.13 costs of easements held by the board, the board may use money from the mitigation easement  
221.14 stewardship account and the water and soil conservation easement stewardship account to  
221.15 cover costs associated with:

221.16 (1) legal compliance costs;

221.17 (2) repairing or replacing structures; and

221.18 (3) maintaining vegetation and hydrology.

221.19 (c) In addition to the amounts appropriated under paragraph (a), up to 25 percent of the  
221.20 balance on July 1 each year in the water and soil conservation easement stewardship account  
221.21 and 25 percent of the balance on July 1 each year in the mitigation easement stewardship  
221.22 account are annually appropriated to the board for the purposes of paragraph (b). In  
221.23 consultation with the commissioner of management and budget, the board must establish a  
221.24 process, including criteria, for the use of money appropriated under this paragraph. The  
221.25 board must include a summary of how money appropriated under this paragraph in the prior  
221.26 two fiscal years was used in the report required under section 103B.101, subdivision 9,  
221.27 paragraph (a), clause (7).

221.28 Subd. 3. **Financial contributions.** The board shall seek a financial contribution to the  
221.29 water and soil conservation easement stewardship account for each conservation easement  
221.30 acquired by the board. The board shall seek a financial contribution or assess an easement  
221.31 stewardship payment to the mitigation easement stewardship account for each wetland  
222.1 banking mitigation easement acquired by the board. Unless otherwise provided by law, the  
222.2 board shall determine the amount of the contribution or payment, which must be an amount  
222.3 calculated to earn sufficient money to meet the costs of managing the easement at a level  
222.4 that neither significantly overrecovers nor underrecovers the costs. In determining the  
222.5 amount of the financial contribution, the board shall consider:

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

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

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

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

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

222.15 (6) the estimated annualized costs for repairing or replacing structures and maintaining  
222.16 vegetation and hydrology; and

222.17 ~~(6)~~ (7) the expected rate of return on investments in the account.

222.18 Sec. 2. **[103B.104] LAWNS TO LEGUMES PROGRAM.**

222.19 The Board of Water and Soil Resources must establish a program to provide grants or  
222.20 payments to plant residential lawns with native vegetation and pollinator-friendly forbs and  
222.21 legumes to protect a diversity of pollinators. The board must establish criteria for grants or  
222.22 payments awarded under this section. Grants or payments awarded under this section may  
222.23 be made for up to 75 percent of the costs of the project, except that, in areas identified by



82.18 Sec. 84. Minnesota Statutes 2020, section 103C.315, subdivision 4, is amended to read:  
82.19 Subd. 4. **Compensation.** A supervisor shall receive compensation for services up to ~~\$75~~  
82.20 \$125 per day, and may be reimbursed for expenses, including traveling expenses, necessarily  
82.21 incurred in the discharge of duties. A supervisor may be reimbursed for the use of the  
82.22 supervisor's own automobile in the performance of official duties at a rate up to the maximum  
82.23 tax-deductible mileage rate permitted under the federal Internal Revenue Code.

222.24 the United States Fish and Wildlife Service as areas where there is a high potential for rusty  
222.25 patched bumble bees to be present, grants may be awarded for up to 90 percent of the costs  
222.26 of the project.  
222.27 Sec. 3. **[103C.237] SOIL AND WATER CONSERVATION DISTRICT FEE.**  
222.28 Subdivision 1. **Fee.** (a) A county that contains at least one soil and water conservation  
222.29 district must impose an additional fee of \$25 per transaction on the recording or registration  
222.30 of a mortgage subject to the tax under section 287.035 and an additional fee of \$25 on the  
222.31 recording or registration of a deed subject to the tax under section 287.21.  
223.1 (b) A county that does not contain at least one soil and water conservation district, but  
223.2 carries out the duties of a soil and water conservation district, must impose the fee described  
223.3 in paragraph (a).  
223.4 Subd. 2. **Fee deposited; account.** The fee described in subdivision 1 must be deposited  
223.5 in a special soil and water conservation district account in the county general revenue fund.  
223.6 Subd. 3. **Distribution to soil and water conservation districts.** (a) The county treasurer  
223.7 must transfer money from the special soil and water conservation district account to existing  
223.8 soil and water conservation districts within the county in May, October, and December each  
223.9 year. If a county contains more than one soil and water conservation district, money must  
223.10 be allocated equally among each district.  
223.11 (b) A county imposing a fee under subdivision 1, paragraph (b), must use money in the  
223.12 special soil and water conservation account on soil and water conservations duties within  
223.13 the county.  
223.14 **EFFECTIVE DATE.** This section is effective July 1, 2021.  
223.15 Sec. 4. Minnesota Statutes 2020, section 103C.315, subdivision 4, is amended to read:  
223.16 Subd. 4. **Compensation.** A supervisor shall receive compensation for services up to ~~\$75~~  
223.17 \$125 per day, and may be reimbursed for expenses, including traveling expenses, necessarily  
223.18 incurred in the discharge of duties. A supervisor may be reimbursed for the use of the  
223.19 supervisor's own automobile in the performance of official duties at a rate up to the maximum  
223.20 tax-deductible mileage rate permitted under the federal Internal Revenue Code.  
223.21 Sec. 5. **[103C.701] SOIL-HEALTHY FARMING GOALS.**  
223.22 (a) It is the goal of the state to encourage soil health, as defined in section 103C.101,  
223.23 subdivision 10a, farming practices. This may be done by achieving the following objectives:  
223.24 (1) preventing or minimizing soil erosion;  
223.25 (2) retaining water quantity to provide for infiltration;  
223.26 (3) improving surface water and groundwater quality;

204.26 Sec. 3. **[103F.05] WATER VOLUME, QUALITY, AND STORAGE.**

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

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

204.30 (c) "Local units of government" has the meaning given under section 103B.305,  
204.31 subdivision 5, and includes tribal governments.

205.1 Subd. 2. **Establishment.** The board must establish a program to protect, conserve,  
205.2 preserve, and enhance the state's water quality and related natural resources benefits by  
205.3 providing financial assistance or grants to local units of government to control water volume  
205.4 and rates of flow, to reduce water quality impairment caused by flooding, and to construct  
205.5 infrastructure and improvements to facilitate these goals.

205.6 Subd. 3. **Financial assistance or grants.** (a) The board may provide financial assistance  
205.7 or grants to local units of government to cover the costs of water volume control projects,  
205.8 water storage projects, and other water quality practices consistent with a plan approved  
205.9 according to chapter 103B, 103C, or 103D. The board may acquire conservation easements

223.27 (4) sustaining soil organic matter; and

223.28 (5) supporting soil life and pollinators.

223.29 (b) To achieve the objectives under paragraph (a), the state sets a goal of 30 percent of  
223.30 Minnesota privately owned farmland using soil health practices including but not limited  
224.1 to cover crops, perennial crops, no-till or reduced tillage, strip cropping, or managed  
224.2 rotational grazing by 2030.

224.3 Sec. 6. **[103F.05] WATER QUALITY AND STORAGE PROGRAM.**

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

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

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

224.9 (d) "Water quality and storage practices" are those practices that sustain or improve  
224.10 water quality via surface water rate and volume and ecological management, including but  
224.11 not limited to:

224.12 (1) retention structures and basins;

224.13 (2) acquisition of flowage rights;

224.14 (3) soil and substrate infiltration;

224.15 (4) wetland restoration, creation, or enhancement;

224.16 (5) channel restoration or enhancement; and

224.17 (6) floodplain restoration or enhancement.

224.18 Subd. 2. **Establishment.** (a) The board must establish a program to provide financial  
224.19 assistance to local units of government to control water volume and rates to protect  
224.20 infrastructure, improve water quality and related public benefits, and mitigate climate change  
224.21 impacts.

224.22 (b) In establishing a water quality and storage program, the board must give priority to  
224.23 the Minnesota River basin and the Lower Mississippi River basin in Minnesota.

224.24 Subd. 3. **Financial assistance.** (a) The board may provide financial assistance to local  
224.25 units of government to cover the costs of water storage projects and other water quality  
224.26 practices consistent with a plan approved according to chapter 103B, 103C, or 103D. Eligible  
224.27 costs include costs for property and equipment acquisition, design, engineering, construction,

205.10 under sections 103F.501 to 103F.531 as necessary to implement a project or practice under  
205.11 this section.

205.12 (b) The board must enter into agreements with local units of government receiving  
205.13 financial assistance or grants under this section. The agreements must specify the terms of  
205.14 state and local cooperation, including the financing arrangement for constructing any  
205.15 structures and assuring maintenance of the structures after completion.

205.16 Subd. 4. **Water quality and storage practices.** "Water quality and storage practices"  
205.17 are those practices which sustain or improve water quality via surface water rate and volume  
205.18 and ecological management, including but not limited to:

205.19 (1) retention structures and basins;  
205.20 (2) soil and substrate infiltration;  
205.21 (3) wetland restoration or enhancement;  
205.22 (4) channel restoration or enhancement;  
205.23 (5) floodplain restoration or enhancement; and  
205.24 (6) in-channel and overflow revegetation with native species.

205.25 Subd. 5. **Matching contribution and maximum awards.** (a) The board must require  
205.26 a matching contribution when providing financial assistance under this section and may  
205.27 adjust matching requirements if federal funds are available for the project.

205.28 (b) The board must establish maximum award amounts when providing financial  
205.29 assistance or grants under this section.

205.30 Subd. 6. **Technical assistance.** (a) The board may employ or contract with an engineer  
205.31 or hydrologist to work on the technical implementation of the program established under  
205.32 this section.

206.1 (b) When implementing the program, the board must:

206.2 (1) assist local units of government in achieving the goals of the program;  
206.3 (2) review and analyze projects and project sites; and  
206.4 (3) evaluate the effectiveness of completed projects constructed under the program.

206.5 (c) The board must cooperate with the commissioner of natural resources, the  
206.6 commissioner of the Pollution Control Agency, the United States Department of Agriculture  
206.7 Natural Resources Conservation Service, and other agencies as needed to analyze  
206.8 hydrological and engineering information on proposed sites.

206.9 Subd. 7. **Requirements.** (a) A local unit of government applying for financial assistance  
206.10 or grants under this section must provide a copy of a resolution or other documentation of  
206.11 the local unit of government's support for the project. The documentation must include

224.28 and management. The board may acquire conservation easements under sections 103F.501  
224.29 to 103F.531 as necessary to implement a project or practice under this section.

224.30 (b) The board must enter into agreements with local units of government receiving  
224.31 financial assistance under this section. The agreements must specify the terms of state and  
225.1 local cooperation, including the financing arrangement for constructing any structures and  
225.2 assuring maintenance of the structures after completion.

225.3 Subd. 4. **Matching contribution.** The board must require a matching contribution when  
225.4 providing financial assistance under this section and may adjust matching requirements if  
225.5 federal funds are available for the project.

225.6 Subd. 5. **Technical assistance.** (a) The board may employ or contract with an engineer  
225.7 or hydrologist to work on the technical implementation of the program established under  
225.8 this section.

225.9 (b) When implementing the program, the board must:

225.10 (1) assist local units of government in achieving the goals of the program;  
225.11 (2) review and analyze projects and project sites; and  
225.12 (3) evaluate the effectiveness of completed projects constructed under the program.

225.13 (c) The board must cooperate with the commissioner of natural resources, the United  
225.14 States Department of Agriculture Natural Resources Conservation Service, and other agencies  
225.15 as needed to analyze hydrological, climate, and engineering information on proposed sites.

225.16 Subd. 6. **Requirements.** (a) A local unit of government applying for financial assistance  
225.17 under this section must provide a copy of a resolution or other documentation of the local  
225.18 unit of government's support for the project. The documentation must include provisions

206.12 provisions for local funding and management, the proposed method of obtaining necessary  
206.13 land rights for the proposed project, and an assignment of responsibility for maintaining  
206.14 any structures or practices upon completion.

206.15 (b) A local unit of government, with the assistance of the board, must evaluate the public  
206.16 benefits that are reasonably expected upon completing the proposed project, and must  
206.17 specifically identify the way in which the proposed project will further enhance the protection,  
206.18 conservation, preservation, and enhancement of the state's water quality. The evaluation  
206.19 must be submitted to the board before the final design.

206.20 Subd. 8. **Interstate cooperation.** The board may enter into or approve working  
206.21 agreements with neighboring states or their political subdivisions to accomplish projects  
206.22 consistent with the program established under this section.

206.23 Subd. 9. **Federal aid availability.** The board must regularly analyze the availability of  
206.24 federal funds and programs to supplement or complement state and local efforts consistent  
206.25 with the purposes of this section.

225.19 for local funding and management, the proposed method of obtaining necessary land rights  
225.20 for the proposed project, and an assignment of responsibility for maintaining any structures  
225.21 or practices upon completion.

225.22 (b) A local unit of government, with the assistance of the board, must evaluate the public  
225.23 benefits that are reasonably expected upon completing the proposed project. The evaluation  
225.24 must be submitted to the board before the final design.

225.25 Subd. 7. **Interstate cooperation.** The board may enter into or approve working  
225.26 agreements with neighboring states or their political subdivisions to accomplish projects  
225.27 consistent with the program established under this section.

225.28 Subd. 8. **Federal aid availability.** The board must regularly analyze the availability of  
225.29 federal funds and programs to supplement or complement state and local efforts consistent  
225.30 with the purposes of this section.

226.1 Sec. 7. **[103F.06] SOIL HEALTH COST-SHARE PROGRAM.**

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

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

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

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

226.8 (e) "Soil health practices" are those practices that sustain or improve soil health, including  
226.9 but not limited to:

226.10 (1) no-till or strip-till;

226.11 (2) mulching;

226.12 (3) cover cropping;

226.13 (4) perennial cropping;

226.14 (5) stand diversification;

226.15 (6) contour, field edge, pollinator, wildlife, or buffer strips planted with perennials;

226.16 (7) agroforestry;

226.17 (8) managed rotational grazing; and

226.18 (9) management practices that minimize soil compaction or increase aeration.

226.19 Subd. 2. **Establishment.** The board must establish a cost-share program consistent with  
226.20 the provisions of section 103C.501 for the purpose of establishing soil health practices to  
226.21 mitigate climate change impacts and improve water quality and related public benefits.

226.22 Subd. 3. **Financial assistance.** (a) The board may provide financial assistance to local  
226.23 units of government for the costs of soil health and related water quality practices consistent  
226.24 with a plan approved according to chapter 103B, 103C, or 103D. The board must establish  
226.25 costs eligible for financial assistance under this section, including costs for conservation  
226.26 planning, cover crop seeding, equipment acquisition or use, and other practices to improve  
226.27 soil health.

226.28 (b) The board must enter into agreements with local units of government receiving  
226.29 financial assistance under this section.

227.1 Subd. 4. **Technical assistance.** (a) The board may employ or contract with agronomists,  
227.2 biologists, or hydrologists in implementing the cost-share program.

227.3 (b) When implementing the program, the board must:

227.4 (1) assist local units of government in achieving the goals of the program;

227.5 (2) review and assess practice standards; and

227.6 (3) evaluate the effectiveness of completed practices constructed with assistance from  
227.7 the cost-share program.

227.8 (c) The board must cooperate with the Minnesota Office for Soil Health at the University  
227.9 of Minnesota, the United States Department of Agriculture Natural Resources Conservation  
227.10 Service, and other agencies and private sector organizations as needed to enhance program  
227.11 effectiveness.

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

82.24 Sec. 85. Minnesota Statutes 2020, section 103G.201, is amended to read:

82.25 **103G.201 PUBLIC WATERS INVENTORY.**

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

83.1 (b) The commissioner is authorized to revise the map of public waters established under  
83.2 Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously identified  
83.3 as public waters wetlands under Laws 1979, chapter 199, as public waters or as wetlands

- 83.4 under section 103G.005, subdivision 19. The commissioner may only reclassify public  
83.5 waters wetlands as public waters if:
- 83.6 (1) they are assigned a shoreland management classification by the commissioner under  
83.7 sections 103F.201 to 103F.221;
- 83.8 (2) they are classified as lacustrine wetlands or deepwater habitats according to  
83.9 Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al.,  
83.10 1979 edition); or
- 83.11 (3) the state or federal government has become titleholder to any of the beds or shores  
83.12 of the public waters wetlands, subsequent to the preparation of the public waters inventory  
83.13 map filed with the auditor of the county, pursuant to paragraph (a), and the responsible state  
83.14 or federal agency declares that the water is necessary for the purposes of the public  
83.15 ownership.
- 83.16 (c) The commissioner must provide notice of ~~the~~ a reclassification under paragraph (b)  
83.17 or a revision under paragraph (e) to the local government unit, the county board, the  
83.18 watershed district, if one exists for the area, and the soil and water conservation district.  
83.19 Within 60 days of receiving notice from the commissioner, a party required to receive the  
83.20 notice may provide a resolution stating objections to the reclassification or revision. If the  
83.21 commissioner receives an objection from a party required to receive the notice, the  
83.22 reclassification or revision is not effective. If the commissioner does not receive an objection  
83.23 from a party required to receive the notice, the reclassification of a wetland under paragraph  
83.24 (b) or revision under paragraph (e) is effective 60 days after the notice is received by all of  
83.25 the parties.
- 83.26 (d) The commissioner ~~shall~~ must give priority to the reclassification of public waters  
83.27 wetlands that are or have the potential to be affected by public works projects.
- 83.28 (e) The commissioner may revise the public waters inventory map of each county:
- 83.29 (1) to reflect the changes authorized in paragraph (b); and
- 83.30 (2) as needed, to:
- 83.31 (i) correct errors in the original inventory;
- 83.32 (ii) add or subtract trout stream tributaries within sections that contain a designated trout  
83.33 stream following written notice to the landowner;
- 84.1 (iii) add depleted quarries, and sand and gravel pits, when the body of water exceeds 50  
84.2 acres and the shoreland has been zoned for residential development; and
- 84.3 (iv) add or subtract public waters that have been created or eliminated as a requirement  
84.4 of a permit authorized by the commissioner under section 103G.245.

84.5 Sec. 86. Minnesota Statutes 2020, section 103G.223, is amended to read:

84.6 **103G.223 CALCAREOUS FENS.**

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

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

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

84.21 (d) An applicant whose permit is denied under this section may file a written request  
84.22 with the commissioner to designate a mutually agreed upon third party expert to review the  
84.23 evaluation provided under paragraph (c) at no cost to the applicant, and to make  
84.24 recommendations to the commissioner about whether or not the permit should be issued.  
84.25 The third party expert must agree to provide the commissioner and applicant with the expert's  
84.26 recommendations within 90 days of agreeing to review the evaluation.

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

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

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

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

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

85.5 Sec. 87. Minnesota Statutes 2020, section 103G.271, subdivision 4a, is amended to read:

85.6 Subd. 4a. **Mt. Simon-Hinckley aquifer.** ~~(a)~~ The commissioner may not issue new  
 85.7 water-use permits that will appropriate water from the Mt. Simon-Hinckley aquifer ~~in a~~  
 85.8 ~~metropolitan county, as defined in section 473.121, subdivision 4,~~ unless the appropriation  
 85.9 is for potable water use, there are no feasible or practical alternatives to this source, and a  
 85.10 water conservation plan is incorporated with the permit.

85.11 ~~(b) The commissioner shall terminate all permits authorizing appropriation and use of~~  
 85.12 ~~water from the Mt. Simon-Hinckley aquifer for once-through systems in a metropolitan~~  
 85.13 ~~county, as defined in section 473.121, subdivision 4, by December 31, 1992.~~

85.14 Sec. 88. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision  
 85.15 to read:

85.16 Subd. 4b. **Bulk transport or sale.** (a) To maintain the supply of drinking water for future  
 85.17 generations and except as provided under paragraph (b), the commissioner may not issue  
 85.18 a new water-use permit to appropriate water in excess of one million gallons per year for  
 85.19 bulk transport or sale of water for consumptive use to a location more than 50 miles from  
 85.20 the point of the proposed appropriation.

213.28 Sec. 84. Minnesota Statutes 2020, section 103G.255, is amended to read:

213.29 **103G.255 ALLOCATING AND CONTROLLING WATERS OF THE STATE.**

213.30 Both surface water and groundwater are public assets managed by the state for the benefit  
 213.31 of the public. Based on this paramount consideration, the commissioner shall administer:

214.1 (1) the use, allocation, and control of waters of the state;

214.2 (2) the establishment, maintenance, and control of lake levels and water storage reservoirs;

214.3 and

214.4 (3) the determination of the ordinary high-water level of waters of the state.

214.5 Sec. 85. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision  
 214.6 to read:

214.7 Subd. 2a. **Public meeting.** Before issuing a water-use permit or a plan for consumptive  
 214.8 use of more than 216,000 gallons per day average in a 30-day period, the commissioner  
 214.9 must hold a public meeting in the county affected most by the potential impact to the public  
 214.10 groundwater resource. At least 21 days before the public meeting, the commissioner must  
 214.11 publish notice of the meeting in a newspaper of general circulation in the county and must  
 214.12 mail the notice to persons who have registered their names with the commissioner for this  
 214.13 purpose.

214.14 Sec. 86. Minnesota Statutes 2020, section 103G.271, subdivision 4a, is amended to read:

214.15 Subd. 4a. **Mt. Simon-Hinckley aquifer.** ~~(a)~~ The commissioner may not issue new  
 214.16 water-use permits that will appropriate water from the Mt. Simon-Hinckley aquifer ~~in a~~  
 214.17 ~~metropolitan county, as defined in section 473.121, subdivision 4,~~ unless the appropriation  
 214.18 is for potable water use, there are no feasible or practical alternatives to this source, and a  
 214.19 water conservation plan is incorporated with the permit.

214.20 ~~(b) The commissioner shall terminate all permits authorizing appropriation and use of~~  
 214.21 ~~water from the Mt. Simon-Hinckley aquifer for once-through systems in a metropolitan~~  
 214.22 ~~county, as defined in section 473.121, subdivision 4, by December 31, 1992.~~

214.23 Sec. 87. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision  
 214.24 to read:

214.25 Subd. 4b. **Bulk transport or sale.** (a) To maintain the supply of drinking water for future  
 214.26 generations and except as provided under paragraph (b), the commissioner may not issue  
 214.27 a new water-use permit to appropriate water in excess of one million gallons per year for  
 214.28 bulk transport or sale of water for consumptive use to a location more than 50 miles from  
 214.29 the point of the proposed appropriation.



85.21 (b) Paragraph (a) does not apply to a water-use permit for a public water supply, as  
85.22 defined under section 144.382, subdivision 4, issued to a local unit of government, rural  
85.23 water district established under chapter 116A, or Tribal unit of government if:

85.24 (1) the use is solely for the public water supply;

85.25 (2) the local unit of government, rural water district established under chapter 116A, or  
85.26 Tribal unit of government has a property interest at the point of the appropriation;

85.27 (3) the communities that will use the water are located within 100 miles of the point of  
85.28 appropriation; and

85.29 (4) the requirements in sections 103G.265, 103G.285, and 103G.287 are met.

86.1 Sec. 89. Minnesota Statutes 2020, section 103G.271, subdivision 7, is amended to read:

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

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

86.10 Sec. 90. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision  
86.11 to read:

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

86.16 Sec. 91. Minnesota Statutes 2020, section 103G.287, subdivision 4, is amended to read:

86.17 Subd. 4. **Groundwater management areas.** (a) The commissioner may designate  
86.18 groundwater management areas and limit total annual water appropriations and uses within  
86.19 a designated area to ensure sustainable use of groundwater that protects ecosystems, water  
86.20 quality, and the ability of future generations to meet their own needs. Water appropriations  
86.21 and uses within a designated management area must be consistent with a groundwater  
86.22 management area plan approved by the commissioner that addresses water conservation  
86.23 requirements and water allocation priorities established in section 103G.261. During  
86.24 development of a groundwater management area plan, the commissioner and employees  
86.25 and agents of the department may disseminate information related to the timing, location,  
86.26 and agendas of meetings related to the plan, but must otherwise limit public information  
86.27 related to the groundwater management area plan to direct factual responses to public and  
86.28 media inquiries. At least 30 days prior to implementing or modifying a groundwater

215.1 (b) Paragraph (a) does not apply to a water-use permit for a public water supply, as  
215.2 defined under section 144.382, subdivision 4, issued to a local unit of government, rural  
215.3 water district established under chapter 116A, or Tribal unit of government if:

215.4 (1) the use is solely for the public water supply;

215.5 (2) the local unit of government, rural water district established under chapter 116A, or  
215.6 Tribal unit of government has a property interest at the point of the appropriation;

215.7 (3) the communities that will use the water are located within 100 miles of the point of  
215.8 appropriation; and

215.9 (4) the requirements in sections 103G.265, 103G.285, and 103G.287 are met.

86.29 management area plan under this subdivision, the commissioner shall consult with the  
 86.30 advisory team established in paragraph (c).

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

87.6 (c) When designating a groundwater management area, the commissioner shall assemble  
 87.7 an advisory team to assist in developing a groundwater management area plan for the area.  
 87.8 The advisory team members shall be selected from public and private entities that have an  
 87.9 interest in the water resources affected by the groundwater management area. A majority  
 87.10 of the advisory team members shall be public and private entities that currently hold water-use  
 87.11 permits for water appropriations from the affected water resources. The commissioner shall  
 87.12 consult with the League of Minnesota Cities, the Association of Minnesota Counties, the  
 87.13 Minnesota Association of Watershed Districts, and the Minnesota Association of Townships  
 87.14 in appointing the local government representatives to the advisory team. The advisory team  
 87.15 may also include representatives from the University of Minnesota, the Minnesota State  
 87.16 Colleges and Universities, other institutions of higher learning in Minnesota, political  
 87.17 subdivisions with jurisdiction over water issues, nonprofits with expertise in water, and  
 87.18 federal agencies.

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

87.22 Sec. 92. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

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

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

215.10 Sec. 88. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

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

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

88.1 Sec. 93. Minnesota Statutes 2020, section 103G.289, is amended to read:

88.2 **103G.289 WELL INTERFERENCE; WELL SEALING VALIDATION;**  
88.3 **CONTESTED CASE.**

88.4 (a) The commissioner shall not validate a claim for well interference ~~claim~~ if the affected  
88.5 well has been sealed prior to the completion of the commissioner's investigation of the  
88.6 complaint. If the well is sealed prior to completion of the investigation, the commissioner  
88.7 must dismiss the complaint.

88.8 (b) When validating a claim for well interference, the commissioner must take into  
88.9 account the condition of the affected well.

88.10 (c) Within 30 days after the commissioner's decision on a claim for well interference, a  
88.11 party ordered by the commissioner to contribute to an affected well owner may petition for  
88.12 a contested case hearing under sections 14.57 to 14.62. The commissioner must grant the  
88.13 petitioner a contested case hearing on the commissioner's decision.

88.14 Sec. 94. Minnesota Statutes 2020, section 103G.401, is amended to read:

88.15 **103G.401 APPLICATION TO ESTABLISH LAKE LEVELS.**

88.16 (a) Applications for authority to establish and maintain levels of public waters and  
88.17 applications to establish the natural ordinary high-water level of public waters may be made  
88.18 to the commissioner by a public body or authority or by a majority of the riparian owners  
88.19 on the public waters.

88.20 (b) To conserve or utilize the water resources of the state, the commissioner may initiate  
88.21 proceedings to establish and maintain the level of public waters.

88.22 (c) When establishing an ordinary high-water level, the commissioner must provide  
88.23 written or electronic notice of the order to the local units of government where the public  
88.24 water is located.

88.25 Sec. 95. **[103G.413] APPEAL OF ORDER ESTABLISHING ORDINARY**  
88.26 **HIGH-WATER LEVEL.**

88.27 Subdivision 1. **Petition.** A local unit of government may petition for review of the  
88.28 ordinary high-water level. A petition may be filed on behalf of the local unit of government  
88.29 or riparian landowner affected by the ordinary high-water level. The petition must be filed  
88.30 by the local unit of government and include reasons why the determination should be  
88.31 reviewed and evidence to be considered as part of the review.

89.1 Subd. 2. **Review.** If a local unit of government files a petition under this section, the  
89.2 commissioner must review the petition within 90 days of the request and issue a final order.  
89.3 The commissioner may extend this period by 90 days by providing written notice of the  
89.4 extension to the applicant. Any further extension requires the agreement of the petitioner.

89.5 Sec. 96. Minnesota Statutes 2020, section 115.03, subdivision 1, is amended to read:

89.6 Subdivision 1. **Generally.** (a) The agency is hereby given and charged with the following

89.7 powers and duties:

89.8 ~~(a)~~ (1) to administer and enforce all laws relating to the pollution of any of the waters

89.9 of the state;

89.10 ~~(b)~~ (2) to investigate the extent, character, and effect of the pollution of the waters of

89.11 this state and to gather data and information necessary or desirable in the administration or

89.12 enforcement of pollution laws, and to make such classification of the waters of the state as

89.13 it may deem advisable;

89.14 ~~(c)~~ (3) to establish and alter such reasonable pollution standards for any waters of the

89.15 state in relation to the public use to which they are or may be put as it shall deem necessary

89.16 for the purposes of this chapter and, with respect to the pollution of waters of the state,

89.17 chapter 116;

89.18 ~~(d)~~ (4) to encourage waste treatment, including advanced waste treatment, instead of

89.19 stream low-flow augmentation for dilution purposes to control and prevent pollution;

89.20 ~~(e)~~ (5) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable

89.21 orders, permits, variances, standards, rules, schedules of compliance, and stipulation

89.22 agreements, under such conditions as it may prescribe, in order to prevent, control or abate

89.23 water pollution, or for the installation or operation of disposal systems or parts thereof, or

89.24 for other equipment and facilities;

89.25 ~~(f)~~ (i) requiring the discontinuance of the discharge of sewage, industrial waste or other

89.26 wastes into any waters of the state resulting in pollution in excess of the applicable pollution

89.27 standard established under this chapter;

89.28 ~~(g)~~ (ii) prohibiting or directing the abatement of any discharge of sewage, industrial

89.29 waste, or other wastes, into any waters of the state or the deposit thereof or the discharge

89.30 into any municipal disposal system where the same is likely to get into any waters of the

89.31 state in violation of this chapter and, with respect to the pollution of waters of the state,

89.32 chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and

90.1 specifying the schedule of compliance within which such prohibition or abatement must be

90.2 accomplished;

90.3 ~~(h)~~ (iii) prohibiting the storage of any liquid or solid substance or other pollutant in a

90.4 manner which does not reasonably assure proper retention against entry into any waters of

90.5 the state that would be likely to pollute any waters of the state;

90.6 ~~(i)~~ (iv) requiring the construction, installation, maintenance, and operation by any person

90.7 of any disposal system or any part thereof, or other equipment and facilities, or the

90.8 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,

90.9 or the adoption of other remedial measures to prevent, control or abate any discharge or

90.10 deposit of sewage, industrial waste or other wastes by any person;

90.11 ~~(5)~~ (v) establishing, and from time to time revising, standards of performance for new  
 90.12 sources taking into consideration, among other things, classes, types, sizes, and categories  
 90.13 of sources, processes, pollution control technology, cost of achieving such effluent reduction,  
 90.14 and any nonwater quality environmental impact and energy requirements. Said standards  
 90.15 of performance for new sources shall encompass those standards for the control of the  
 90.16 discharge of pollutants which reflect the greatest degree of effluent reduction which the  
 90.17 agency determines to be achievable through application of the best available demonstrated  
 90.18 control technology, processes, operating methods, or other alternatives, including, where  
 90.19 practicable, a standard permitting no discharge of pollutants. New sources shall encompass  
 90.20 buildings, structures, facilities, or installations from which there is or may be the discharge  
 90.21 of pollutants, the construction of which is commenced after the publication by the agency  
 90.22 of proposed rules prescribing a standard of performance which will be applicable to such  
 90.23 source. Notwithstanding any other provision of the law of this state, any point source the  
 90.24 construction of which is commenced after May 20, 1973, and which is so constructed as to  
 90.25 meet all applicable standards of performance for new sources shall, consistent with and  
 90.26 subject to the provisions of section 306(d) of the Amendments of 1972 to the Federal Water  
 90.27 Pollution Control Act, not be subject to any more stringent standard of performance for new  
 90.28 sources during a ten-year period beginning on the date of completion of such construction  
 90.29 or during the period of depreciation or amortization of such facility for the purposes of  
 90.30 section 167 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period  
 90.31 ends first. Construction shall encompass any placement, assembly, or installation of facilities  
 90.32 or equipment, including contractual obligations to purchase such facilities or equipment, at  
 90.33 the premises where such equipment will be used, including preparation work at such  
 90.34 premises;

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

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

91.10 ~~(8)~~ (viii) notwithstanding any other provision of this chapter, and with respect to the  
 91.11 pollution of waters of the state, chapter 116, requiring the achievement of more stringent  
 91.12 limitations than otherwise imposed by effluent limitations in order to meet any applicable  
 91.13 water quality standard by establishing new effluent limitations, based upon section 115.01,  
 91.14 subdivision 13, clause (b), including alternative effluent control strategies for any point  
 91.15 source or group of point sources to insure the integrity of water quality classifications,  
 91.16 whenever the agency determines that discharges of pollutants from such point source or  
 91.17 sources, with the application of effluent limitations required to comply with any standard  
 91.18 of best available technology, would interfere with the attainment or maintenance of the

91.19 water quality classification in a specific portion of the waters of the state. Prior to  
 91.20 establishment of any such effluent limitation, the agency shall hold a public hearing to  
 91.21 determine the relationship of the economic and social costs of achieving such limitation or  
 91.22 limitations, including any economic or social dislocation in the affected community or  
 91.23 communities, to the social and economic benefits to be obtained and to determine whether  
 91.24 or not such effluent limitation can be implemented with available technology or other  
 91.25 alternative control strategies. If a person affected by such limitation demonstrates at such  
 91.26 hearing that, whether or not such technology or other alternative control strategies are  
 91.27 available, there is no reasonable relationship between the economic and social costs and  
 91.28 the benefits to be obtained, such limitation shall not become effective and shall be adjusted  
 91.29 as it applies to such person;

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

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

92.3 ~~(6)~~ (6) to require to be submitted and to approve plans and specifications for disposal  
 92.4 systems or point sources, or any part thereof and to inspect the construction thereof for  
 92.5 compliance with the approved plans and specifications thereof;

92.6 ~~(7)~~ (7) to prescribe and alter rules, not inconsistent with law, for the conduct of the  
 92.7 agency and other matters within the scope of the powers granted to and imposed upon it by  
 92.8 this chapter and, with respect to pollution of waters of the state, in chapter 116, provided  
 92.9 that every rule affecting any other department or agency of the state or any person other  
 92.10 than a member or employee of the agency shall be filed with the secretary of state;

92.11 ~~(8)~~ (8) to conduct such investigations, issue such notices, public and otherwise, and hold  
 92.12 such hearings as are necessary or which it may deem advisable for the discharge of its duties  
 92.13 under this chapter and, with respect to the pollution of waters of the state, under chapter  
 92.14 116, including, but not limited to, the issuance of permits, and to authorize any member,  
 92.15 employee, or agent appointed by it to conduct such investigations or, issue such notices and  
 92.16 hold such hearings;

92.17 ~~(9)~~ (9) for the purpose of water pollution control planning by the state and pursuant to  
 92.18 the Federal Water Pollution Control Act, as amended, to establish and revise planning areas,  
 92.19 adopt plans and programs and continuing planning processes, including, but not limited to,  
 92.20 basin plans and areawide waste treatment management plans, and to provide for the  
 92.21 implementation of any such plans by means of, including, but not limited to, standards, plan  
 92.22 elements, procedures for revision, intergovernmental cooperation, residual treatment process  
 92.23 waste controls, and needs inventory and ranking for construction of disposal systems;

92.24 ~~(j)~~ (10) to train water pollution control personnel; and charge such fees therefor as are  
 92.25 for the training as necessary to cover the agency's costs. The fees under this clause are  
 92.26 subject to legislative approval under section 16A.1283. All such fees received shall be paid  
 92.27 into the state treasury and credited to the Pollution Control Agency training account;

92.28 ~~(k)~~ (11) to impose as additional conditions in permits to publicly owned disposal systems  
 92.29 appropriate measures to insure compliance by industrial and other users with any pretreatment  
 92.30 standard, including, but not limited to, those related to toxic pollutants, and any system of  
 92.31 user charges ratably as is hereby required under state law or said Federal Water Pollution  
 92.32 Control Act, as amended, or any regulations or guidelines promulgated thereunder;

93.1 ~~(l)~~ (12) to set a period not to exceed five years for the duration of any national pollutant  
 93.2 discharge elimination system permit or not to exceed ten years for any permit issued as a  
 93.3 state disposal system permit only;

93.4 ~~(m)~~ (13) to require each governmental subdivision identified as a permittee for a  
 93.5 wastewater treatment works to evaluate in every odd-numbered year the condition of its  
 93.6 existing system and identify future capital improvements that will be needed to attain or  
 93.7 maintain compliance with a national pollutant discharge elimination system or state disposal  
 93.8 system permit; and

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

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

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

134.4 Sec. 2. Minnesota Statutes 2020, section 115.03, subdivision 1, is amended to read:

134.5 Subdivision 1. **Generally.** The agency is hereby given and charged with the following  
 134.6 powers and duties:

134.7 (a) to administer and enforce all laws relating to the pollution of any of the waters of  
 134.8 the state;

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

- 134.11 enforcement of pollution laws, and to make such classification of the waters of the state as  
134.12 it may deem advisable;
- 134.13 (c) to establish and alter such reasonable pollution standards for any waters of the state  
134.14 in relation to the public use to which they are or may be put as it shall deem necessary for  
134.15 the purposes of this chapter and, with respect to the pollution of waters of the state, chapter  
134.16 116;
- 134.17 (d) to encourage waste treatment, including advanced waste treatment, instead of stream  
134.18 low-flow augmentation for dilution purposes to control and prevent pollution;
- 134.19 (e) to adopt, issue, reissue, modify, deny, ~~or~~ revoke, reopen, enter into, or enforce  
134.20 reasonable orders, permits, variances, standards, rules, schedules of compliance, and  
134.21 stipulation agreements, under such conditions as it may prescribe, in order to prevent, control  
134.22 or abate water pollution, or for the installation or operation of disposal systems or parts  
134.23 thereof, or for other equipment and facilities:
- 134.24 (1) requiring the discontinuance of the discharge of sewage, industrial waste or other  
134.25 wastes into any waters of the state resulting in pollution in excess of the applicable pollution  
134.26 standard established under this chapter;
- 134.27 (2) prohibiting or directing the abatement of any discharge of sewage, industrial waste,  
134.28 or other wastes, into any waters of the state or the deposit thereof or the discharge into any  
134.29 municipal disposal system where the same is likely to get into any waters of the state in  
134.30 violation of this chapter and, with respect to the pollution of waters of the state, chapter  
134.31 116, or standards or rules promulgated or permits issued pursuant thereto, and specifying  
134.32 the schedule of compliance within which such prohibition or abatement must be  
134.33 accomplished;
- 135.1 (3) prohibiting the storage of any liquid or solid substance or other pollutant in a manner  
135.2 which does not reasonably assure proper retention against entry into any waters of the state  
135.3 that would be likely to pollute any waters of the state;
- 135.4 (4) requiring the construction, installation, maintenance, and operation by any person  
135.5 of any disposal system or any part thereof, or other equipment and facilities, or the  
135.6 reconstruction, alteration, or enlargement of its existing disposal system or any part thereof,  
135.7 or the adoption of other remedial measures to prevent, control or abate any discharge or  
135.8 deposit of sewage, industrial waste or other wastes by any person;
- 135.9 (5) establishing, and from time to time revising, standards of performance for new sources  
135.10 taking into consideration, among other things, classes, types, sizes, and categories of sources,  
135.11 processes, pollution control technology, cost of achieving such effluent reduction, and any  
135.12 nonwater quality environmental impact and energy requirements. Said standards of  
135.13 performance for new sources shall encompass those standards for the control of the discharge  
135.14 of pollutants which reflect the greatest degree of effluent reduction which the agency  
135.15 determines to be achievable through application of the best available demonstrated control  
135.16 technology, processes, operating methods, or other alternatives, including, where practicable,



135.17 a standard permitting no discharge of pollutants. New sources shall encompass buildings,  
135.18 structures, facilities, or installations from which there is or may be the discharge of pollutants,  
135.19 the construction of which is commenced after the publication by the agency of proposed  
135.20 rules prescribing a standard of performance which will be applicable to such source.  
135.21 Notwithstanding any other provision of the law of this state, any point source the construction  
135.22 of which is commenced after May 20, 1973, and which is so constructed as to meet all  
135.23 applicable standards of performance for new sources shall, consistent with and subject to  
135.24 the provisions of section 306(d) of the Amendments of 1972 to the Federal Water Pollution  
135.25 Control Act, not be subject to any more stringent standard of performance for new sources  
135.26 during a ten-year period beginning on the date of completion of such construction or during  
135.27 the period of depreciation or amortization of such facility for the purposes of section 167  
135.28 or 169, or both, of the Federal Internal Revenue Code of 1954, whichever period ends first.  
135.29 Construction shall encompass any placement, assembly, or installation of facilities or  
135.30 equipment, including contractual obligations to purchase such facilities or equipment, at  
135.31 the premises where such equipment will be used, including preparation work at such  
135.32 premises;

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

136.1 (7) requiring the owner or operator of any disposal system or any point source to establish  
136.2 and maintain such records, make such reports, install, use, and maintain such monitoring  
136.3 equipment or methods, including where appropriate biological monitoring methods, sample  
136.4 such effluents in accordance with such methods, at such locations, at such intervals, and in  
136.5 such a manner as the agency shall prescribe, and providing such other information as the  
136.6 agency may reasonably require;

136.7 (8) notwithstanding any other provision of this chapter, and with respect to the pollution  
136.8 of waters of the state, chapter 116, requiring the achievement of more stringent limitations  
136.9 than otherwise imposed by effluent limitations in order to meet any applicable water quality  
136.10 standard by establishing new effluent limitations, based upon section 115.01, subdivision  
136.11 13, clause (b), including alternative effluent control strategies for any point source or group  
136.12 of point sources to insure the integrity of water quality classifications, whenever the agency  
136.13 determines that discharges of pollutants from such point source or sources, with the  
136.14 application of effluent limitations required to comply with any standard of best available  
136.15 technology, would interfere with the attainment or maintenance of the water quality  
136.16 classification in a specific portion of the waters of the state. Prior to establishment of any  
136.17 such effluent limitation, the agency shall hold a public hearing to determine the relationship  
136.18 of the economic and social costs of achieving such limitation or limitations, including any  
136.19 economic or social dislocation in the affected community or communities, to the social and  
136.20 economic benefits to be obtained and to determine whether or not such effluent limitation  
136.21 can be implemented with available technology or other alternative control strategies. If a  
136.22 person affected by such limitation demonstrates at such hearing that, whether or not such  
136.23 technology or other alternative control strategies are available, there is no reasonable

- 136.24 relationship between the economic and social costs and the benefits to be obtained, such  
136.25 limitation shall not become effective and shall be adjusted as it applies to such person;
- 136.26 (9) modifying, in its discretion, any requirement or limitation based upon best available  
136.27 technology with respect to any point source for which a permit application is filed after July  
136.28 1, 1977, upon a showing by the owner or operator of such point source satisfactory to the  
136.29 agency that such modified requirements will represent the maximum use of technology  
136.30 within the economic capability of the owner or operator and will result in reasonable further  
136.31 progress toward the elimination of the discharge of pollutants; ~~and~~
- 136.32 (10) requiring that applicants for wastewater discharge permits evaluate in their  
136.33 applications the potential reuses of the discharged wastewater; and
- 136.34 (11) requiring parties who enter into a negotiated agreement to settle an enforcement  
136.35 matter with the agency to reimburse the agency according to this clause for oversight costs  
137.1 that are incurred by the agency and associated with implementing the negotiated agreement.  
137.2 The agency may recover oversight costs exceeding \$25,000. Oversight costs include  
137.3 personnel and direct costs associated with inspections, sampling, monitoring, modeling,  
137.4 risk assessment, permit writing, engineering review, economic analysis and review, and  
137.5 other record or document review. Only oversight costs incurred after executing the negotiated  
137.6 agreement are covered by this clause. The agency's legal and litigation costs are not covered  
137.7 by this clause. The commissioner has discretion as to whether to apply this clause in cases  
137.8 when the agency is using schedules of compliance to bring a class of regulated parties into  
137.9 compliance. Reimbursement amounts are appropriated to the commissioner;
- 137.10 (f) to require to be submitted and to approve plans and specifications for disposal systems  
137.11 or point sources, or any part thereof and to inspect the construction thereof for compliance  
137.12 with the approved plans and specifications thereof;
- 137.13 (g) to prescribe and alter rules, not inconsistent with law, for the conduct of the agency  
137.14 and other matters within the scope of the powers granted to and imposed upon it by this  
137.15 chapter and, with respect to pollution of waters of the state, in chapter 116, provided that  
137.16 every rule affecting any other department or agency of the state or any person other than a  
137.17 member or employee of the agency shall be filed with the secretary of state;
- 137.18 (h) to conduct such investigations, issue such notices, public and otherwise, and hold  
137.19 such hearings as are necessary or which it may deem advisable for the discharge of its duties  
137.20 under this chapter and, with respect to the pollution of waters of the state, under chapter  
137.21 116, including, but not limited to, the issuance of permits, and to authorize any member,  
137.22 employee, or agent appointed by it to conduct such investigations or, issue such notices and  
137.23 hold such hearings;
- 137.24 (i) for the purpose of water pollution control planning by the state and pursuant to the  
137.25 Federal Water Pollution Control Act, as amended, to establish and revise planning areas,  
137.26 adopt plans and programs and continuing planning processes, including, but not limited to,  
137.27 basin plans and areawide waste treatment management plans, and to provide for the

- 137.28 implementation of any such plans by means of, including, but not limited to, standards, plan  
137.29 elements, procedures for revision, intergovernmental cooperation, residual treatment process  
137.30 waste controls, and needs inventory and ranking for construction of disposal systems;
- 137.31 (j) to train water pollution control personnel, and charge such fees therefor as are  
137.32 necessary to cover the agency's costs. All such fees received shall be paid into the state  
137.33 treasury and credited to the Pollution Control Agency training account;
- 138.1 (k) to impose as additional conditions in permits to publicly owned disposal systems  
138.2 appropriate measures to insure compliance by industrial and other users with any pretreatment  
138.3 standard, including, but not limited to, those related to toxic pollutants, and any system of  
138.4 user charges ratably as is hereby required under state law or said Federal Water Pollution  
138.5 Control Act, as amended, or any regulations or guidelines promulgated thereunder;
- 138.6 (l) to set a period not to exceed five years for the duration of any national pollutant  
138.7 discharge elimination system permit or not to exceed ten years for any permit issued as a  
138.8 state disposal system permit only;
- 138.9 (m) to require each governmental subdivision identified as a permittee for a wastewater  
138.10 treatment works to evaluate in every odd-numbered year the condition of its existing system  
138.11 and identify future capital improvements that will be needed to attain or maintain compliance  
138.12 with a national pollutant discharge elimination system or state disposal system permit; and
- 138.13 (n) to train subsurface sewage treatment system personnel, including persons who design,  
138.14 construct, install, inspect, service, and operate subsurface sewage treatment systems, and  
138.15 charge fees as necessary to pay the agency's costs. All fees received must be paid into the  
138.16 state treasury and credited to the agency's training account. Money in the account is  
138.17 appropriated to the agency to pay expenses related to training.
- 138.18 The information required in clause (m) must be submitted in every odd-numbered year to  
138.19 the commissioner on a form provided by the commissioner. The commissioner shall provide  
138.20 technical assistance if requested by the governmental subdivision.
- 138.21 The powers and duties given the agency in this subdivision also apply to permits issued  
138.22 under chapter 114C.
- 138.23 Sec. 3. Minnesota Statutes 2020, section 115.061, is amended to read:
- 138.24 **115.061 DUTY TO NOTIFY; AVOIDING WATER POLLUTION.**
- 138.25 (a) Except as provided in paragraph (b), it is the duty of every person to notify the agency  
138.26 immediately of the discharge, accidental or otherwise, of any substance or material under  
138.27 its control which, if not recovered, may cause pollution of waters of the state, and the  
138.28 responsible person shall recover as rapidly and as thoroughly as possible such substance or  
138.29 material and take immediately such other action as may be reasonably possible to minimize  
138.30 or abate pollution of waters of the state caused thereby.

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

139.1 (c) Promptly after notifying the agency of a discharge event under paragraph (a), a  
139.2 publicly owned treatment works or a publicly or privately owned domestic sewer system  
139.3 owner must provide notice to the potentially impacted public and to any downstream drinking  
139.4 water facility that may be impacted by the discharge event. Notice to the public and to any  
139.5 drinking water facility must be made using the most efficient communications system  
139.6 available to the facility owner, such as in person, phone call, radio, social media, webpage  
139.7 or another expedited form. In addition, signage must be posted at all impacted public use  
139.8 areas within the same jurisdiction or notification must be provided to the entity that has  
139.9 jurisdiction over any impacted public use areas. A notice under this paragraph must include  
139.10 the date and time of the release, a description of the material released, a warning of the  
139.11 potential public health risk, and the permittee's contact information.

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

139.13 Sec. 4. Minnesota Statutes 2020, section 115.071, subdivision 1, is amended to read:

139.14 Subdivision 1. **Remedies available.** The provisions of sections 103F.701 to 103F.755,  
139.15 this chapter and chapters 114C, 115A, and 116, and sections 325E.10 to 325E.1251 and  
139.16 325E.32 and all rules, standards, orders, stipulation agreements, schedules of compliance,  
139.17 and permits adopted or issued by the agency thereunder or under any other law now in force  
139.18 or hereafter enacted for the prevention, control, or abatement of pollution may be enforced  
139.19 by any one or any combination of the following: criminal prosecution; action to recover  
139.20 civil penalties; injunction; action to compel or cease performance; or other appropriate  
139.21 action, in accordance with the provisions of said chapters and this section.

139.22 Sec. 5. Minnesota Statutes 2020, section 115.071, is amended by adding a subdivision to  
139.23 read:

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

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

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

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

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

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

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

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

140.11 Sec. 6. Minnesota Statutes 2020, section 115.071, subdivision 4, is amended to read:

140.12 Subd. 4. **Injunctions.** Any violation of the provisions, rules, standards, orders, stipulation  
140.13 agreements, variances, schedules of compliance, or permits specified in this chapter and  
140.14 chapters 114C and 116 ~~shall constitute~~ constitutes a public nuisance and may be enjoined  
140.15 as provided by law in an action, in the name of the state, brought by the attorney general.  
140.16 Injunctive relief under this subdivision may include but is not limited to a requirement that  
140.17 a facility or person immediately cease operation or activities until such time as the  
140.18 commissioner has reasonable assurance that renewed operation or activities will not violate  
140.19 state pollution requirements, cause harm to human health, or result in a serious violation of  
140.20 an applicable permit.

140.21 Sec. 7. Minnesota Statutes 2020, section 115.071, is amended by adding a subdivision to  
140.22 read:

140.23 Subd. 8. **Stipulation agreements.** In exercising enforcement powers over a term of a  
140.24 stipulation agreement when a party asserts a good cause or force majeure claim for an  
140.25 extension of time to comply with a stipulated term, the commissioner must not grant the  
140.26 extension if the assertion is based solely on increased costs.

140.27 Sec. 8. Minnesota Statutes 2020, section 115.071, is amended by adding a subdivision to  
140.28 read:

140.29 Subd. 9. **Compliance when required permit not obtained.** The commissioner may  
140.30 require a person or facility that fails to obtain a required permit to comply with any terms  
140.31 of a permit that would have been issued had the person or facility obtained a permit, including  
141.1 but not limited to reporting, monitoring, controlling pollutant discharge, and creating and  
141.2 implementing operations and maintenance plans. The person or facility is subject to liability  
141.3 and penalties, including criminal liability, for failing to operate in compliance with a permit  
141.4 not obtained beginning at the time a permit should have been obtained.

93.21 Sec. 97. Minnesota Statutes 2020, section 115.455, is amended to read:

93.22 **115.455 EFFLUENT LIMITATIONS; COMPLIANCE.**

93.23 To the extent allowable under federal law, for a municipality that constructs a publicly  
93.24 owned treatment works or for an industrial national pollutant discharge elimination system

93.25 and state disposal system permit holder that constructs a treatment works to comply with a  
 93.26 new or modified effluent limitation, compliance with any new or modified effluent limitation  
 93.27 adopted after construction begins that would require additional capital investment is required  
 93.28 no sooner than 16 years after the date the facility begins operating.

93.29 Sec. 98. Minnesota Statutes 2020, section 115.77, subdivision 1, is amended to read:

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

94.3 Sec. 99. Minnesota Statutes 2020, section 115.84, subdivision 2, is amended to read:

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

94.7 Sec. 100. Minnesota Statutes 2020, section 115.84, subdivision 3, is amended to read:

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

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

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

94.18 Sec. 101. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
 94.19 to read:

94.20 Subd. 1a. **Advanced recycling.** "Advanced recycling" means a manufacturing process  
 94.21 for converting post-use polymers and recovered feedstocks into basic hydrocarbon raw  
 94.22 materials, feedstocks, chemicals, liquid fuels, and other products like waxes and lubricants  
 94.23 through processes that include pyrolysis, gasification, depolymerization, catalytic cracking,  
 94.24 reforming, hydrogenation, solvolysis, and other similar technologies. The recycled products  
 94.25 produced at advanced recycling facilities include but are not limited to monomers, oligomers,  
 94.26 plastics, plastics and chemical feedstocks, basic and unfinished chemicals, crude oil, naphtha,  
 94.27 liquid transportation fuels, waxes, lubricants, coatings, and other basic hydrocarbons.  
 94.28 Advanced recycling is not processing, treatment, resource recovery, incineration, or waste  
 94.29 management.

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

95.1 Sec. 102. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
95.2 to read:

95.3 Subd. 1b. **Advanced recycling facility.** "Advanced recycling facility" means a facility  
95.4 that receives, stores, and converts post-use polymers and recovered feedstocks it receives  
95.5 using advanced recycling. An advanced recycling facility is a manufacturing facility subject  
95.6 to applicable agency manufacturing regulations for air, water, waste, and land use. An  
95.7 advanced recycling facility is not a solid waste facility, waste facility, or resource recovery  
95.8 facility.

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

95.10 Sec. 103. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
95.11 to read:

95.12 Subd. 7b. **Depolymerization.** "Depolymerization" means a manufacturing process where  
95.13 post-use polymers are broken into smaller molecules such as monomers and oligomers or  
95.14 raw, intermediate, or final products, plastics and chemical feedstocks, basic and unfinished  
95.15 chemicals, crude oil, naphtha, liquid transportation fuels, waxes, lubricants, coatings, and  
95.16 other basic hydrocarbons.

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

95.18 Sec. 104. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
95.19 to read:

95.20 Subd. 10b. **Gasification.** "Gasification" means a manufacturing process through which  
95.21 recovered feedstocks are heated and converted into a fuel-gas mixture in an oxygen-deficient  
95.22 atmosphere and the mixture is converted into valuable raw materials and intermediate and  
95.23 final products, including but not limited to plastic monomers, chemicals, waxes, lubricants,  
95.24 chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blend stocks, home  
95.25 heating oil, and other fuels including ethanol and transportation fuel, that are returned to  
95.26 economic utility in the form of raw materials, products, or fuels.

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

141.5 Sec. 9. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to  
141.6 read:

141.7 Subd. 10b. **Environmental justice.** "Environmental justice" means that:

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

95.28 Sec. 105. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
95.29 to read:

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

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

96.1 (2) is not mixed with solid waste or hazardous waste on site or during processing at the  
96.2 advanced recycling facility;

96.3 (3) is used or intended to be used as a feedstock for manufacturing crude oil, fuels,  
96.4 feedstocks, blend stocks, raw materials, or other intermediate products or final products  
96.5 using advanced recycling;

96.6 (4) has been sorted from solid waste and other regulated waste but may contain residual  
96.7 amounts of solid waste such as organic material and incidental contaminants or impurities  
96.8 such as paper labels and metal rings; and

96.9 (5) is processed at an advanced recycling facility or held at an advanced recycling facility  
96.10 before processing.

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

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

141.16 Sec. 10. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
141.17 to read:

141.18 Subd. 10c. **Environmental justice area.** "Environmental justice area" means one or  
141.19 more census blocks in Minnesota:

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

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

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

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

141.26 (2) within Indian country, as defined in United State Code, title 18, section 1151.



96.12 Sec. 106. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
96.13 to read:

96.14 Subd. 24d. **Pyrolysis.** "Pyrolysis" means a manufacturing process through which post-use  
96.15 polymers are heated in an oxygen-deficient atmosphere until melted and thermally  
96.16 decomposed and then cooled, condensed, and converted into valuable raw materials and  
96.17 intermediate and final products, including but not limited to plastic monomers, chemicals,  
96.18 waxes, lubricants, chemical feedstocks, crude oil, diesel, gasoline, diesel and gasoline blend  
96.19 stocks, home heating oil, and other fuels including ethanol and transportation fuel, that are  
96.20 returned to economic utility in the form of raw materials, products, or fuels.

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

96.22 Sec. 107. Minnesota Statutes 2020, section 115A.03, subdivision 25, is amended to read:

96.23 Subd. 25. **Processing.** "Processing" means the treatment of waste after collection and  
96.24 before disposal. Processing includes but is not limited to reduction, storage, separation,  
96.25 exchange, resource recovery, physical, chemical, or biological modification, and transfer  
96.26 from one waste facility to another. Processing does not include advanced recycling.

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

96.28 Sec. 108. Minnesota Statutes 2020, section 115A.03, subdivision 25d, is amended to read:

96.29 Subd. 25d. **Refuse-derived fuel.** "Refuse-derived fuel" means a product resulting from  
96.30 the processing of mixed municipal solid waste in a manner that reduces the quantity of  
96.31 noncombustible material present in the waste, reduces the size of waste components through  
97.1 shredding or other mechanical means, and produces a fuel suitable for combustion in existing  
97.2 or new solid fuel-fired boilers. Fuels produced using advanced recycling are not  
97.3 refuse-derived fuels.

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

97.5 Sec. 109. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
97.6 to read:

97.7 Subd. 25e. **Recovered feedstock.** "Recovered feedstock" means one or more of the  
97.8 following materials that has been processed so that it may be used as feedstock in an advanced  
97.9 recycling facility:

97.10 (1) post-use polymers; and

97.11 (2) materials for which the United States Environmental Protection Agency has made  
97.12 a nonwaste determination under Code of Federal Regulations, title 40, section 241.3(c), or  
97.13 has otherwise determined are feedstocks and not solid waste.

97.14 Recovered feedstock does not include unprocessed municipal solid waste. Recovered  
97.15 feedstock is not mixed with solid waste or hazardous waste on site or during processing at  
97.16 an advanced recycling facility.

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

97.18 Sec. 110. Minnesota Statutes 2020, section 115A.03, subdivision 27, is amended to read:

97.19 Subd. 27. **Resource recovery.** "Resource recovery" means the reclamation for sale, use,  
97.20 or reuse of materials, substances, energy, or other products contained within or derived from  
97.21 waste. Resource recovery does not include advanced recycling.

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

97.23 Sec. 111. Minnesota Statutes 2020, section 115A.03, subdivision 28, is amended to read:

97.24 Subd. 28. **Resource recovery facility.** "Resource recovery facility" means a waste  
97.25 facility established and used primarily for resource recovery, including related and  
97.26 appurtenant facilities such as transmission facilities and transfer stations primarily serving  
97.27 the resource recovery facility. An advanced recycling facility is not a resource recovery  
97.28 facility.

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

98.1 Sec. 112. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision  
98.2 to read:

98.3 Subd. 32e. **Solvolysis.** "Solvolysis" means a manufacturing process through which  
98.4 post-use polymers are reacted with the aid of solvents while heated at low temperatures or  
98.5 pressurized, or both, to make useful products while allowing additives and contaminants to  
98.6 be separated. The products of solvolysis include but are not limited to monomers,  
98.7 intermediates, and valuable raw materials. The process includes but is not limited to  
98.8 hydrolysis, aminolysis, ammonolysis, methanolysis, and glycolysis.

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

98.10 Sec. 113. Minnesota Statutes 2020, section 115A.03, subdivision 34, is amended to read:

98.11 Subd. 34. **Waste.** "Waste" means solid waste, sewage sludge, and hazardous waste.  
98.12 Waste does not include post-use polymers or recovered feedstocks.

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

98.14 Sec. 114. Minnesota Statutes 2020, section 115A.03, subdivision 35, is amended to read:

98.15 Subd. 35. **Waste facility.** "Waste facility" means all property, real or personal, including  
98.16 negative and positive easements and water and air rights, which is or may be needed or  
98.17 useful for the processing or disposal of waste, except property for the collection of the waste  
98.18 and property used primarily for the manufacture of scrap metal or paper. Waste facility

98.19 includes but is not limited to transfer stations, processing facilities, and disposal sites and  
98.20 facilities. An advanced recycling facility is not a waste facility.

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

98.22 Sec. 115. Minnesota Statutes 2020, section 115A.03, subdivision 36, is amended to read:

98.23 Subd. 36. **Waste management.** "Waste management" means activities which are intended  
98.24 to affect or control the generation of waste and activities which provide for or control the  
98.25 collection, processing and disposal of waste. Waste management does not include advanced  
98.26 recycling.

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

141.27 Sec. 11. Minnesota Statutes 2020, section 115A.1310, subdivision 12b, is amended to  
141.28 read:

141.29 Subd. 12b. **Phase II recycling credits.** "Phase II recycling credits" means the number  
141.30 of pounds of covered electronic devices recycled by a manufacturer during a program year  
142.1 beginning July 1, 2019, and thereafter, from households located outside the 11-county  
142.2 metropolitan area, as defined in section 115A.1314, subdivision 2, less the manufacturer's  
142.3 recycling obligation calculated for the same program year in section 115A.1320, subdivision  
142.4 1, paragraph (g); an amount calculated in a program year beginning July 1, 2019, and in  
142.5 each program year thereafter, according to the formula  $(1.5 \times A) - (B - C)$ , where:

142.6 A = the number of pounds of covered electronic devices a manufacturer recycled or  
142.7 arranged to have collected and recycled during a program year from households located  
142.8 outside the 11-county metropolitan area, as defined in section 115A.1314, subdivision 2;

142.9 B = the manufacturer's recycling obligation calculated for the same program year in  
142.10 section 115A.1320, subdivision 1, paragraph (g); and

142.11 C = the number of pounds of covered electronic devices a manufacturer recycled or  
142.12 arranged to have collected and recycled, up to but not exceeding B, during the same program  
142.13 year from households in the 11-county metropolitan area.

142.14 Sec. 12. Minnesota Statutes 2020, section 115A.1312, subdivision 1, is amended to read:

142.15 Subdivision 1. **Requirements for sale.** (a) On or after September 1, 2007, a manufacturer  
142.16 must not sell or offer for sale or deliver to retailers for subsequent sale a new video display  
142.17 device unless:

142.18 (1) the video display device is labeled with the manufacturer's brand, which label is  
142.19 permanently affixed and readily visible; and

142.20 (2) the manufacturer has filed a registration with the agency, as specified in subdivision  
142.21 2.

- 142.22 (b) On or after February 1, 2008, a retailer who sells or offers for sale a new video display  
142.23 device to a household must, before the initial offer for sale, review the agency website  
142.24 specified in subdivision 2, paragraph (g), to determine that all new video display devices  
142.25 that the retailer is offering for sale are labeled with the manufacturer's brands that are  
142.26 registered with the agency.
- 142.27 (b) A retailer must not sell, offer for sale, rent, or lease a video display device unless  
142.28 the video display device is labeled according to this subdivision and listed as registered on  
142.29 the agency website according to subdivision 2.
- 142.30 (c) A retailer is not responsible for an unlawful sale under this subdivision if the  
142.31 manufacturer's registration expired or was revoked and the retailer took possession of the  
143.1 video display device prior to the expiration or revocation of the manufacturer's registration  
143.2 and the unlawful sale occurred within six months after the expiration or revocation.
- 143.3 Sec. 13. Minnesota Statutes 2020, section 115A.1314, subdivision 1, is amended to read:
- 143.4 Subdivision 1. **Registration fee.** (a) Each manufacturer who registers under section  
143.5 115A.1312 must, by August 15 each year, pay to the commissioner of revenue an annual  
143.6 registration fee, on a form and in a manner prescribed by the commissioner of revenue. The  
143.7 commissioner of revenue must deposit the fee in the state treasury and credit the fee to the  
143.8 environmental fund.
- 143.9 (b) The registration fee for manufacturers that sell 100 or more video display devices  
143.10 to households in the state during the previous calendar year is \$2,500, plus a variable  
143.11 recycling fee. The registration fee for manufacturers that sell fewer than 100 video display  
143.12 devices in the state during the previous calendar year is a variable recycling fee. The variable  
143.13 recycling fee is calculated according to the formula:
- 143.14  $[A - (B + C)] \times D$ , where:
- 143.15 A = the manufacturer's recycling obligation as determined under section 115A.1320;
- 143.16 B = the number of pounds of covered electronic devices recycled by that a manufacturer  
143.17 recycled or arranged to have collected and recycled from households during the immediately  
143.18 preceding program year, as reported under section 115A.1316, subdivision 1;
- 143.19 C = the number of phase I or phase II recycling credits a manufacturer elects to use to  
143.20 calculate the variable recycling fee; and
- 143.21 D = the estimated per-pound cost of recycling, initially set at \$0.50 per pound for  
143.22 manufacturers who recycle less than 50 percent of the manufacturer's recycling obligation;  
143.23 \$0.40 per pound for manufacturers who recycle at least 50 percent but less than 90 percent  
143.24 of the manufacturer's recycling obligation; \$0.30 per pound for manufacturers who recycle  
143.25 at least 90 percent but less than 100 percent of the manufacturer's recycling obligation; and  
143.26 \$0.00 per pound for manufacturers who recycle 100 percent or more of the manufacturer's  
143.27 recycling obligation.

- 143.28 (c) A manufacturer may petition the agency to waive the per-pound cost of recycling  
143.29 fee, element D in the formula in paragraph (b), required under this section. The agency shall  
143.30 direct the commissioner of revenue to waive the per-pound cost of recycling fee if the  
143.31 manufacturer demonstrates to the agency's satisfaction a good faith effort to meet its recycling  
143.32 obligation as determined under section 115A.1320. The petition must include:
- 144.1 (1) documentation that the manufacturer has met at least 75 percent of its recycling  
144.2 obligation as determined under section 115A.1320;
- 144.3 (2) a list of political subdivisions and public and private collectors with whom the  
144.4 manufacturer had a formal contract or agreement in effect during the previous program year  
144.5 to recycle or collect covered electronic devices;
- 144.6 (3) the total amounts of covered electronic devices collected from both within and outside  
144.7 of the 11-county metropolitan area, as defined in subdivision 2;
- 144.8 (4) a description of the manufacturer's best efforts to meet its recycling obligation as  
144.9 determined under section 115A.1320; and
- 144.10 (5) any other information requested by the agency.
- 144.11 (d) A manufacturer may retain phase I and phase II recycling credits to be added, in  
144.12 whole or in part, to the actual value of C, as reported under section 115A.1316, subdivision  
144.13 2, during any succeeding program year, provided that no more than 25 percent of a  
144.14 manufacturer's recycling obligation (~~A × B~~) for any program year may be met with phase  
144.15 I and phase II recycling credits, separately or in combination, generated in a prior program  
144.16 year. A manufacturer may sell any portion or all of its phase I and phase II recycling credits  
144.17 to another manufacturer, at a price negotiated by the parties, who may use the credits in the  
144.18 same manner.
- 144.19 (e) For the purpose of determining B in calculating a manufacturer's variable recycling  
144.20 fee using the formula under paragraph (b), starting with the program year beginning July  
144.21 1, 2019, and continuing each year thereafter, the weight of covered electronic devices  
144.22 ~~collected from~~ that a manufacturer recycled or arranged to have collected and recycled from  
144.23 households located outside the 11-county metropolitan area, as defined in subdivision 2,  
144.24 paragraph (b), is calculated at 1.5 times their actual weight.
- 144.25 Sec. 14. Minnesota Statutes 2020, section 115A.1316, subdivision 1, is amended to read:
- 144.26 Subdivision 1. **Manufacturer reporting requirements.** ~~(a) By August 1, 2016, each~~  
144.27 ~~manufacturer must report to the agency using the form prescribed:~~
- 144.28 (1) the total weight of each specific model of its video display devices sold to households  
144.29 during the previous program year; and
- 144.30 ~~(2) either:~~

- 144.31 ~~(i) the total weight of its video display devices sold to households during the previous~~  
144.32 ~~program year; or~~
- 145.1 ~~(ii) an estimate of the total weight of its video display devices sold to households during~~  
145.2 ~~the previous program year, calculated by multiplying the weight of its video display devices~~  
145.3 ~~sold nationally times the quotient of Minnesota's population divided by the national~~  
145.4 ~~population. All manufacturers with sales of 99 or fewer video display devices to households~~  
145.5 ~~in the state during the previous calendar year must report using the method under this item~~  
145.6 ~~for calculating sales.~~
- 145.7 ~~(b) (a) By March 1, 2017, and each March 1 thereafter each year, each manufacturer~~  
145.8 ~~must report to the agency using the form prescribed:~~
- 145.9 ~~(1) the total weight of each specific model of its video display devices sold to households~~  
145.10 ~~during the previous calendar year; and~~
- 145.11 ~~(2) either:~~
- 145.12 ~~(i) the total weight of its video display devices sold to households during the previous~~  
145.13 ~~calendar year; or~~
- 145.14 ~~(ii) an estimate of the total weight of its video display devices sold to households during~~  
145.15 ~~the previous calendar year, calculated by multiplying the weight of its video display devices~~  
145.16 ~~sold nationally times the quotient of Minnesota's population divided by the national~~  
145.17 ~~population. All manufacturers with sales of 99 or fewer video display devices to households~~  
145.18 ~~in the state during the previous calendar year must report using the method under this item~~  
145.19 ~~for calculating sales.~~
- 145.20 ~~A manufacturer must submit with the report required under this paragraph a description of~~  
145.21 ~~how the information or estimate was calculated.~~
- 145.22 ~~(c) (b) By August 15 each year, each manufacturer must report to the department until~~  
145.23 ~~June 30, 2017, and to the agency thereafter;~~
- 145.24 ~~(1) the total weight of covered electronic devices the manufacturer collected from~~  
145.25 ~~households and recycled or arranged to have collected and recycled during the preceding~~  
145.26 ~~program year;~~
- 145.27 ~~(d) By August 15 each year, each manufacturer must report separately to the department~~  
145.28 ~~until June 30, 2017, and to the agency thereafter;~~
- 145.29 ~~(1) (2) the number of phase I and phase II recycling credits the manufacturer has~~  
145.30 ~~purchased and sold during the preceding program year;~~
- 146.1 ~~(2) (3) the number of phase I and phase II recycling credits possessed by the manufacturer~~  
146.2 ~~that the manufacturer elects to use in the calculation of its variable recycling fee under~~  
146.3 ~~section 115A.1314, subdivision 1; and~~

- 146.4 ~~(4)~~ (4) the number of phase I and phase II recycling credits the manufacturer retains at  
146.5 the beginning of the current program year.
- 146.6 ~~(c)~~ (c) Upon request of the commissioner of revenue, the agency shall provide a copy  
146.7 of each report to the commissioner of revenue.
- 146.8 Sec. 15. Minnesota Statutes 2020, section 115A.1318, subdivision 2, is amended to read:
- 146.9 Subd. 2. **Recycler responsibilities.** (a) As part of the report submitted under section  
146.10 115A.1316, subdivision 2, a recycler must certify, except as provided in paragraph (b), that  
146.11 facilities that recycle covered electronic devices, including all downstream recycling  
146.12 operations:
- 146.13 (1) use only registered collectors;
- 146.14 (2) comply with all applicable health, environmental, safety, and financial responsibility  
146.15 regulations;
- 146.16 (3) are licensed by all applicable governmental authorities;
- 146.17 (4) use no prison labor to recycle video display devices;
- 146.18 (5) possess liability insurance of not less than \$1,000,000 for environmental releases,  
146.19 accidents, and other emergencies;
- 146.20 (6) provide a report annually to each registered collector regarding the video display  
146.21 devices received from that entity; and
- 146.22 (7) do not charge collectors for the transportation and transporting, recycling of, or any  
146.23 necessary supplies related to transporting or recycling covered electronic devices that meet  
146.24 a manufacturer's recycling obligation as determined under section 115A.1320, unless  
146.25 otherwise mutually agreed upon.
- 146.26 (b) A nonprofit corporation that contracts with a correctional institution to refurbish and  
146.27 reuse donated computers in schools is exempt from paragraph (a), clauses (4) and (5).
- 146.28 (c) Except to the extent otherwise required by law and unless agreed upon otherwise by  
146.29 the recycler or manufacturer, a recycler has no responsibility for any data that may be  
146.30 contained in a covered electronic device if an information storage device is included in the  
146.31 covered electronic device.
- 147.1 Sec. 16. Minnesota Statutes 2020, section 115A.1320, subdivision 1, is amended to read:
- 147.2 Subdivision 1. **Duties of agency.** (a) The agency shall administer sections 115A.1310  
147.3 to 115A.1330.
- 147.4 (b) The agency shall establish procedures for:
- 147.5 (1) receipt and maintenance of the registration statements and certifications filed with  
147.6 the agency under section 115A.1312; and

- 147.7 (2) making the statements and certifications easily available to manufacturers, retailers,  
147.8 and members of the public.
- 147.9 (c) The agency shall annually review the following variables that are used to calculate  
147.10 a manufacturer's annual registration fee under section 115A.1314, subdivision 1:
- 147.11 (1) the obligation-setting mechanism for manufacturers as specified under paragraph  
147.12 (g);
- 147.13 (2) the estimated per-pound price of recycling covered electronic devices sold to  
147.14 households; and
- 147.15 (3) the base registration fee.
- 147.16 (d) If the agency determines that any of these values must be changed in order to improve  
147.17 the efficiency or effectiveness of the activities regulated under sections 115A.1312 to  
147.18 115A.1330, or if the revenues exceed the amount that the agency determines is necessary,  
147.19 the agency shall submit recommended changes and the reasons for them to the chairs of the  
147.20 senate and house of representatives committees with jurisdiction over solid waste policy.
- 147.21 (e) By September 1, 2016, and by May 1, 2017, and each May 1 thereafter each year,  
147.22 the agency shall publish a statewide recycling goal for all video display device waste that  
147.23 is the weight of all video display devices collected for recycling during each of the three  
147.24 most recently completed program years, excluding the most recently concluded program  
147.25 year, divided by two. For the program years beginning July 1, 2016, July 1, 2017, and July  
147.26 1, 2018, the agency shall establish and publish separate statewide recycling goals for video  
147.27 display devices as follows:
- 147.28 (1) the agency shall set the statewide recycling goal for video display devices at  
147.29 25,000,000 pounds, 23,000,000 pounds, and 21,000,000 pounds, respectively, during these  
147.30 successive program years;
- 147.31 (2) the agency shall set the recycling goal for televisions at 80 percent of the applicable  
147.32 amount in clause (1); and
- 148.1 (3) the agency shall set the recycling goal for computer monitors at 20 percent of the  
148.2 applicable amount in clause (1).
- 148.3 (f) By September 1, 2016, and by May 1, 2017, and each May 1 thereafter each year,  
148.4 the agency shall determine each registered manufacturer's market share of video display  
148.5 devices to be collected and recycled based on the manufacturer's percentage share of the  
148.6 total weight of video display devices sold as reported to the agency under section 115A.1316,  
148.7 subdivision 1.
- 148.8 (g) By September 1, 2016, and by May 1, 2017, and each May 1 thereafter each year,  
148.9 the agency shall provide each manufacturer with a determination of the manufacturer's share  
148.10 of video display devices to be collected and recycled. A manufacturer's market share of  
148.11 video display devices as specified in paragraph (f) is applied proportionally to the statewide



148.12 recycling goal as specified in paragraph (e) to determine an individual manufacturer's  
148.13 recycling obligation. Upon request by the commissioner of revenue, the agency must provide  
148.14 the information submitted to manufacturers under this paragraph to the commissioner of  
148.15 revenue.

148.16 (h) The agency shall provide a report to the governor and the legislature on the  
148.17 implementation of sections 115A.1310 to 115A.1330. For each program year, the report  
148.18 must discuss the total weight of covered electronic devices recycled and a summary of  
148.19 information in the reports submitted by manufacturers and recyclers under section 115A.1316.  
148.20 The report must also discuss the various collection programs used by manufacturers to  
148.21 collect covered electronic devices; information regarding covered electronic devices that  
148.22 are being collected by persons other than registered manufacturers, collectors, and recyclers;  
148.23 and information about covered electronic devices, if any, being disposed of in landfills in  
148.24 this state. The report must examine which covered electronic devices, based on economic  
148.25 and environmental considerations, should be subject to the obligation-setting mechanism  
148.26 under paragraph (g). The report must include a description of enforcement actions under  
148.27 sections 115A.1310 to 115A.1330. The agency may include in its report other information  
148.28 received by the agency regarding the implementation of sections 115A.1312 to 115A.1330.  
148.29 The report must be done in conjunction with the report required under section 115A.121.

148.30 (i) The agency shall promote public participation in the activities regulated under sections  
148.31 115A.1312 to 115A.1330 through public education and outreach efforts.

148.32 (j) The agency shall enforce sections 115A.1310 to 115A.1330 in the manner provided  
148.33 by sections 115.071, subdivisions 1, 3, 4, 5, and 6; and 116.072, except for those provisions  
148.34 enforced by the department, as provided in subdivision 2. The agency may revoke a  
149.1 registration of a collector or recycler found to have violated sections 115A.1310 to  
149.2 115A.1330.

149.3 (k) The agency shall facilitate communication between counties, collection and recycling  
149.4 centers, and manufacturers to ensure that manufacturers are aware of video display devices  
149.5 available for recycling.

149.6 (l) The agency shall post on its website the contact information provided by each  
149.7 manufacturer under section 115A.1318, subdivision 1, paragraph (e).

98.28 Sec. 116. **115A.143 MATTRESS RECYCLING.**

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

99.1 (b) "Brand" means a name, symbol, word, or mark that attributes a mattress to the  
99.2 producer of the mattress.

99.3 (c) "Covered entity" means a political subdivision of the state, mattress retailer, permitted  
99.4 transfer station, waste-to-energy facility, health care facility, educational facility, military  
99.5 base, or commercial or nonprofit lodging establishment that possesses a discarded mattress

99.6 that was used and discarded in this state. Covered entity does not include a renovator,  
99.7 refurbisher, or person that only transports a discarded mattress.

99.8 (d) "Discarded mattress" means a mattress that a consumer discarded, intends to discard,  
99.9 or abandoned in the state, but does not include a mattress that cannot be safely recycled  
99.10 because it is contaminated by putrescible solid waste or is substantially soiled, is infested  
99.11 with bedbugs, or poses a risk to worker health or equipment, which mattress should be  
99.12 disposed of through the existing solid waste system.

99.13 (e) "Energy recovery" means the process by which all or a portion of solid waste materials  
99.14 are processed or combusted to use the heat content or other forms of energy derived from  
99.15 the solid waste materials.

99.16 (f) "Foundation" means any ticking-covered structure that is used to support a mattress  
99.17 and that is composed of one or more of the following: a constructed frame, foam, or a box  
99.18 spring, whether stationary, adjustable, or foldable. Foundation does not include any bed  
99.19 frame or base made of wood, metal, or other material that rests upon the floor and that serves  
99.20 as a brace for a mattress.

99.21 (g) "Mattress" means any resilient material or combination of materials that is enclosed  
99.22 by ticking, used alone or in combination with other products, and that is intended or promoted  
99.23 for sleeping upon. Mattress includes any foundation and any used or renovated mattress.  
99.24 Mattress does not include any mattress pad; mattress topper; sleeping bag; pillow; car bed;  
99.25 carriage; basket; dressing table; stroller; playpen; infant carrier; lounge pad; crib or bassinet  
99.26 mattress; crib bumper; liquid or gaseous filled ticking, including any water bed and any air  
99.27 mattress that does not contain upholstery material between the ticking and the mattress core;  
99.28 or upholstered furniture, including a sleeper sofa.

99.29 (h) "Mattress core" means the principal support system that is present in a mattress,  
99.30 including but not limited to springs, foam, air bladder, water bladder, or resilient filling.

99.31 (i) "Mattress recycling council" or "council" means the nonprofit organization created  
99.32 by producers or created by any trade association that represents producers who account for  
99.33 a majority of mattress production in the United States to design, submit, and implement the  
99.34 mattress stewardship program described in subdivision 2.

100.1 (j) "Mattress stewardship fee" means the amount added to the purchase price of a mattress  
100.2 sold to a consumer or to an ultimate end user in this state that is necessary to cover the cost  
100.3 of collecting, transporting, and processing discarded mattresses by the council according  
100.4 to the mattress stewardship program.

100.5 (k) "Mattress stewardship program" or "program" means the statewide program described  
100.6 in subdivision 2 and implemented according to the mattress stewardship plan developed  
100.7 under subdivision 2.

- 100.8 (l) "Mattress topper" means an item that contains resilient filling, with or without ticking,  
100.9 that is intended to be used with or on top of a mattress.
- 100.10 (m) "Performance goal" means a metric proposed by the council to annually measure  
100.11 the performance of the mattress stewardship program, taking into consideration technical  
100.12 and economic feasibilities, in achieving continuous, meaningful improvement in the rate  
100.13 of mattress recycling in the state and any other specified goal of the program.
- 100.14 (n) "Producer" means a person who manufactures or renovates a mattress that is sold,  
100.15 offered for sale, or distributed in the state under the producer's own name or brand. Producer  
100.16 includes:
- 100.17 (1) the owner of a trademark or brand under which a mattress is sold, offered for sale,  
100.18 or distributed in this state, whether or not the trademark or brand is registered in this state;  
100.19 and
- 100.20 (2) a person who imports a mattress into the United States that is sold or offered for sale  
100.21 in this state and that is manufactured or renovated by a person who does not have a presence  
100.22 in the United States.
- 100.23 (o) "Recycling" means a process in which discarded mattresses, components, and  
100.24 by-products may lose their original identity or form as they are transformed into new, usable,  
100.25 or marketable materials. Recycling does not include using destructive incineration.
- 100.26 (p) "Renovate" or "renovation" means altering a mattress for resale, including any one  
100.27 or a combination of the following: replacing the ticking or filling, adding additional filling,  
100.28 or replacing components with new or recycled materials. Renovate or renovation does not  
100.29 include:
- 100.30 (1) stripping a mattress of its ticking or filling without adding new material;
- 100.31 (2) sanitizing or sterilizing a mattress without otherwise altering the mattress; or
- 101.1 (3) a renovator altering a mattress for a person who retains the altered mattress for  
101.2 personal use, in accordance with chapter 325F.
- 101.3 (q) "Renovator" means a person who renovates discarded mattresses to resell the  
101.4 mattresses to consumers.
- 101.5 (r) "Retailer" means a person who sells mattresses to a consumer or to an ultimate end  
101.6 user in this state or offers mattresses to a consumer in this state.
- 101.7 (s) "Sale" means transfer of title of a mattress for consideration to a consumer or an  
101.8 ultimate end user in the state, including but not limited to by means of a sales outlet, catalog,  
101.9 website, or similar electronic means.
- 101.10 (t) "Sanitizing" means directly applying chemicals to a mattress to kill human  
101.11 disease-causing pathogens.

101.12 (u) "Sterilizing" means mitigating deleterious substances or organisms, including human  
101.13 disease-causing pathogens, fungi, and insects, from a mattress or filling material using a  
101.14 chemical or heat process.

101.15 (v) "Ticking" means the outermost layer of fabric or material of a mattress. Ticking does  
101.16 not include any layer of fabric or material quilted together with, or otherwise attached to,  
101.17 the outermost layer of fabric or material of a mattress.

101.18 (w) "Upholstery material" means all material, loose or attached, between the ticking and  
101.19 the core of a mattress.

101.20 Subd. 2. **Mattress recycling council; required plan.** (a) Within 180 days after the  
101.21 effective date of this section, each producer or the producer's designee must join the mattress  
101.22 recycling council. Within 180 days after the effective date of this section, the council must  
101.23 submit a plan for approval by the commissioner to establish a statewide mattress stewardship  
101.24 program, as described in this paragraph. Retailers may participate in the council. The mattress  
101.25 stewardship program must, to the extent technologically feasible and economically practical:

101.26 (1) provide for free, convenient, and accessible statewide opportunities for receiving  
101.27 discarded mattresses from any person in the state with a discarded mattress that was used  
101.28 and discarded in the state, including but not limited to participating covered entities that  
101.29 accumulate and segregate a minimum of 100 discarded mattresses for collection at one time;

101.30 (2) provide for free collection of discarded mattresses from transfer stations that  
101.31 accumulate and segregate fewer than 50 mattresses, provided the transfer stations require  
101.32 the collection due to space or permit requirements;

102.1 (3) provide for council-financed end-of-life management for discarded mattresses  
102.2 collected according to clauses (1) and (2);

102.3 (4) provide suitable storage containers at or make other mutually agreeable storage and  
102.4 transport arrangements for permitted transfer stations for segregated, discarded mattresses,  
102.5 at no cost to the municipality, provided the transfer station makes space available for the  
102.6 purpose and imposes no fee for placement of the storage container on the transfer station's  
102.7 premises;

102.8 (5) provide that the council will conduct research as needed related to improving used  
102.9 mattress collection, dismantling, and recycling operations, including pilot programs to test  
102.10 new processes, methods, or equipment on a local, regional, or otherwise limited basis; and

102.11 (6) include a mattress stewardship fee that is sufficient to cover the costs of operating  
102.12 and administering the program.

102.13 (b) The plan submitted according to paragraph (a) must:

102.14 (1) identify each producer participating in the program;

- 102.15 (2) describe the fee structure for the program;
- 102.16 (3) establish performance goals for the first two years of the program;
- 102.17 (4) identify proposed facilities to be used by the program;
- 102.18 (5) set convenience goals and a timeline for implementing and achieving convenient  
102.19 access to the program;
- 102.20 (6) detail how the program will promote recycling discarded mattresses consistent with  
102.21 the state's solid waste management hierarchy; and
- 102.22 (7) include a description of public education regarding the program.
- 102.23 (c) The council must set the amount of the mattress stewardship fee that is added to the  
102.24 purchase price of a mattress at the point of sale. The council must establish and implement  
102.25 a fee structure that covers but does not exceed the costs of developing the plan described  
102.26 in paragraph (b), operating and administering the program described in paragraph (a), and  
102.27 maintaining a financial reserve sufficient to operate the program over multiple years in a  
102.28 fiscally prudent and responsible manner. The council must set the fee as a flat rate and not  
102.29 as a percentage of the purchase price. The council must maintain all records relating to the  
102.30 program for not less than three years.
- 102.31 (d) Under the program, recycling is preferred over any other disposal method for  
102.32 mattresses, to the extent that recycling is technologically feasible and economically practical.
- 103.1 (e) The commissioner must approve the plan for establishing the mattress stewardship  
103.2 program if the plan meets the requirements of paragraphs (a) to (d). No later than 90 days  
103.3 after the council submits the plan according to this section, the commissioner must make a  
103.4 determination whether to approve the plan. Before making the determination, the  
103.5 commissioner must post the plan on the agency's website and solicit public comments on  
103.6 the plan. If the commissioner disapproves the plan because the plan does not meet the  
103.7 requirements of paragraphs (a) to (d), the commissioner must describe the reasons for the  
103.8 disapproval in a notice of determination that the commissioner provides to the council. The  
103.9 council must revise and resubmit the plan to the commissioner no later than 45 days after  
103.10 receiving notice of the commissioner's disapproval. No later than 45 days after receiving  
103.11 the revised plan, the commissioner must review and approve or disapprove the revised plan  
103.12 and provide a notice of determination to the council. The council may resubmit a revised  
103.13 plan to the commissioner for approval no more than twice. If the council fails to submit a  
103.14 plan that is acceptable to the commissioner because it does not meet the requirements of  
103.15 paragraphs (a) to (d), the commissioner must modify a submitted plan to make it conform  
103.16 to the requirements of paragraphs (a) to (d) and approve it. No later than 180 days after  
103.17 approval of a plan according to this paragraph, the council must implement the mattress  
103.18 stewardship program. Regardless of when the program begins, the program's fiscal year  
103.19 begins January 1.

103.20 (f) The council must submit any proposed substantial change to the program to the  
103.21 commissioner for approval. If the commissioner does not disapprove a proposed substantial  
103.22 change within 90 days of receiving notice of the proposed substantial change, the proposed  
103.23 substantial change is deemed approved. For purposes of this paragraph, "substantial change"  
103.24 means:

103.25 (1) a change in the processing facilities to be used for discarded mattresses collected  
103.26 under the program; or

103.27 (2) a material change to the system for collecting mattresses.

103.28 (g) Within 90 days after the end of the program's second fiscal year, the council must  
103.29 submit updated performance goals to the commissioner that are based on the experience of  
103.30 the program during the first two years of the program.

103.31 (h) The council must notify the commissioner of other material changes to the program  
103.32 on an ongoing basis, without resubmitting the plan to the commissioner for approval. Material  
103.33 changes include but are not limited to a change in the composition, officers, or contact  
103.34 information of the council.

104.1 (i) Within 90 days after the end of the program's second fiscal year and every two years  
104.2 thereafter, the council must propose a mattress stewardship fee for all mattresses sold in  
104.3 this state. The council may propose a change to the mattress stewardship fee more frequently  
104.4 than once every two years if the council determines the change is needed to avoid funding  
104.5 shortfalls or excesses for the mattress stewardship program. Any proposed mattress  
104.6 stewardship fee must be reviewed by an auditor to ensure that the assessment does not  
104.7 exceed the cost to fund the mattress stewardship program described in paragraph (a) and to  
104.8 maintain financial reserves sufficient to operate the program over multiple years in a fiscally  
104.9 prudent and responsible manner. Not later than 60 days after the council proposes a mattress  
104.10 stewardship fee, the auditor must render an opinion to the commissioner as to whether the  
104.11 proposed mattress stewardship fee is reasonable to achieve the goals set forth in this section.  
104.12 If the auditor concludes that the mattress stewardship fee is reasonable, then the proposed  
104.13 fee goes into effect. If the auditor concludes that the mattress stewardship fee is not  
104.14 reasonable, the auditor must provide the council with written notice explaining the auditor's  
104.15 opinion. No later than 60 days after the council receives the auditor's opinion, the council  
104.16 may either propose a new mattress stewardship fee or provide written comments on the  
104.17 auditor's opinion. If the auditor concludes that the fee is not reasonable, the commissioner  
104.18 must decide, based on the auditor's opinion and any comments provided by the council,  
104.19 whether to approve the proposed mattress stewardship fee. The council must select the  
104.20 auditor. The cost of any work performed by the auditor under this paragraph and paragraph  
104.21 (k) must be paid by the mattress stewardship fee.

104.22 (j) Not later than October 15 each year, the council must submit an annual report to the  
104.23 commissioner for the most recently completed fiscal year. The commissioner must post the  
104.24 annual report on the agency's website. The report must include:

- 104.25 (1) the tonnage of mattresses collected under the program from:
- 104.26 (i) transfer stations;
- 104.27 (ii) retailers; and
- 104.28 (iii) all other covered entities;
- 104.29 (2) the tonnage of mattresses diverted for recycling;
- 104.30 (3) the weight of mattress materials recycled, as indicated by the weight of each of the
- 104.31 commodities sold to secondary markets;
- 104.32 (4) the weight of mattress materials sent for disposal at:
- 104.33 (i) waste-to-energy facilities;
- 105.1 (ii) landfills; and
- 105.2 (iii) any other facilities;
- 105.3 (5) a summary of the public education that supports the program;
- 105.4 (6) an evaluation of the effectiveness of methods and processes used to achieve
- 105.5 performance goals of the program; and
- 105.6 (7) recommendations for any changes to the program.
- 105.7 (k) Two years after the program is implemented according to paragraph (e) and every
- 105.8 three years thereafter or upon the request of the commissioner, but not more frequently than
- 105.9 once a year, the council must cause an audit of the program to be conducted by an auditor
- 105.10 as described in paragraph (i). The audit must review the accuracy of the council's data
- 105.11 concerning the program and provide any other information requested by the commissioner,
- 105.12 consistent with the requirements of this section, provided the request does not require the
- 105.13 disclosure of proprietary information or trade or business secrets. The council must pay for
- 105.14 the audit. The council must maintain all records relating to the program for at least three
- 105.15 years.
- 105.16 Subd. 3. **Charging fee; producer participation.** Upon implementation of the mattress
- 105.17 stewardship program, each manufacturer, renovator, retailer, or distributor that sells a
- 105.18 mattress to a consumer or to an ultimate end user in the state must add the mattress
- 105.19 stewardship fee to the purchase price for the mattress and must remit the fee collected to
- 105.20 the council. In each transaction, the fee must appear on the invoice and must be accompanied
- 105.21 by a brief description of the fee. The council must determine the rules and procedures
- 105.22 necessary to implement collection of the fee in a fair, efficient, and lawful manner. Any
- 105.23 producer who fails to participate in the program must not sell mattresses in this state.
- 105.24 Subd. 4. **Receipt of discarded mattresses.** Upon implementation of the mattress
- 105.25 stewardship program according to subdivision 2, paragraph (e), a covered entity that
- 105.26 participates in the program must not charge for the receipt of discarded mattresses that are

105.27 discarded in this state, except that covered entities may charge a fee for providing the service  
105.28 of collecting mattresses and may restrict the acceptance of mattresses by number, source,  
105.29 or physical condition.

149.8 Sec. 17. **[115A.40] CITATION.**

149.9 Sections 115A.40 to 115A.405 may be cited as the "Landfill Responsibility Act."

149.10 Sec. 18. **[115A.401] LEGISLATIVE GOALS AND INTENT.**

149.11 (a) It is the goal of the Landfill Responsibility Act to reduce the environmental impacts  
149.12 from all aspects of solid waste, from acquiring product material through disposing of product,  
149.13 and to prioritize the expansion of waste reduction or source reduction activities across the  
149.14 state. In accordance with the goals and policies of this chapter and the waste management  
149.15 preferences in section 115A.02, the Landfill Responsibility Act supports waste reduction  
149.16 and reuse.

149.17 (b) The legislature intends for the projects developed under the Landfill Responsibility  
149.18 Act to encourage a greater awareness of the need for and benefits of waste reduction and  
149.19 reuse and to develop a greater degree of cooperation and coordination among all elements  
149.20 of government, industry, and the public in advancing more sustainable actions.

149.21 Sec. 19. **[115A.402] DEFINITIONS.**

149.22 Subdivision 1. **Applicability.** For the purposes of sections 115A.40 to 115A.405, the  
149.23 terms defined in this section have the meanings given.

149.24 Subd. 2. **Applicable area.** "Applicable area" means an area described in a permit for a  
149.25 disposal facility that accepted mixed municipal solid waste during the immediately preceding  
149.26 year.

149.27 Subd. 3. **Covered entity.** "Covered entity" means the owner or operator of a disposal  
149.28 facility at which an applicable area is located.

149.29 Subd. 4. **Rate charged.** "Rate charged" means the total amount charged by a covered  
149.30 entity, per ton, to accept solid waste at a disposal facility for treatment, storage, processing,  
149.31 transfer, disposal, or any other purpose and includes tipping fees and service charges.

150.1 Sec. 20. **[115A.403] LANDFILL RESPONSIBILITY PROJECTS.**

150.2 Subdivision 1. **Project application and eligibility.** (a) Every three years, or more  
150.3 frequently at the commissioner's discretion, the commissioner must provide public notice  
150.4 and solicit proposals for eligible landfill responsibility projects.



- 150.5 (b) At any time after the notice is provided under paragraph (a), a person may propose  
150.6 a landfill responsibility project. Proposals must be submitted in the form and manner  
150.7 prescribed by the commissioner. At a minimum, a proposal must include:
- 150.8 (1) a description of the proposer's qualifications with waste reduction or source reduction;  
150.9 (2) a description of the scope of the project, including how the project will result in  
150.10 waste reduction or source reduction;  
150.11 (3) the expected amount of waste reduction or source reduction attributable to the project;  
150.12 (4) a description of the timeline of the project;  
150.13 (5) a detailed annual budget for the project;  
150.14 (6) identification and a description of environmental justice areas served by the project;  
150.15 (7) a description of how the project meets the following minimum requirements:  
150.16 (i) is administered in the state;  
150.17 (ii) does not supplant existing work;  
150.18 (iii) provides a high return in environmental benefits, including but not limited to reducing  
150.19 greenhouse gas emissions;  
150.20 (iv) demonstrates cost-effectiveness;  
150.21 (v) has measurable outcomes for waste reduction or source reduction; and  
150.22 (vi) includes only waste reduction or source reduction activities; and  
150.23 (8) any other information required by the commissioner to evaluate the project.
- 150.24 (c) Only waste reduction and reuse as a waste management practice under section  
150.25 115A.02, paragraph (b), clause (1), are eligible for project funding under this section. Waste  
150.26 management practices under section 115A.02, paragraph (b), clauses (2) to (6), are not  
150.27 eligible.
- 150.28 (d) The commissioner must establish and maintain a list of eligible landfill responsibility  
150.29 projects and make the list available to covered entities. The commissioner must evaluate  
150.30 proposals submitted under paragraph (b) and determine whether to include each proposal  
151.1 on the list of eligible landfill responsibility projects. The commissioner may remove a project  
151.2 from the list at any time if the project no longer meets the minimum criteria under paragraph  
151.3 (b), clause (7), or if the commissioner determines the project will not be completed as  
151.4 proposed.
- 151.5 (e) The waste reduction or source reduction activities of an eligible project as described  
151.6 in a proposal under paragraph (b) may not begin until:

- 151.7 (1) the project is included in a plan approved by the commissioner under subdivision 4;
- 151.8 or
- 151.9 (2) the proposal is rescinded or the project is removed from the eligible projects list.
- 151.10 Subd. 2. **Obligation.** (a) Each year, a covered entity must fund eligible landfill
- 151.11 responsibility projects according to this subdivision in an amount at least equal to the covered
- 151.12 entity's obligation determined under paragraph (b).
- 151.13 (b) A covered entity's obligation is three percent of the covered entity's revenue and is
- 151.14 calculated according to the formula:
- 151.15  $X=(A*B) * 0.03$
- 151.16 Where:
- 151.17 X is the total obligation that the covered entity must meet in the three-year approved
- 151.18 plan
- 151.19 A is the annual average rate charged at an applicable area during the three-year period
- 151.20 immediately preceding the date a plan must be submitted under subdivision 3
- 151.21 B is the total tons of solid waste accepted in the applicable area during the three-year
- 151.22 period immediately preceding the date a plan must be submitted under subdivision 3
- 151.23 Subd. 3. **Covered entity plans.** (a) By January 1, 2023, and every third year thereafter,
- 151.24 or more frequently as determined by the commissioner, a covered entity must submit a plan
- 151.25 to the commissioner in the form and manner prescribed by the commissioner. The plan must
- 151.26 include:
- 151.27 (1) the covered entity's obligation for the plan period as calculated in subdivision 2;
- 151.28 (2) a selection of projects from the list of eligible projects under subdivision 1, paragraph
- 151.29 (d), according to the following:
- 151.30 (i) selection must be made so that 40 percent of the obligation will directly serve
- 151.31 environmental justice areas; and
- 152.1 (ii) the total selection must include projects with budgets that annually meet or exceed
- 152.2 the covered entity's obligation for the period of the plan;
- 152.3 (3) estimated amounts of waste reduction or source reduction for each selected project,
- 152.4 categorized by material type;
- 152.5 (4) a description of how the covered entity will annually meet its obligation for each of
- 152.6 the three years in the plan period; and
- 152.7 (5) any other criteria required by the commissioner to determine the sufficiency of the
- 152.8 plan.

- 152.9 (b) The commissioner may modify dates for plan submission under paragraph (a) if the  
152.10 commissioner determines it is necessary to implement the Landfill Responsibility Act.
- 152.11 Subd. 4. **Commissioner review.** (a) Upon receiving a plan under subdivision 3, the  
152.12 commissioner must:
- 152.13 (1) notify a covered entity if a plan is incomplete, specifying the specific items that need  
152.14 to be submitted to make the plan complete;
- 152.15 (2) giving first-come first-served preference based on when a plan is submitted, require  
152.16 a covered entity to revise and resubmit a plan if the commissioner determines it necessary  
152.17 to:
- 152.18 (i) ensure that no more than 25 percent of the total obligation of all covered entities is  
152.19 allocated to a single recipient;
- 152.20 (ii) prevent duplicative selection of eligible projects;
- 152.21 (iii) prioritize fully funding individual eligible projects before selecting additional projects  
152.22 for funding; or
- 152.23 (iv) implement the Landfill Responsibility Act and remain consistent with other state  
152.24 law; and
- 152.25 (3) provide covered entities with plan approval, including any modifications required  
152.26 under this paragraph, within 45 days after the plan is submitted under subdivision 3.
- 152.27 (b) After receiving initial approval of a plan, a covered entity must revise and resubmit  
152.28 a plan for approval or disapproval if the eligible projects change during the plan period. If  
152.29 a project can no longer be completed as described, a covered entity must choose another  
152.30 project to meet its obligation. The covered entity must resubmit its plan to the commissioner  
152.31 if there is a substantial change in obligation or if an eligible project is unable to be performed  
152.32 as described.
- 153.1 Subd. 5. **Project implementation.** (a) After a plan is approved under subdivision 4, a  
153.2 covered entity must implement the plan.
- 153.3 (b) After a person receives funding from a covered entity, the covered entity and the  
153.4 person receiving funding must implement the plan according to the proposal submitted  
153.5 under subdivision 1. If a person implementing the project is no longer able to perform the  
153.6 project according to the proposal, the person must immediately notify the covered entity  
153.7 and the commissioner.
- 153.8 Subd. 6. **Reporting requirements.** (a) No later than February 1 each year, a covered  
153.9 entity must submit a report to the commissioner for the preceding calendar year. The annual  
153.10 report must be submitted in a form and manner prescribed by the commissioner and must  
153.11 include:

- 153.12 (1) a description of the covered entity's progress made toward objectives detailed in the  
153.13 plan developed under subdivision 3, including a summary of the projects completed for the  
153.14 reporting year;
- 153.15 (2) evidence, such as receipts, of meeting the covered entity's obligation for the previous  
153.16 year;
- 153.17 (3) the rate charged during the preceding calendar year;
- 153.18 (4) proof of how at least 40 percent of the covered entity's obligation is met through  
153.19 projects directly serving environmental justice; and
- 153.20 (5) any other information requested by the commissioner to determine compliance.
- 153.21 (b) No later than February 1 each year, a person receiving funding for a landfill  
153.22 responsibility project must submit a report to the commissioner for the preceding calendar  
153.23 year. The annual report must be submitted in a form and manner prescribed by the  
153.24 commissioner and must include:
- 153.25 (1) proof of the amount of funding received and the time frame for each eligible project;
- 153.26 (2) the time frame for the project;
- 153.27 (3) a description of the amount of waste reduction or source reduction achieved by the  
153.28 project during the reporting year by weight, categorized by material type;
- 153.29 (4) a description of how the project served environmental justice areas, if applicable;
- 153.30 (5) a description of how the data was measured and the activities used to achieve the  
153.31 specified waste reduction or source reduction amounts; and
- 154.1 (6) any other information requested by the commissioner to determine compliance.
- 154.2 Subd. 7. **Operating record.** A covered entity must record and maintain in an operating  
154.3 record all information used to determine the rate charged, including gate receipts and financial  
154.4 records, for a minimum of five years.
- 154.5 Subd. 8. **Duty to provide information.** If the commissioner requests information to  
154.6 determine compliance with this section, a person must furnish to the commissioner any  
154.7 information that the person may have or may reasonably obtain.
- 154.8 Sec. 21. **[115A.404] LANDFILL RESPONSIBILITY ASSESSMENT.**
- 154.9 (a) By January 1 each year, a covered entity must pay to the commissioner an assessment  
154.10 fee according to this section. The commissioner must deposit the fee in the state treasury  
154.11 and credit the fee to the environmental fund.
- 154.12 (b) The annual assessment fee is calculated for each covered entity according to the  
154.13 formula:

154.14  $X = A * (B/C)$

154.15 Where:

154.16 X is the assessment fee owed by each covered entity

154.17 A is the anticipated total annual cost to the agency to administer and implement the

154.18 Landfill Responsibility Act for the following year, as determined by the commissioner

154.19 B is the total amount of solid waste, measured in tons, disposed of in a covered entity's

154.20 applicable area or applicable areas according to the covered entity's most recent annual

154.21 report

154.22 C is the total amount of solid waste, measured in tons, disposed of in the applicable areas

154.23 at all covered entities according to the covered entities' most recent annual reports

154.24 Sec. 22. **[115A.405] WASTE COMPOSITION STUDY.**

154.25 Subdivision 1. **Waste composition study.** By January 1 each year, the commissioner

154.26 must conduct a waste composition study at covered entities. When identifying facilities for

154.27 waste composition studies, the commissioner must rotate the covered entities and each

154.28 covered entity must allow the commissioner to perform a waste composition study at least

154.29 once every three years.

155.1 Subd. 2. **Access.** The commissioner or commissioner's designee, upon presentation of

155.2 credentials, may enter upon any public or private property to take any action authorized by

155.3 this section. The covered entity must provide access to pertinent books and records and

155.4 provide reasonable accommodations for a waste composition study to be completed

155.5 accurately and safely.

155.6 Subd. 3. **Data compilation.** The commissioner must annually compile and summarize

155.7 the waste composition data. The commissioner must make the summary information available

155.8 to the public.

155.9 Sec. 23. Minnesota Statutes 2020, section 115A.5501, subdivision 3, is amended to read:

155.10 Subd. 3. **Facility cooperation and reports.** (a) The owner or operator of a facility shall

155.11 allow access upon reasonable notice to authorized agency staff for the purpose of conducting

155.12 waste composition studies or otherwise assessing the amount of total packaging in the waste

155.13 delivered to the facility under this section.

155.14 (b) ~~Beginning in 1993, by February~~ By March 1 of each year the owner or operator of

155.15 a facility governed by this subdivision shall submit a report to the commissioner, on a form

155.16 prescribed by the commissioner, specifying the total amount of solid waste received by the

155.17 facility between January 1 and December 31 of the previous year. The commissioner shall

155.18 calculate the total amount of solid waste delivered to solid waste facilities from the reports

155.19 received from the facility owners or operators and shall report the annual aggregate amount

155.20 by April 1 of each year. The commissioner shall assess a nonforgivable administrative

105.30 Sec. 117. Minnesota Statutes 2020, section 115A.565, subdivision 1, is amended to read:

105.31 Subdivision 1. **Grant program established.** The commissioner ~~shall~~ must make  
 105.32 competitive grants to political subdivisions or federally recognized tribes to establish curbside  
 105.33 recycling or composting, increase recycling or composting, reduce the amount of recyclable  
 106.1 materials entering disposal facilities, or reduce the costs associated with hauling waste by  
 106.2 locating collection sites as close as possible to the site where the waste is generated. To be  
 106.3 eligible for grants under this section, a political subdivision or federally recognized tribe  
 106.4 must be located outside the seven-county metropolitan area and a city must have a population  
 106.5 of less than 45,000.

106.6 Sec. 118. Minnesota Statutes 2020, section 115B.40, subdivision 1, is amended to read:

106.7 Subdivision 1. **Response to releases.** The commissioner may take any environmental  
 106.8 response action, including emergency action, related to a release or threatened release of a  
 106.9 hazardous substance, pollutant or contaminant, or decomposition gas from a qualified facility  
 106.10 that the commissioner deems reasonable and necessary to protect the public health or welfare  
 106.11 or the environment under the standards required in sections 115B.01 to 115B.20. The

155.21 penalty under section 116.072 of \$500 plus any forgivable amount necessary to enforce this  
 155.22 subdivision on any owner or operator who fails to submit a report required by this  
 155.23 subdivision.

155.24 Sec. 24. Minnesota Statutes 2020, section 115A.565, subdivision 1, is amended to read:

155.25 Subdivision 1. **Grant program established.** The commissioner ~~shall~~ must make  
 155.26 competitive grants to political subdivisions or federally recognized Tribes to establish  
 155.27 curbside recycling or composting, increase recycling or composting, reduce the amount of  
 155.28 recyclable materials entering disposal facilities, or reduce the costs associated with hauling  
 155.29 waste by locating collection sites as close as possible to the site where the waste is generated.  
 155.30 To be eligible for grants under this section, a political subdivision or federally recognized  
 155.31 Tribe must be located outside the seven-county metropolitan area and a city must have a  
 155.32 population of less than 45,000.

156.1 Sec. 25. Minnesota Statutes 2020, section 115B.17, subdivision 13, is amended to read:

156.2 Subd. 13. **Priorities; rules.** (a) By November 1, 1983, the Pollution Control Agency  
 156.3 shall establish a temporary list of priorities among releases or threatened releases for the  
 156.4 purpose of taking remedial action and, to the extent practicable consistent with the urgency  
 156.5 of the action, for taking removal action under this section. The temporary list, with any  
 156.6 necessary modifications, shall remain in effect until the Pollution Control Agency adopts  
 156.7 rules establishing state criteria for determining priorities among releases and threatened  
 156.8 releases. The Pollution Control Agency shall adopt the rules by July 1, 1984. After rules  
 156.9 are adopted, a permanent priority list shall be established, and may be modified from time  
 156.10 to time, using the current guidance and tools for the Hazard Ranking System adopted by  
 156.11 the federal Environmental Protection Agency and according to the criteria set forth in the  
 156.12 rules. Before any list is established under this subdivision the Pollution Control Agency  
 156.13 shall publish the list in the State Register and allow 30 days for comments on the list by the  
 156.14 public.

156.15 (b) The temporary list and the rules required by this subdivision shall be based upon the  
 156.16 relative risk or danger to public health or welfare or the environment, taking into account  
 156.17 to the extent possible the population at risk, the hazardous potential of the hazardous  
 156.18 substances at the facilities, the potential for contamination of drinking water supplies, the  
 156.19 potential for direct human contact, the potential for destruction of sensitive ecosystems, the  
 156.20 administrative and financial capabilities of the Pollution Control Agency, and other  
 156.21 appropriate factors.

- 106.12 commissioner may undertake studies necessary to determine reasonable and necessary  
106.13 environmental response actions at individual facilities. The commissioner may develop  
106.14 general work plans for environmental studies, presumptive remedies, and generic remedial  
106.15 designs for facilities with similar characteristics, as well as implement reuse and  
106.16 redevelopment strategies. Prior to selecting environmental response actions for a facility,  
106.17 the commissioner shall hold at least one public informational meeting near the facility and  
106.18 provide for receiving and responding to comments related to the selection. The commissioner  
106.19 shall design, implement, and provide oversight consistent with the actions selected under  
106.20 this subdivision.
- 106.21 **EFFECTIVE DATE.** This section is effective the day following final enactment.

- 156.22 Sec. 26. Minnesota Statutes 2020, section 115B.406, subdivision 1, is amended to read:
- 156.23 Subdivision 1. **Legislative findings.** The legislature recognizes the need to protect the  
156.24 public health and welfare and the environment at priority qualified facilities. To implement  
156.25 a timely and effective cleanup and prevent multiparty litigation, the legislature finds it is in  
156.26 the public interest to direct the commissioner of the Pollution Control Agency to:
- 156.27 (1) take environmental response actions that the commissioner deems reasonable and  
156.28 necessary to protect the public health or welfare or the environment at priority qualified  
156.29 facilities ~~and to~~;
- 156.30 (2) acquire real property interests at priority qualified facilities to ensure the completion  
156.31 and long-term effectiveness of environmental response actions; and
- 156.32 (3) prevent both an unjust financial windfall to and double liability of owners and  
156.33 operators of priority qualified facilities.
- 157.1 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
157.2 applies to actions commenced on or after January 1, 2021.
- 157.3 Sec. 27. Minnesota Statutes 2020, section 115B.406, subdivision 9, is amended to read:
- 157.4 Subd. 9. **Environmental response costs; liens.** (a) All environmental response costs  
157.5 and reasonable and necessary expenses, including administrative and legal expenses, incurred  
157.6 by the commissioner at a priority qualified facility constitute a lien in favor of the state upon  
157.7 any real property located in the state, other than homestead property, owned by the owner  
157.8 or operator of the priority qualified facility who is subject to the requirements of section  
157.9 115B.40, subdivision 4 or 5. Notwithstanding section 514.672, a lien under this paragraph  
157.10 continues until the lien is satisfied or is released according to paragraph (c).
- 157.11 (b) If the commissioner conducts an environmental response action at a priority qualified  
157.12 facility and the environmental response action increases the fair market value of the facility  
157.13 above the fair market value of the facility that existed before the response action was initiated,  
157.14 then the state has a lien on the facility for the increase in fair market value of the property

157.15 attributable to the response action, valued at the time that construction of the final  
157.16 environmental response action was completed, not including operation and maintenance.  
157.17 Notwithstanding section 514.672, a lien under this paragraph continues until the lien is  
157.18 satisfied or is released according to paragraph (c).

157.19 (c) A lien under this subdivision paragraph (a) or (b) attaches when the environmental  
157.20 response costs are first incurred. Notwithstanding section 514.672, a lien under this  
157.21 subdivision continues until the lien is satisfied or six years after completion of construction  
157.22 of the final environmental response action, not including operation and maintenance. Notice,  
157.23 filing, and release, and enforcement of the lien are governed by sections 514.671 to 514.676,  
157.24 except where those requirements specifically are related to only cleanup action expenses  
157.25 as defined in section 514.671. The commissioner may release a lien under this subdivision  
157.26 if the commissioner determines that attachment or enforcement of the lien is not in the  
157.27 public interest. A lien under this subdivision is not subject to the foreclosure limitation  
157.28 described in section 514.674, subdivision 2. Relative priority of a lien under this subdivision  
157.29 is governed by section 514.672, except that a lien attached to property that was included in  
157.30 any permit for the priority qualified facility takes precedence over all other liens regardless  
157.31 of when the other liens were or are perfected. Amounts received to satisfy all or a part of a  
157.32 lien must be deposited in the remediation fund. An environmental lien notice for a lien under  
157.33 paragraph (a) or (b) must state that it is a lien in accordance with this section and identify  
158.1 whether the property described in the notice was included in any permit for the priority  
158.2 qualified facility.

158.3 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
158.4 applies to actions commenced on or after January 1, 2021.

158.5 Sec. 28. Minnesota Statutes 2020, section 115B.407, is amended to read:

158.6 **115B.407 ACQUISITION AND DISPOSITION ACQUIRING AND DISPOSING**  
158.7 **OF REAL PROPERTY AT PRIORITY QUALIFIED FACILITIES.**

158.8 Subdivision 1. **Acquiring and disposing of real property.** (a) The commissioner may  
158.9 acquire interests in real property by donation or eminent domain at all or a portion of a  
158.10 priority qualified facility. Condemnation under this section includes acquisition of fee title  
158.11 or an easement. After acquiring an interest in real property under this section, the  
158.12 commissioner must take environmental response actions at the priority qualified facility  
158.13 according to sections 115B.39 to 115B.414 after the legislature makes an appropriation for  
158.14 that purpose.

158.15 (b) The commissioner may dispose of real property acquired under this section according  
158.16 to section 115B.17, subdivision 16.

158.17 (c) Except as modified by this section, chapter 117 governs condemnation proceedings  
158.18 by the commissioner under this section. The exceptions under section 117.189 apply to the



- 158.19 use of eminent domain authority under this section. Section 117.226 does not apply to  
158.20 properties acquired by the use of eminent domain authority under this section.
- 158.21 (d) The state is not liable under this chapter solely as a result of acquiring an interest in  
158.22 real property under this section.
- 158.23 Subd. 2. **Eminent domain damages.** (a) For purposes of this subdivision, the following  
158.24 terms have the meanings given:
- 158.25 (1) "after-market value" means the property value of that portion of the subject property  
158.26 remaining after a partial taking;
- 158.27 (2) "as remediated" means the condition of the property assuming the environmental  
158.28 response actions selected by the commissioner have been completed, including environmental  
158.29 covenants and easements and other institutional controls that may apply;
- 158.30 (3) "before-market value" means the property value of the entire subject property before  
158.31 the taking, less the remediation costs;
- 159.1 (4) "property value" means the fair market value of the real property, as remediated, less  
159.2 any reduction in value attributable to the stigma of pollution; and
- 159.3 (5) "remediation costs" means the reasonably foreseeable costs and expenses, including  
159.4 administrative and legal expenses, that the commissioner will incur to implement the  
159.5 environmental response actions that the commissioner selected for the property according  
159.6 to section 115B.406, subdivision 3, less the amount, if any, that the property owner  
159.7 demonstrates was released under section 115B.443, subdivision 8, which must not be greater  
159.8 than the extent of insurance coverage under policies for the property included in a settlement  
159.9 consistent with section 115B.443, subdivision 8.
- 159.10 (b) The damages awarded for condemnation of real property under this section is the  
159.11 greater of \$500 or:
- 159.12 (1) for a total taking of the subject property, the before-market value; or  
159.13 (2) for a partial taking of the subject property, the before-market value less the  
159.14 after-market value.
- 159.15 (c) When awarding damages in a condemnation proceeding under this section, in addition  
159.16 to any other requirement of chapter 117, the finder of fact must report:
- 159.17 (1) the amount determined for the property value of the entire subject property before  
159.18 the taking; and
- 159.19 (2) the itemized amount determined for remediation costs.

106.22 Sec. 119. **[115B.422] CLOSED LANDFILL EMERGENCY ACCOUNT.**

106.23 Subdivision 1. **Establishment; appropriation.** A closed landfill emergency account is  
106.24 established in the remediation fund. Money in the account, including interest, is appropriated  
106.25 to the commissioner for environmental response actions at qualified facilities or priority  
106.26 qualified facilities where there is an imminent and substantial danger to the health and  
106.27 welfare of the people of the state resulting from the potential contamination of drinking  
106.28 water supplies or the potential for direct human contact with a release or threatened release  
106.29 of a hazardous substance, pollutant or contaminant, or decomposition gas.

106.30 Subd. 2. **Annual report.** No later than February 1 each year, the commissioner must  
106.31 report activities and expenditures under this section to the chairs and ranking minority  
106.32 members of the legislative committees and divisions with jurisdiction over environment  
106.33 finance.

159.20 (d) The commissioner may seek recovery of environmental response costs only to the  
159.21 extent the costs exceed the lower of the remediation costs or the property value of the entire  
159.22 subject property before the taking as reported under paragraph (c).

159.23 (e) If the actual expenses incurred by the commissioner to take environmental response  
159.24 actions at the priority qualified facility as determined at the time construction of the final  
159.25 environmental response action was completed would have yielded a higher award of damages  
159.26 under this section, then the commissioner must reimburse the owner an amount equal to the  
159.27 amount of damages as if the actual expenses were used instead of the remediation costs,  
159.28 less any damages already awarded.

159.29 **EFFECTIVE DATE.** This section is effective the day following final enactment and  
159.30 applies to actions commenced on or after January 1, 2021.

160.1 Sec. 29. Minnesota Statutes 2020, section 115B.421, is amended to read:

160.2 **115B.421 CLOSED LANDFILL INVESTMENT FUND.**

160.3 (a) The closed landfill investment fund is established in the state treasury. The fund  
160.4 consists of money credited to the fund, and interest and other earnings on money in the  
160.5 fund. Beginning July 1, 2003, funds must be deposited as described in section 115B.445.  
160.6 The fund shall be managed to maximize long-term gain through the State Board of  
160.7 Investment.

160.8 ~~Money in~~ (b) Interest earned by the fund is appropriated to the commissioner and may  
160.9 be spent by the commissioner after fiscal year 2020 in accordance with sections 115B.39  
160.10 to 115B.444. By January 15 each year, the commissioner must submit a report to the chairs  
160.11 and ranking minority members of the house of representatives and senate committees and  
160.12 divisions with jurisdiction over environment policy and finance on the expenditure of money  
160.13 appropriated under this section. This paragraph expires June 30, 2025.

160.14 Sec. 30. Minnesota Statutes 2020, section 115B.49, subdivision 4, is amended to read:

160.15 Subd. 4. **Registration; fees.** (a) The owner or operator of a dry cleaning facility shall

160.16 must register on or before October 1 of each year with the commissioner of revenue in a

160.17 manner prescribed by the commissioner of revenue and pay a registration fee for the facility.

160.18 The amount of the fee is:

160.19 (1) \$500, for facilities with a full-time equivalence of fewer than five; equal to ... percent

160.20 of the facility's gross revenues for the preceding year.

160.21 (2) \$1,000, for facilities with a full-time equivalence of five to ten; and

160.22 (3) \$1,500, for facilities with a full-time equivalence of more than ten.

160.23 The registration fee must be paid on or before October 18 or the owner or operator of a dry

160.24 cleaning facility may elect to pay the fee in equal installments. Installment payments must

160.25 be paid on or before October 18, on or before January 18, on or before April 18, and on or

160.26 before June 18. All payments made after October 18 bear interest at the rate specified in

160.27 section 270C.40.

160.28 (b) A person who sells dry cleaning solvents for use by dry cleaning facilities in the state

160.29 shall collect and remit to the commissioner of revenue in the same manner prescribed by

160.30 the commissioner of revenue, for the taxes imposed under chapter 297A, a fee of:

160.31 (1) \$3.50 for each gallon of perchloroethylene sold for use by dry cleaning facilities in

160.32 the state;

161.1 (2) 70 cents for each gallon of hydrocarbon-based dry cleaning solvent sold for use by

161.2 dry cleaning facilities in the state; and

161.3 (3) 35 cents for each gallon of other nonaqueous solvents sold for use by dry cleaning

161.4 facilities in the state.

161.5 (c) The audit, assessment, appeal, collection, enforcement, and administrative provisions

161.6 of chapters 270C and 289A apply to the fee imposed by this subdivision. To enforce this

161.7 subdivision, the commissioner of revenue may grant extensions to file returns and pay fees,

161.8 impose penalties and interest on the annual registration fee under paragraph (a) and the

161.9 monthly fee under paragraph (b), and abate penalties and interest in the manner provided

161.10 in chapters 270C and 289A. The penalties and interest imposed on taxes under chapter 297A

161.11 apply to the fees imposed under this subdivision. Disclosure of data collected by the

161.12 commissioner of revenue under this subdivision is governed by chapter 270B.

107.1 Sec. 120. Minnesota Statutes 2020, section 116.03, subdivision 2b, is amended to read:

107.2 Subd. 2b. **Permitting efficiency.** (a) It is the goal of the state that environmental and

107.3 resource management permits be issued or denied within 90 days for tier 1 permits or 150

107.4 days for tier 2 permits following submission of a permit application. The commissioner of

107.5 the Pollution Control Agency shall establish management systems designed to achieve the

107.6 goal. For the purposes of this section, "tier 1 permits" are permits that do not require  
107.7 individualized actions or public comment periods, and "tier 2 permits" are permits that  
107.8 require individualized actions or public comment periods.

107.9 (b) The commissioner shall must prepare an annual semiannual permitting efficiency  
107.10 report reports that includes include statistics on meeting the tier 2 goal in paragraph (a) and  
107.11 the criteria for tier 2 by permit categories. The report is reports are due on February 1 and  
107.12 August 1 each year. For permit applications that have not met the goal, the each report must  
107.13 state the reasons for not meeting the goal. In stating the reasons for not meeting the goal,  
107.14 the commissioner shall must separately identify delays caused by the responsiveness of the  
107.15 proposer, lack of staff, scientific or technical disagreements, or the level of public  
107.16 engagement. The Each report must specify the number of days from initial submission of  
107.17 the application to the day of determination that the application is complete. The Each report  
107.18 must aggregate the data for the year reporting period and assess whether program or system  
107.19 changes are necessary to achieve the goal. Whenever a report required by this subdivision  
107.20 states the number of permits completed within a particular period, the report must,  
107.21 immediately after the number and in parentheses, state the percentage of total applications  
107.22 received for that permit category that the number represents. Whenever a report required  
107.23 by this subdivision states the number of permits completed within a particular period, the  
107.24 report must separately state completion data for industrial and municipal permits. The report  
107.25 reports must be posted on the agency's website and submitted to the governor and the chairs  
107.26 and ranking minority members of the house of representatives and senate committees having  
107.27 jurisdiction over environment policy and finance.

107.28 (c) The commissioner shall allow electronic submission of environmental review and  
107.29 permit documents to the agency.

107.30 (d) Within 30 business days of application for a permit subject to paragraph (a), the  
107.31 commissioner of the Pollution Control Agency shall notify the permit applicant, in writing,  
107.32 whether the application is complete or incomplete. If the commissioner determines that an  
107.33 application is incomplete, the notice to the applicant must enumerate all deficiencies, citing  
107.34 specific provisions of the applicable rules and statutes, and advise the applicant on how the  
107.35 deficiencies can be remedied. If the commissioner determines that the application is complete,  
108.1 the notice must confirm the application's tier 1 or tier 2 permit status. If the commissioner  
108.2 believes that a complete application for a tier 2 construction permit cannot be issued within  
108.3 the 150-day goal, the commissioner must provide notice to the applicant with the  
108.4 commissioner's notice that the application is complete and, upon request of the applicant,  
108.5 provide the permit applicant with a schedule estimating when the agency will begin drafting  
108.6 the permit and issue the public notice of the draft permit. This paragraph does not apply to  
108.7 an application for a permit that is subject to a grant or loan agreement under chapter 446A.

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

108.10 (1) has a professional license issued by the state of Minnesota in the subject area of the  
108.11 permit;

- 108.12 (2) has at least ten years of experience in the subject area of the permit; and
- 108.13 (3) abides by the duty of candor applicable to employees of the Pollution Control Agency
- 108.14 under agency rules and complies with all applicable requirements under chapter 326.
- 108.15 (f) Upon the agency's request, an applicant relying on a permit professional must
- 108.16 participate in a meeting with the agency before submitting an application:
- 108.17 (1) at least two weeks prior to the preapplication meeting, the applicant must submit at
- 108.18 least the following:
- 108.19 (i) project description, including, but not limited to, scope of work, primary emissions
- 108.20 points, discharge outfalls, and water intake points;
- 108.21 (ii) location of the project, including county, municipality, and location on the site;
- 108.22 (iii) business schedule for project completion; and
- 108.23 (iv) other information requested by the agency at least four weeks prior to the scheduled
- 108.24 meeting; and
- 108.25 (2) during the preapplication meeting, the agency shall provide for the applicant at least
- 108.26 the following:
- 108.27 (i) an overview of the permit review program;
- 108.28 (ii) a determination of which specific application or applications will be necessary to
- 108.29 complete the project;
- 108.30 (iii) a statement notifying the applicant if the specific permit being sought requires a
- 108.31 mandatory public hearing or comment period;
- 109.1 (iv) a review of the timetable established in the permit review program for the specific
- 109.2 permit being sought; and
- 109.3 (v) a determination of what information must be included in the application, including
- 109.4 a description of any required modeling or testing.
- 109.5 (g) The applicant may select a permit professional to undertake the preparation of the
- 109.6 permit application and draft permit.
- 109.7 (h) If a preapplication meeting was held, the agency shall, within seven business days
- 109.8 of receipt of an application, notify the applicant and submitting permit professional that the
- 109.9 application is complete or is denied, specifying the deficiencies of the application.
- 109.10 (i) Upon receipt of notice that the application is complete, the permit professional shall
- 109.11 submit to the agency a timetable for submitting a draft permit. The permit professional shall
- 109.12 submit a draft permit on or before the date provided in the timetable. Within 60 days after
- 109.13 the close of the public comment period, the commissioner shall notify the applicant whether
- 109.14 the permit can be issued.

109.15 (j) Nothing in this section shall be construed to modify:

109.16 (1) any requirement of law that is necessary to retain federal delegation to or assumption

109.17 by the state; or

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

109.19 (k) The permit application and draft permit shall identify or include as an appendix all

109.20 studies and other sources of information used to substantiate the analysis contained in the

109.21 permit application and draft permit. The commissioner shall request additional studies, if

109.22 needed, and the permit applicant shall submit all additional studies and information necessary

109.23 for the commissioner to perform the commissioner's responsibility to review, modify, and

109.24 determine the completeness of the application and approve the draft permit.

109.25 Sec. 121. Minnesota Statutes 2020, section 116.06, subdivision 22, is amended to read:

109.26 Subd. 22. **Solid waste.** "Solid waste" means garbage, refuse, sludge from a water supply

109.27 treatment plant or air contaminant treatment facility, and other discarded waste materials

109.28 and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial,

109.29 commercial, mining, and agricultural operations; and from community activities, but does

109.30 not include:

109.31 (1) hazardous waste;

109.32 (2) animal waste used as fertilizer;

110.1 (3) earthen fill, boulders, or rock;

110.2 (4) concrete diamond grinding and saw slurry associated with the construction,

110.3 improvement, or repair of a road when deposited on the road project site in a manner that

110.4 is in compliance with best management practices and rules of the agency;

110.5 (5) sewage sludge;

110.6 (6) solid or dissolved material in domestic sewage or other common pollutants in water

110.7 resources, such as silt, dissolved or suspended solids in industrial wastewater effluents or

110.8 discharges which that are point sources subject to permits under section 402 of the Federal

110.9 Water Pollution Control Act, as amended, or dissolved materials in irrigation return flows;

110.10 ~~or~~

161.13 Sec. 31. Minnesota Statutes 2020, section 116.06, is amended by adding a subdivision to

161.14 read:

161.15 Subd. 6a. **Commissioner.** "Commissioner" means the commissioner of the Minnesota

161.16 Pollution Control Agency.

- 110.11 (7) source, special nuclear, or by-product material as defined by the Atomic Energy Act  
110.12 of 1954, as amended; or
- 110.13 (8) post-use polymers or recovered feedstocks converted at an advanced recycling facility  
110.14 or held at an advanced recycling facility before being converted.
- 110.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.

- 161.17 Sec. 32. **[116.064] PERMITTING; ENVIRONMENTAL JUSTICE AREAS.**
- 161.18 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms in this  
161.19 subdivision have the meanings given.
- 161.20 (b) "Census block" means the smallest geographical unit for which the United States  
161.21 Census Bureau tabulates decennial census data.
- 161.22 (c) "Cumulative impacts analysis" means the potential public health and environmental  
161.23 impacts affecting a specific geographical area from past, present, and foreseeable future  
161.24 exposure to pollutants from all media and incorporates the concept of a community's  
161.25 vulnerability to withstand incremental environmental impacts.
- 161.26 (d) "Environmental justice" means that:
- 161.27 (1) communities of color, Indigenous communities, and low-income communities have  
161.28 a healthy environment and are treated fairly when environmental statutes, rules, and policies  
161.29 are developed, adopted, implemented, and enforced; and
- 161.30 (2) in all decisions that have the potential to affect the environment of an environmental  
161.31 justice area or the public health of its residents, due consideration is given to the history of  
162.1 those residents' cumulative exposure to pollutants and to any current socioeconomic  
162.2 conditions that increase the physical sensitivity of those residents to additional exposure to  
162.3 pollutants.
- 162.4 (e) "Environmental justice area" means one or more census blocks in Minnesota:
- 162.5 (1) in which, based on the most recent data published by the United States Census Bureau:
- 162.6 (i) 40 percent or more of the population is nonwhite;
- 162.7 (ii) 35 percent or more of the households have an income at or below 200 percent of the  
162.8 federal poverty level; or
- 162.9 (iii) 40 percent or more of the population over the age of five have limited English  
162.10 proficiency; or
- 162.11 (2) within Indian country, as defined in United State Code, title 18, section 1151.
- 162.12 Subd. 2. **Rulemaking.** No later than November 1, 2021, the commissioner must begin  
162.13 the process to adopt rules under chapter 14 that implement the provisions of this section to

- 162.14 establish a process and decision-making criteria the agency must utilize to address the  
162.15 permitting of facilities that have the potential to impact the environment of environmental  
162.16 justice areas and the health of persons residing within them.
- 162.17 Subd. 3. **Application.** The provisions of this section apply to an application for a new  
162.18 permit, permit renewal, or major permit amendment filed with the agency whose emissions  
162.19 or releases of pollutants may affect an environmental justice area.
- 162.20 Subd. 4. **Environmental justice area; determination.** The agency has the responsibility  
162.21 to determine the geographical boundaries of an environmental justice area. The agency's  
162.22 determination of the boundaries of an environmental justice area may be appealed by the  
162.23 filing of a petition signed by at least 50 residents filed with the commissioner that contains  
162.24 evidence that one or more census blocks meet the definition of environmental justice area  
162.25 in subdivision 1, paragraph (e). The commissioner may, after reviewing the petition, amend  
162.26 the boundaries of an environmental justice area.
- 162.27 Subd. 5. **Process; cumulative impact analysis.** (a) The agency must ensure that residents  
162.28 of an environmental justice area are notified about all steps in the permitting process and  
162.29 the progress of the analysis required to be conducted under this section. Notification must  
162.30 include but not be limited to postings on the agency's website and direct delivery of written  
162.31 materials to environmental justice area residents in applicable languages in areas where  
162.32 English proficiency is limited.
- 163.1 (b) When a new facility or a proposed expansion of an existing facility is located in an  
163.2 environmental justice area, the owner or operator of the facility must:
- 163.3 (1) conduct an analysis of the cumulative impacts that the facility or expansion would  
163.4 cause or contribute to in the environmental justice area; and
- 163.5 (2) if seeking a state permit under chapter 115 or 116, hold at least one public meeting  
163.6 in the environmental justice area before the commissioner issues or denies a permit.
- 163.7 (c) The commissioner may require a permitted facility located in an environmental justice  
163.8 area to hold in-person meetings with nearby residents to share information and discuss  
163.9 community concerns. The commissioner may establish the number and frequency of required  
163.10 meetings as permit conditions.
- 163.11 (d) A cumulative impact analysis must also describe demographic and socioeconomic  
163.12 conditions that may make residents of an environmental justice area more vulnerable to the  
163.13 effects of incremental exposure to environmental pollutants. The analysis, based on publicly  
163.14 available or otherwise obtainable data, must include but is not limited to the following  
163.15 factors:
- 163.16 (1) demographic factors, including the age distribution and racial and ethnic characteristics  
163.17 of the population;



163.18 (2) hospital admission rates for respiratory and pulmonary disease, cancer, diabetes, and  
163.19 other conditions that may be exacerbated by exposure to pollutants;

163.20 (3) the proportion of the population without medical insurance;

163.21 (4) economic variables, including income and poverty levels, the rate of unemployment,  
163.22 the proportion of substandard housing, and the incidence of poor nutrition; and

163.23 (5) any available biomonitoring data indicating body burdens of pollutants.

163.24 (e) If requested, the agency shall provide any relevant information it has to a permit  
163.25 applicant conducting a cumulative impacts analysis under this section.

163.26 (f) The agency's reasonable costs of complying with this subdivision are to be reimbursed  
163.27 by the permit applicant.

163.28 (g) The agency shall maintain on its website a list of all environmental justice areas that  
163.29 undergo the analysis required under this subdivision.

163.30 Subd. 6. **Permits; environmental justice area.** (a) Notwithstanding the provisions of  
163.31 any other law, the agency must, after reviewing the permit application, the agency's analysis  
163.32 of cumulative pollution impacts conducted under subdivision 5, and any additional relevant  
164.1 information, including testimony and written comments received at a public meeting,  
164.2 determine whether the incremental environmental impacts that would result in an  
164.3 environmental justice area from approval of the permit will, in conjunction with the  
164.4 cumulative pollution impacts and the heightened sensitivity to additional pollution of  
164.5 residents of the environmental justice area, cause or contribute to increased levels of  
164.6 environmental or health impacts compared with denying the permit.

164.7 (b) If the agency determines that issuing the permit would cause or contribute to increased  
164.8 levels of environmental or health impacts compared with not issuing the permit, the  
164.9 commissioner must:

164.10 (1) deny the permit; or

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

164.14 Subd. 7. **Enforcement.** The commissioner may enforce rules and regulations necessary  
164.15 to implement the provisions of this section.

110.16 Sec. 122. Minnesota Statutes 2020, section 116.07, subdivision 2, is amended to read:

110.17 Subd. 2. **Adopting standards.** (a) The Pollution Control Agency shall improve air  
110.18 quality by promoting, in the most practicable way possible, the use of energy sources and  
110.19 waste disposal methods which produce or emit the least air contaminants consistent with  
110.20 the agency's overall goal of reducing all forms of pollution. The agency shall also adopt  
110.21 standards of air quality, not including maximum allowable standards of emission of air

110.22 contaminants from motor vehicles, recognizing that due to variable factors, no single standard  
110.23 of purity of air is applicable to all areas of the state. In adopting standards the Pollution  
110.24 Control Agency shall give due recognition to the fact that the quantity or characteristics of  
110.25 air contaminants or the duration of their presence in the atmosphere, which may cause air  
110.26 pollution in one area of the state, may cause less or not cause any air pollution in another  
110.27 area of the state, and it shall take into consideration in this connection such factors, including  
110.28 others which it may deem proper, as existing physical conditions, zoning classifications,  
110.29 topography, prevailing wind directions and velocities, and the fact that a standard of air  
110.30 quality which may be proper as to an essentially residential area of the state, may not be  
110.31 proper as to a highly developed industrial area of the state. Such standards of air quality  
110.32 shall be premised upon scientific knowledge of causes as well as effects based on technically  
110.33 substantiated criteria and commonly accepted practices. No local government unit shall set  
111.1 standards of air quality which are more stringent than those set by the Pollution Control  
111.2 Agency.

111.3 (b) The Pollution Control Agency shall promote solid waste disposal control by  
111.4 encouraging the updating of collection systems, elimination of open dumps, and  
111.5 improvements in incinerator practices. The agency shall also adopt standards for the control  
111.6 of the collection, transportation, storage, processing, and disposal of solid waste and sewage  
111.7 sludge for the prevention and abatement of water, air, and land pollution, recognizing that  
111.8 due to variable factors, no single standard of control is applicable to all areas of the state.  
111.9 In adopting standards, the Pollution Control Agency shall give due recognition to the fact  
111.10 that elements of control which may be reasonable and proper in densely populated areas of  
111.11 the state may be unreasonable and improper in sparsely populated or remote areas of the  
111.12 state, and it shall take into consideration in this connection such factors, including others  
111.13 which it may deem proper, as existing physical conditions, topography, soils and geology,  
111.14 climate, transportation, and land use. Such standards of control shall be premised on technical  
111.15 criteria and commonly accepted practices.

111.16 (c) The Pollution Control Agency shall also adopt standards describing the maximum  
111.17 levels of noise in terms of sound pressure level which may occur in the outdoor atmosphere,  
111.18 recognizing that due to variable factors no single standard of sound pressure is applicable  
111.19 to all areas of the state. Such standards shall give due consideration to such factors as the  
111.20 intensity of noises, the types of noises, the frequency with which noises recur, the time  
111.21 period for which noises continue, the times of day during which noises occur, and such  
111.22 other factors as could affect the extent to which noises may be injurious to human health  
111.23 or welfare, animal or plant life, or property, or could interfere unreasonably with the  
111.24 enjoyment of life or property. In adopting standards, the Pollution Control Agency shall  
111.25 give due recognition to the fact that the quantity or characteristics of noise or the duration  
111.26 of its presence in the outdoor atmosphere, which may cause noise pollution in one area of  
111.27 the state, may cause less or not cause any noise pollution in another area of the state, and  
111.28 it shall take into consideration in this connection such factors, including others which it  
111.29 may deem proper, as existing physical conditions, zoning classifications, topography,  
111.30 meteorological conditions and the fact that a standard which may be proper in an essentially

111.31 residential area of the state, may not be proper as to a highly developed industrial area of  
111.32 the state. Such noise standards shall be premised upon scientific knowledge as well as effects  
111.33 based on technically substantiated criteria and commonly accepted practices. No local  
111.34 governing unit shall set standards describing the maximum levels of sound pressure which  
111.35 are more stringent than those set by the Pollution Control Agency.

112.1 (d) The Pollution Control Agency shall adopt standards for the identification of hazardous  
112.2 waste and for the management, identification, labeling, classification, storage, collection,  
112.3 transportation, processing, and disposal of hazardous waste, recognizing that due to variable  
112.4 factors, a single standard of hazardous waste control may not be applicable to all areas of  
112.5 the state. In adopting standards, the Pollution Control Agency shall recognize that elements  
112.6 of control which may be reasonable and proper in densely populated areas of the state may  
112.7 be unreasonable and improper in sparsely populated or remote areas of the state. The agency  
112.8 shall consider existing physical conditions, topography, soils, and geology, climate,  
112.9 transportation and land use. Standards of hazardous waste control shall be premised on  
112.10 technical knowledge, and commonly accepted practices. Hazardous waste generator licenses  
112.11 may be issued for a term not to exceed five years. No local government unit shall set  
112.12 standards of hazardous waste control which are in conflict or inconsistent with those set by  
112.13 the Pollution Control Agency.

112.14 (e) A person who generates less than 100 kilograms of hazardous waste per month is  
112.15 exempt from the following agency hazardous waste rules:

112.16 (1) rules relating to transportation, manifesting, storage, and labeling for photographic  
112.17 fixer and x-ray negative wastes that are hazardous solely because of silver content; and

112.18 (2) any rule requiring the generator to send to the agency or commissioner a copy of  
112.19 each manifest for the transportation of hazardous waste for off-site treatment, storage, or  
112.20 disposal, except that counties within the metropolitan area may require generators to provide  
112.21 manifests.

112.22 Nothing in this paragraph exempts the generator from the agency's rules relating to on-site  
112.23 accumulation or outdoor storage. A political subdivision or other local unit of government  
112.24 may not adopt management requirements that are more restrictive than this paragraph.

112.25 (f) In any rulemaking proceeding under chapter 14 to adopt standards for air quality,  
112.26 solid waste, or hazardous waste under this chapter, or standards for water quality under  
112.27 chapter 115, the statement of need and reasonableness must include:

112.28 (1) an assessment of any differences between the proposed rule and:

112.29 (i) existing federal standards adopted under the Clean Air Act, United States Code, title  
112.30 42, section 7412(b)(2); the Clean Water Act, United States Code, title 33, sections 1312(a)  
112.31 and 1313(c)(4); and the Resource Conservation and Recovery Act, United States Code, title  
112.32 42, section 6921(b)(1);

112.33 (ii) similar standards in states bordering Minnesota; and

- 113.1 (iii) similar standards in states within the Environmental Protection Agency Region 5;  
113.2 and
- 113.3 (2) a specific analysis of the need and reasonableness of each difference.
- 113.4 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 113.5 Sec. 123. Minnesota Statutes 2020, section 116.07, subdivision 4d, is amended to read:
- 113.6 Subd. 4d. **Permit fees.** (a) The agency may collect permit fees in amounts not greater  
113.7 than those necessary to cover the reasonable costs of developing, reviewing, and acting  
113.8 upon applications for agency permits and implementing and enforcing the conditions of the  
113.9 permits pursuant to agency rules. Permit fees ~~shall~~ must not include the costs of litigation.  
113.10 The fee schedule must reflect reasonable and routine direct and indirect costs associated  
113.11 with permitting, implementation, and enforcement. The agency may impose an additional  
113.12 enforcement fee to be collected for a ~~period of~~ up to two years to cover the reasonable costs  
113.13 of implementing and enforcing the conditions of a permit under the rules of the agency.  
113.14 Water fees under this paragraph are subject to legislative approval under section 16A.1283.  
113.15 Any money collected under this paragraph ~~shall~~ must be deposited in the environmental  
113.16 fund.
- 113.17 (b) Notwithstanding paragraph (a), the agency shall collect an annual fee from the owner  
113.18 or operator of all stationary sources, emission facilities, emissions units, air contaminant  
113.19 treatment facilities, treatment facilities, potential air contaminant storage facilities, or storage  
113.20 facilities subject to a notification, permit, or license requirement under this chapter,  
113.21 subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401  
113.22 et seq., or rules adopted thereunder. The annual fee ~~shall~~ must be used to pay for all direct  
113.23 and indirect reasonable costs, including legal costs, required to develop and administer the  
113.24 notification, permit, or license program requirements of this chapter, subchapters I and V  
113.25 of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or rules  
113.26 adopted thereunder. Those costs include the reasonable costs of reviewing and acting upon  
113.27 an application for a permit; implementing and enforcing statutes, rules, and the terms and  
113.28 conditions of a permit; emissions, ambient, and deposition monitoring; preparing generally  
113.29 applicable regulations; responding to federal guidance; modeling, analyses, and  
113.30 demonstrations; preparing inventories and tracking emissions; and providing information  
113.31 to the public about these activities.
- 113.32 (c) The agency shall set fees that:
- 114.1 (1) will result in the collection, in the aggregate, from the sources listed in paragraph  
114.2 (b), of an amount not less than \$25 per ton of each volatile organic compound; pollutant  
114.3 regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112 of  
114.4 the federal Clean Air Act); and each pollutant, except carbon monoxide, for which a national  
114.5 primary ambient air quality standard has been promulgated;

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

114.9 (3) shall collect, in the aggregate, from the sources listed in paragraph (b), the amount  
114.10 needed to match grant funds received by the state under United States Code, title 42, section  
114.11 7405 (section 105 of the federal Clean Air Act).

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

114.18 (d) To cover the reasonable costs described in paragraph (b), the agency shall provide  
114.19 in the rules promulgated under paragraph (c) for an increase in the fee collected in each  
114.20 year by the percentage, if any, by which the Consumer Price Index for the most recent  
114.21 calendar year ending before the beginning of the year the fee is collected exceeds the  
114.22 Consumer Price Index for the calendar year 1989. For purposes of this paragraph, the  
114.23 Consumer Price Index for any calendar year is the average of the Consumer Price Index for  
114.24 all-urban consumers published by the United States Department of Labor, as of the close  
114.25 of the 12-month period ending on August 31 of each calendar year. The revision of the  
114.26 Consumer Price Index that is most consistent with the Consumer Price Index for calendar  
114.27 year 1989 ~~shall~~ must be used.

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

114.30 (f) Permit applicants who wish to construct, reconstruct, or modify a project may offer  
114.31 to reimburse the agency for the costs of staff time or consultant services needed to expedite  
114.32 the preapplication process and permit development process through the final decision on  
114.33 the permit, including the analysis of environmental review documents. The reimbursement  
114.34 ~~shall be~~ is in addition to permit application fees imposed by law. When the agency determines  
115.1 that it needs additional resources to develop the permit application in an expedited manner;  
115.2 and that expediting the development is consistent with permitting program priorities, the  
115.3 agency may accept the reimbursement. The commissioner must give the applicant an estimate  
115.4 of costs to be incurred by the commissioner. The estimate must include a brief description  
115.5 of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for  
115.6 each task. The applicant and the commissioner must enter into a written agreement detailing  
115.7 the estimated costs for the expedited permit decision-making process to be incurred by the  
115.8 agency. The agreement must also identify staff anticipated to be assigned to the project.  
115.9 The commissioner must not issue a permit until the applicant has paid all fees in full. The  
115.10 commissioner must refund any unobligated balance of fees paid. Reimbursements accepted  
115.11 by the agency are appropriated to the agency for the purpose of developing the permit or  
115.12 analyzing environmental review documents. Reimbursement by a permit applicant ~~shall~~

- 115.13 must precede and not be contingent upon issuance of a permit; shall not affect the  
115.14 agency's decision on whether to issue or deny a permit, what conditions are included in a  
115.15 permit, or the application of state and federal statutes and rules governing permit  
115.16 determinations; and shall not affect final decisions regarding environmental review.
- 115.17 (g) The fees under this subdivision are exempt from section 16A.1285.

164.16 Sec. 33. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
164.17 read:

164.18 Subd. 4l. **Real property interests.** (a) The commissioner may acquire interests in real  
164.19 property at a solid waste disposal facility, limited to environmental covenants under chapter  
164.20 114E and easements for the environmental covenants, when the commissioner determines  
164.21 the property interests are related to:

164.22 (1) closure;

164.23 (2) postclosure care; and

164.24 (3) any other actions needed after the postclosure care period expires.

164.25 (b) The state is not liable under this chapter or any other law solely as a result of acquiring  
164.26 an interest in real property under this section.

164.27 (c) An environmental covenant under this subdivision must be in accordance with chapter  
164.28 114E and must be signed and acknowledged by every owner of the fee simple title to the  
164.29 real property subject to the covenant.

165.1 Sec. 34. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
165.2 read:

165.3 Subd. 4m. **Permit review denial.** If the commissioner determines that a person's request  
165.4 for the agency to review an existing permit is not warranted, the commissioner must state  
165.5 the reasons for the determination in writing within 15 days of the determination.

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

165.7 Sec. 35. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
165.8 read:

165.9 Subd. 4n. **Nonexpiring state individual permits; public informational meeting.** (a)  
165.10 For each facility issued a nonexpiring state individual air quality permit by the agency, the  
165.11 agency must hold a separate public informational meeting at regular intervals to allow the  
165.12 public to make comments or inquiries regarding any aspect of the permit, including but not  
165.13 limited to permit conditions, testing results, the facility's operations, and permit compliance.  
165.14 The public informational meeting must be held at a location near the permitted facility and  
165.15 convenient to the public. Persons employed at the facility who are responsible for the facility

165.16 meeting the conditions of the permit and agency officials must be present at the public  
165.17 informational meeting. For nonexpiring state individual air quality permits issued after  
165.18 December 31, 2016, a public informational meeting must be held under this subdivision no  
165.19 later than five years after the permit is issued and every five years thereafter. For nonexpiring  
165.20 state individual air quality permits issued on or before December 31, 2015, a public  
165.21 informational meeting must be held under this subdivision no later than December 31, 2022,  
165.22 and every five years thereafter.

165.23 (b) For the purposes of this section, "state individual air quality permit" means an air  
165.24 quality permit that is issued to an individual facility required to obtain a permit under  
165.25 Minnesota Rules, part 7007.0250, subparts 2 to 6, and is not a general permit issued under  
165.26 Minnesota Rules, part 7007.1100.

165.27 (c) As required under subdivision 4d, the agency's direct and indirect reasonable costs  
165.28 of conducting the activities under this subdivision must be recovered through air quality  
165.29 permit fees.

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

166.1 Sec. 36. Minnesota Statutes 2020, section 116.07, subdivision 6, is amended to read:

166.2 Subd. 6. **Pollution Control Agency; exercise of powers.** (a) In exercising all its powers,  
166.3 the commissioner of the Pollution Control Agency shall give due consideration to must:

166.4 (1) consider the establishment, maintenance, operation and expansion of business,  
166.5 commerce, trade, industry, traffic, and other economic factors and other material matters  
166.6 affecting the feasibility and practicability of any proposed action, including, but not limited  
166.7 to, the burden on a municipality of any tax which may result therefrom, and shall must take  
166.8 or provide for such action as may be reasonable, feasible, and practical under the  
166.9 circumstances; and

166.10 (2) to the extent reasonable, feasible, and practical under the circumstances:

166.11 (i) ensure that actions or programs that have a direct, indirect, or cumulative impact on  
166.12 environmental justice areas incorporate community-focused practices and procedures in  
166.13 agency processes, including communication, outreach, engagement, and education to enhance  
166.14 meaningful, timely, and transparent community access;

166.15 (ii) collaborate with other state agencies to identify, develop, and implement means to  
166.16 eliminate and reverse environmental and health inequities and disparities;

166.17 (iii) promote the utility and availability of environmental data and analysis for  
166.18 environmental justice areas, other agencies, federally recognized Tribal governments, and  
166.19 the public;

166.20 (iv) encourage coordination and collaboration with residents of environmental justice  
166.21 areas to address environmental and health inequities and disparities; and

115.18 Sec. 124. Minnesota Statutes 2020, section 116.07, subdivision 7, is amended to read:

115.19 Subd. 7. **Counties; processing applications for animal lot permits.** (a) Any Minnesota  
115.20 county board may, by resolution, with approval of the Pollution Control Agency, assume  
115.21 responsibility for processing applications for permits required by the Pollution Control  
115.22 Agency under this section for livestock feedlots, poultry lots or other animal lots. The  
115.23 responsibility for permit application processing, if assumed by a county, may be delegated  
115.24 by the county board to any appropriate county officer or employee.

115.25 (b) For the purposes of this subdivision, the term "processing" includes:

115.26 (1) the distribution to applicants of forms provided by the Pollution Control Agency;

115.27 (2) the receipt and examination of completed application forms, and the certification,  
115.28 in writing, to the Pollution Control Agency either that the animal lot facility for which a  
115.29 permit is sought by an applicant will comply with applicable rules and standards, or, if the  
115.30 facility will not comply, the respects in which a variance would be required for the issuance  
115.31 of a permit; and

115.32 (3) rendering to applicants, upon request, assistance necessary for the proper completion  
115.33 of an application.

116.1 (c) For the purposes of this subdivision, the term "processing" may include, at the option  
116.2 of the county board, issuing, denying, modifying, imposing conditions upon, or revoking  
116.3 permits pursuant to the provisions of this section or rules promulgated pursuant to it, subject  
116.4 to review, suspension, and reversal by the Pollution Control Agency. The Pollution Control  
116.5 Agency shall, after written notification, have 15 days to review, suspend, modify, or reverse  
116.6 the issuance of the permit. After this period, the action of the county board is final, subject  
116.7 to appeal as provided in chapter 14. For permit applications filed after October 1, 2001,  
116.8 section 15.99 applies to feedlot permits issued by the agency or a county pursuant to this  
116.9 subdivision.

116.10 (d) For the purpose of administration of rules adopted under this subdivision, the  
116.11 commissioner and the agency may provide exceptions for cases where the owner of a feedlot  
116.12 has specific written plans to close the feedlot within five years. These exceptions include  
116.13 waiving requirements for major capital improvements.

166.22 (v) ensure environmental justice values are represented to the agency from a  
166.23 commissioner-appointed environmental justice advisory committee that is composed of  
166.24 diverse members and that is developed and operated in a manner open to the public and in  
166.25 accordance with the duties described in the bylaws and charter adopted and maintained by  
166.26 the commissioner.

166.27 (b) For the purposes of this section, "environmental justice" and "environmental justice  
166.28 area" have the meanings given under section 115A.03, subdivisions 10b and 10c.



116.14 (e) For purposes of this subdivision, a discharge caused by an extraordinary natural event  
116.15 such as a precipitation event of greater magnitude than the 25-year, 24-hour event, tornado,  
116.16 or flood in excess of the 100-year flood is not a "direct discharge of pollutants."

116.17 (f) In adopting and enforcing rules under this subdivision, the commissioner shall  
116.18 cooperate closely with other governmental agencies.

116.19 (g) The Pollution Control Agency shall work with the Minnesota Extension Service, the  
116.20 Department of Agriculture, the Board of Water and Soil Resources, producer groups, local  
116.21 units of government, as well as with appropriate federal agencies such as the Natural  
116.22 Resources Conservation Service and the Farm Service Agency, to notify and educate  
116.23 producers of rules under this subdivision at the time the rules are being developed and  
116.24 adopted and at least every two years thereafter.

116.25 (h) The Pollution Control Agency shall adopt rules governing the issuance and denial  
116.26 of permits for livestock feedlots, poultry lots or other animal lots pursuant to this section.  
116.27 Pastures are exempt from the rules authorized under this paragraph. ~~No feedlot permit shall  
116.28 include any terms or conditions that impose any requirements related to any pastures owned  
116.29 or utilized by the feedlot operator other than restrictions under a manure management plan.~~  
116.30 A feedlot permit is not required for livestock feedlots with more than ten but less than 50  
116.31 animal units; provided they are not in shoreland areas. A livestock feedlot permit does not  
116.32 become required solely because of a change in the ownership of the buildings, grounds, or  
116.33 feedlot. These rules apply both to permits issued by counties and to permits issued by the  
117.1 Pollution Control Agency directly. ~~No feedlot permit issued by the Pollution Control Agency  
117.2 shall include terms or conditions that:~~

117.3 (1) ~~impose requirements related to pastures owned or used by the feedlot operator other  
117.4 than restrictions under a manure management plan;~~

117.5 (2) ~~prohibit application of solid manure during February and March;~~

117.6 (3) ~~require establishing a cover crop as a condition of allowing application of manure  
117.7 in September; or~~

117.8 (4) ~~require implementing nitrogen best management practices as a condition of allowing  
117.9 application of manure in October.~~

117.10 (i) The Pollution Control Agency shall exercise supervising authority with respect to  
117.11 the processing of animal lot permit applications by a county.

117.12 (j) Any new rules or amendments to existing rules proposed under the authority granted  
117.13 in this subdivision, or to implement new fees on animal feedlots, must be submitted to the  
117.14 members of legislative policy and finance committees with jurisdiction over agriculture and  
117.15 the environment prior to final adoption. The rules must not become effective until 90 days  
117.16 after the proposed rules are submitted to the members.

117.17 (k) Until new rules are adopted that provide for plans for manure storage structures, any  
117.18 plans for a liquid manure storage structure must be prepared or approved by a registered

- 117.19 professional engineer or a United States Department of Agriculture, Natural Resources  
117.20 Conservation Service employee.
- 117.21 (l) A county may adopt by ordinance standards for animal feedlots that are more stringent  
117.22 than standards in Pollution Control Agency rules.
- 117.23 (m) After January 1, 2001, a county that has not accepted delegation of the feedlot permit  
117.24 program must hold a public meeting prior to the agency issuing a feedlot permit for a feedlot  
117.25 facility with 300 or more animal units, unless another public meeting has been held with  
117.26 regard to the feedlot facility to be permitted.
- 117.27 (n) After the proposed rules published in the State Register, volume 24, number 25, are  
117.28 finally adopted, the agency may not impose additional conditions as a part of a feedlot  
117.29 permit, unless specifically required by law or agreed to by the feedlot operator.
- 117.30 (o) For the purposes of feedlot permitting, a discharge from land-applied manure or a  
117.31 manure stockpile that is managed according to agency rule must not be subject to a fine for  
117.32 a discharge violation.
- 118.1 (p) For the purposes of feedlot permitting, manure that is land applied, or a manure  
118.2 stockpile that is managed according to agency rule, must not be considered a discharge into  
118.3 waters of the state, unless the discharge is to waters of the state, as defined by section  
118.4 103G.005, subdivision 17, except type 1 or type 2 wetlands, as defined in section 103G.005,  
118.5 subdivision 17b, and does not meet discharge standards established for feedlots under agency  
118.6 rule.
- 118.7 (q) Unless the upgrade is needed to correct an immediate public health threat under  
118.8 section 145A.04, subdivision 8, or the facility is determined to be a concentrated animal  
118.9 feeding operation under Code of Federal Regulations, title 40, section 122.23, in effect on  
118.10 April 15, 2003, the agency may not require a feedlot operator:
- 118.11 (1) to spend more than \$3,000 to upgrade an existing feedlot with less than 300 animal  
118.12 units unless cost-share money is available to the feedlot operator for 75 percent of the cost  
118.13 of the upgrade; or
- 118.14 (2) to spend more than \$10,000 to upgrade an existing feedlot with between 300 and  
118.15 500 animal units, unless cost-share money is available to the feedlot operator for 75 percent  
118.16 of the cost of the upgrade or \$50,000, whichever is less.
- 118.17 (r) A feedlot operator who stores and applies up to 100,000 gallons per calendar year of  
118.18 private truck wash wastewater resulting from trucks that transport animals or supplies to  
118.19 and from the feedlot does not require a permit to land-apply industrial by-products if the  
118.20 feedlot operator stores and applies the wastewater in accordance with Pollution Control  
118.21 Agency requirements for land applications of industrial by-product that do not require a  
118.22 permit.
- 118.23 (s) A feedlot operator who holds a permit from the Pollution Control Agency to  
118.24 land-apply industrial by-products from a private truck wash is not required to have a certified

118.25 land applicator apply the private truck wash wastewater if the wastewater is applied by the  
 118.26 feedlot operator to cropland owned or leased by the feedlot operator or by a commercial  
 118.27 animal waste technician licensed by the commissioner of agriculture under chapter 18C.  
 118.28 For purposes of this paragraph and paragraph (r), "private truck wash" means a truck washing  
 118.29 facility owned or leased, operated, and used only by a feedlot operator to wash trucks owned  
 118.30 or leased by the feedlot operator and used to transport animals or supplies to and from the  
 118.31 feedlot.

118.32 **EFFECTIVE DATE.** This section is effective retroactively from February 1, 2021.

166.29 Sec. 37. Minnesota Statutes 2020, section 116.07, subdivision 9, is amended to read:

166.30 Subd. 9. **Orders; investigations.** ~~The agency shall have~~ commissioner has the following  
 166.31 powers and duties for ~~the enforcement of~~ enforcing any provision of this chapter and chapter  
 166.32 114C, relating to air contamination or waste:

167.1 (1) to adopt, issue, reissue, modify, deny, revoke, ~~reopen,~~ enter into or enforce reasonable  
 167.2 orders, schedules of compliance and stipulation agreements;

167.3 (2) to require the owner or operator of any emission facility, air contaminant treatment  
 167.4 facility, potential air contaminant storage facility, or any system or facility related to the  
 167.5 storage, collection, transportation, processing, or disposal of waste to establish and maintain  
 167.6 records; to make reports; to install, use, and maintain monitoring equipment or methods;  
 167.7 and to make tests, including testing for odor where a nuisance may exist, in accordance with  
 167.8 methods, at locations, at intervals, and in a manner as the agency shall prescribe; and to  
 167.9 provide other information as the agency may reasonably require;

167.10 (3) to conduct investigations, issue notices, public and otherwise, and order hearings as  
 167.11 it may deem necessary or advisable for the discharge of its duties under this chapter and  
 167.12 chapter 114C, including but not limited to the issuance of permits; and to authorize any  
 167.13 member, employee, or agent appointed by it to conduct the investigations and issue the  
 167.14 notices; and

167.15 (4) to require parties who enter into a negotiated agreement to settle an enforcement  
 167.16 matter with the agency to reimburse the agency according to this clause for oversight costs  
 167.17 that are incurred by the agency and associated with implementing the negotiated agreement.  
 167.18 The agency may recover oversight costs exceeding \$25,000. Oversight costs include  
 167.19 personnel and direct costs associated with inspections, sampling, monitoring, modeling,  
 167.20 risk assessment, permit writing, engineering review, economic analysis and review, and  
 167.21 other record or document review. Only oversight costs incurred after executing the negotiated  
 167.22 agreement are covered by this clause. The agency's legal and litigation costs are not covered  
 167.23 by this clause. The commissioner has discretion as to whether to apply this clause in cases  
 167.24 where the agency is using schedules of compliance to bring a class of regulated parties into  
 167.25 compliance. Reimbursement amounts are appropriated to the commissioner.

119.1 Sec. 125. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision  
119.2 to read:

119.3 Subd. 13. **Unadopted rules.** The commissioner of the Pollution Control Agency must  
119.4 not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision,  
119.5 "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive  
119.6 statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual  
119.7 standard, interpretive statement, policy plan, or similar pronouncement has not been adopted  
119.8 according to the rulemaking process provided under chapter 14. If an unadopted rule is  
119.9 challenged under section 14.381, the commissioner must cease enforcement of the unadopted  
119.10 rule and overcome a presumption that the unadopted rule must be adopted according to the  
119.11 rulemaking process provided under chapter 14.

167.26 Sec. 38. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
167.27 read:

167.28 Subd. 9a. **Stipulation agreements.** In exercising enforcement powers over a term of a  
167.29 stipulation agreement when a party asserts a good cause or force majeure claim for an  
167.30 extension of time to comply with a stipulated term, the commissioner must not grant the  
167.31 extension if the assertion is based solely on increased costs.

168.1 Sec. 39. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to  
168.2 read:

168.3 Subd. 9b. **Compliance when required permit not obtained.** The commissioner may  
168.4 require a person or facility that fails to obtain a required permit to comply with any terms  
168.5 of a permit that would have been issued had the person or facility obtained a permit, including  
168.6 but not limited to reporting, monitoring, controlling pollutant discharge, and creating and  
168.7 implementing operations and maintenance plans. The person or facility is subject to liability  
168.8 and penalties, including criminal liability, for failing to operate in compliance with a permit  
168.9 not obtained beginning at the time a permit should have been obtained.

168.10 Sec. 40. **[116.0735] AUTHORITY TO REQUIRE INFORMATION ON**  
168.11 **CONTAMINANTS.**

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

168.14 (b) "Activities" means actions by a person that produce, emit, discharge, release, threaten  
168.15 to release, or otherwise cause a contaminant to enter the environment or the human body  
168.16 and that occurred at a point in time or continue to occur. Activities includes but is not limited  
168.17 to manufacturing, distributing, using, or selling products.

168.18 (c) "Agency" means the Minnesota Pollution Control Agency.

- 168.19 (d) "Agency action" means investigating, monitoring, surveying, testing, or other similar  
168.20 action necessary or appropriate to identify the existence and extent of a release of a  
168.21 contaminant or threat of a release, the source and nature of the contaminant, and the extent  
168.22 of danger to the public health or welfare or the environment.
- 168.23 (e) "Biomonitoring" means the process by which chemicals and their metabolites are  
168.24 identified and measured in a biospecimen.
- 168.25 (f) "Biospecimen" means a sample of human fluid, serum, or tissue that is reasonably  
168.26 available as a medium to measure the presence and concentration of chemicals or their  
168.27 metabolites in a human body.
- 168.28 (g) "Commissioner" means the commissioner of the agency.
- 168.29 (h) "Contaminant" means a substance with a distinct molecular composition or a group  
168.30 of structurally related substances, including the breakdown products of the substance or  
168.31 substances that form through decomposition, degradation, or metabolism, that may:
- 168.32 (1) harm normal development of a fetus or child or cause other developmental toxicity;  
169.1 (2) cause cancer, genetic damage, or reproductive harm;  
169.2 (3) disrupt the endocrine or hormone system;  
169.3 (4) damage the nervous system, immune system, or organs or cause other systemic  
169.4 toxicity;  
169.5 (5) be persistent, bioaccumulative, or toxic; or  
169.6 (6) be very persistent or very bioaccumulative.
- 169.7 (i) "Monitoring" means sampling environmental media and analyzing general and specific  
169.8 data relating to the presence of contaminants.
- 169.9 (j) "Person" means an individual, partnership, association, public or private corporation,  
169.10 or other entity, including the United States government; any association, commission, or  
169.11 interstate body; the state and any agency, department, or political subdivision of the state;  
169.12 and any officer or governing or managing body of a municipality, governmental subdivision,  
169.13 public or private corporation, or other entity.
- 169.14 (k) "Supplier" means a person who provides goods or services that lead to or are  
169.15 incorporated into a finished product used in commerce or by consumers.
- 169.16 Subd. 2. **Agency action.** The commissioner may take agency action whenever:  
169.17 (1) the commissioner detects a contaminant;  
169.18 (i) during the agency's monitoring of Minnesota's environment;

- 169.19 (ii) through receipt of environmental monitoring data from a local, state, or federal  
169.20 agency or nongovernmental organization in the United States; or
- 169.21 (iii) through receipt of biomonitoring data of residents of the United States; or
- 169.22 (2) the commissioner has reason to believe that:
- 169.23 (i) a release of a contaminant has occurred, is about to occur, or is connected to a person's  
169.24 activities; or
- 169.25 (ii) illness, disease, environmental harm, or complaints thereof may be attributable to  
169.26 exposure to a contaminant connected to a person's activities.
- 169.27 Subd. 3. **Duty to provide information.** (a) When requested by the commissioner or the  
169.28 commissioner's designee, a person the commissioner has reason to believe is engaged in  
169.29 activities where agency action is proposed to be taken must furnish to the commissioner  
169.30 any information that the person may have or may reasonably obtain that is relevant to the  
169.31 contaminant under investigation.
- 170.1 (b) For purposes of this subdivision, the commissioner may:
- 170.2 (1) request in writing that a person produce electronic or physical documents, papers,  
170.3 books, or other tangible items in the possession, custody, or control of the person;
- 170.4 (2) request in writing that a person provide information submitted to the person from a  
170.5 supplier or within the supply chain for production of a commercial or consumer good;
- 170.6 (3) examine and copy books, papers, records, memoranda, and other electronic or physical  
170.7 data of a person who has a duty to provide information under this subdivision; and
- 170.8 (4) enter upon public or private property to take an action authorized under this section,  
170.9 including to obtain information from a person who has a duty to provide the information  
170.10 under this subdivision and to conduct agency action.
- 170.11 (c) A person must submit requested information to the commissioner within the time  
170.12 specified in the commissioner's written request. If a person fails or refuses to comply with  
170.13 the commissioner's request for information, the commissioner may petition the district court  
170.14 for an order to compel compliance with the request or take other enforcement action  
170.15 authorized by law.
- 170.16 Subd. 4. **Classifying data.** Except as otherwise provided in this subdivision, data obtained  
170.17 from a person under this section are public data as defined in section 13.02. Upon certification  
170.18 by the subject of the data that the data relate to sales figures, processes or methods of  
170.19 production unique to that person, or information that would tend to adversely affect the  
170.20 competitive position of that person, the commissioner must classify the data as private or  
170.21 nonpublic data as defined in section 13.02. Notwithstanding any other law to the contrary,  
170.22 data classified as private or nonpublic under this subdivision may be disclosed when relevant:

- 170.23 (1) in any proceeding under this section;
- 170.24 (2) in further agency actions, including permitting, setting local water quality standards,  
170.25 or other similar actions; and
- 170.26 (3) to other public agencies involved in protecting human health, welfare, or the  
170.27 environment.
- 170.28 Sec. 41. Minnesota Statutes 2020, section 116.11, is amended to read:
- 170.29 **116.11 EMERGENCY POWERS.**
- 170.30 Subdivision 1. **Imminent and substantial danger.** If there is imminent and substantial  
170.31 danger to the health and welfare of the people of the state, or of any of them, as a result of  
170.32 the pollution of air, land, or water, the agency commissioner may by emergency order direct  
171.1 the immediate discontinuance or abatement of the pollution without notice and without a  
171.2 hearing or at the request of the agency commissioner, the attorney general may bring an  
171.3 action in the name of the state in the appropriate district court for a temporary restraining  
171.4 order to immediately abate or prevent the pollution. The agency commissioner's order or  
171.5 temporary restraining order shall remain is effective until notice, hearing, and determination  
171.6 pursuant to other provisions of law, or, in the interim, as otherwise ordered. A final order  
171.7 of the agency commissioner in these cases shall be is appealable in accordance with chapter  
171.8 14.
- 171.9 Subd. 2. **Other acts of concern.** (a) The commissioner may exercise the authority under  
171.10 paragraph (b) when the commissioner has evidence of a pattern of behavior that includes  
171.11 any of the following:
- 171.12 (1) falsification of records;
- 171.13 (2) a history of noncompliance with schedules of compliance or terms of a stipulation  
171.14 agreement;
- 171.15 (3) chronic or substantial permit violations; or
- 171.16 (4) operating with or without a permit where there is evidence of danger to the health  
171.17 or welfare of the people of the state or evidence of environmental harm.
- 171.18 (b) When the commissioner has evidence of a pattern of behavior specified in paragraph  
171.19 (a), then regardless of the presence of imminent and substantial danger, the commissioner  
171.20 may investigate and may:
- 171.21 (1) exercise emergency powers according to subdivision 1;
- 171.22 (2) suspend or revoke a permit;
- 171.23 (3) issue an order to cease operation or activities;
- 171.24 (4) require financial assurances;

119.12 Sec. 126. Minnesota Statutes 2020, section 116.155, is amended by adding a subdivision  
119.13 to read:

119.14 Subd. 5c. **Closed landfill emergency account.** The closed landfill emergency account  
119.15 is as described in section 115B.422.

119.16 Sec. 127. **[116.157] REDUCTION OF AIR POLLUTION THROUGH SUPPORT**  
119.17 **OF ZERO EMISSION VEHICLE CHOICE.**

119.18 Subdivision 1. **Policy.** It is the policy of this state:

119.19 (1) to reduce air pollution by supporting the market for zero emission vehicles;

119.20 (2) to do so by ensuring consumers have access to the most desirable zero emission  
119.21 vehicles; and

119.22 (3) to maximize consumer access to desirable zero emission vehicles by ensuring that  
119.23 undesirable zero emission vehicles do not take up space on automobile dealer lots that could  
119.24 be used to offer more desirable zero emission vehicles.

119.25 Subd. 2. **Duty to purchase vehicle.** In order to further the policies described in  
119.26 subdivision 1, if the Pollution Control Agency adopts a requirement that a certain percentage  
119.27 of the passenger cars and light duty trucks that each automobile manufacturer annually  
119.28 delivers for sale in Minnesota must be vehicles with zero tailpipe emissions, then the agency  
119.29 must purchase from an automobile dealer any zero emission vehicle that has remained  
119.30 unsold on the dealer's lot for more than 90 days if requested to do so by the automobile  
119.31 dealer.

120.1 Subd. 3. **Appropriation.** There is annually appropriated from the environmental fund  
120.2 to the commissioner of the Pollution Control Agency a sum sufficient to purchase vehicles  
120.3 as required under subdivision 2.

120.4 Sec. 128. Minnesota Statutes 2020, section 116D.04, subdivision 2a, is amended to read:

120.5 Subd. 2a. **When prepared.** (a) Where there is potential for significant environmental  
120.6 effects resulting from any major governmental action, the action must be preceded by a  
120.7 detailed environmental impact statement prepared by the responsible governmental unit.  
120.8 The environmental impact statement must be an analytical rather than an encyclopedic  
120.9 document that describes the proposed action in detail, analyzes its significant environmental  
120.10 impacts, discusses appropriate alternatives to the proposed action and their impacts, and  
120.11 explores methods by which adverse environmental impacts of an action could be mitigated.  
120.12 The environmental impact statement must also analyze those economic, employment, and  
120.13 sociological effects that cannot be avoided should the action be implemented. To ensure its

171.25 (5) reopen and modify a permit to require additional terms;

171.26 (6) require additional agency oversight; or

171.27 (7) pursue other actions deemed necessary to abate pollution and protect human health.



120.14 use in the decision-making process, the environmental impact statement must be prepared  
120.15 as early as practical in the formulation of an action.

120.16 (b) The board shall by rule establish categories of actions for which environmental  
120.17 impact statements and for which environmental assessment worksheets must be prepared  
120.18 as well as categories of actions for which no environmental review is required under this  
120.19 section. A mandatory environmental assessment worksheet is not required for the expansion  
120.20 of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the  
120.21 conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol  
120.22 facility as defined in section 41A.15, subdivision 2d, based on the capacity of the expanded  
120.23 or converted facility to produce alcohol fuel, but must be required if the ethanol plant or  
120.24 biobutanol facility meets or exceeds thresholds of other categories of actions for which  
120.25 environmental assessment worksheets must be prepared. The responsible governmental unit  
120.26 for an ethanol plant or biobutanol facility project for which an environmental assessment  
120.27 worksheet is prepared is the state agency with the greatest responsibility for supervising or  
120.28 approving the project as a whole.

120.29 (c) A mandatory environmental impact statement is not required for a facility or plant  
120.30 located outside the seven-county metropolitan area that produces less than 125,000,000  
120.31 gallons of ethanol, biobutanol, or cellulosic biofuel annually, or produces less than 400,000  
120.32 tons of chemicals annually, if the facility or plant is: an ethanol plant, as defined in section  
120.33 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined in section 41A.15,  
120.34 subdivision 2d; or a cellulosic biofuel facility. A facility or plant that only uses a cellulosic  
121.1 feedstock to produce chemical products for use by another facility as a feedstock is not  
121.2 considered a fuel conversion facility as used in rules adopted under this chapter.

121.3 (d) The responsible governmental unit shall promptly publish notice of the completion  
121.4 of an environmental assessment worksheet by publishing the notice in at least one newspaper  
121.5 of general circulation in the geographic area where the project is proposed, by posting the  
121.6 notice on a website that has been designated as the official publication site for publication  
121.7 of proceedings, public notices, and summaries of a political subdivision in which the project  
121.8 is proposed, or in any other manner determined by the board and shall provide copies of  
121.9 the environmental assessment worksheet to the board and its member agencies. Comments  
121.10 on the need for an environmental impact statement may be submitted to the responsible  
121.11 governmental unit during a 30-day period following publication of the notice that an  
121.12 environmental assessment worksheet has been completed. The responsible governmental  
121.13 unit may extend the 30-day comment period for an additional 30 days one time. Further  
121.14 extensions of the comment period may not be made unless approved by the project's proposer.  
121.15 The responsible governmental unit's decision on the need for an environmental impact  
121.16 statement must be based on the environmental assessment worksheet and the comments  
121.17 received during the comment period, and must be made within 15 days after the close of  
121.18 the comment period. The board's chair may extend the 15-day period by not more than 15  
121.19 additional days upon the request of the responsible governmental unit.

121.20 (e) An environmental assessment worksheet must also be prepared for a proposed action  
 121.21 whenever material evidence accompanying a petition by not less than 100 individuals who  
 121.22 reside or own property in ~~the state~~ a county where the proposed action will be undertaken  
 121.23 or in one or more adjoining counties, submitted before the proposed project has received  
 121.24 final approval by the appropriate governmental units, demonstrates that, because of the  
 121.25 nature or location of a proposed action, there may be potential for significant environmental  
 121.26 effects. Petitions requesting the preparation of an environmental assessment worksheet must  
 121.27 be submitted to the board. The chair of the board shall determine the appropriate responsible  
 121.28 governmental unit and forward the petition to it. A decision on the need for an environmental  
 121.29 assessment worksheet must be made by the responsible governmental unit within 15 days  
 121.30 after the petition is received by the responsible governmental unit. The board's chair may  
 121.31 extend the 15-day period by not more than 15 additional days upon request of the responsible  
 121.32 governmental unit.

121.33 (f) Except in an environmentally sensitive location where Minnesota Rules, part  
 121.34 4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental  
 121.35 review under this chapter and rules of the board, if:

122.1 (1) the proposed action is:

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

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

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

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

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

122.17 (h) An early and open process must be used to limit the scope of the environmental  
 122.18 impact statement to a discussion of those impacts that, because of the nature or location of  
 122.19 the project, have the potential for significant environmental effects. The same process must  
 122.20 be used to determine the form, content, and level of detail of the statement as well as the  
 122.21 alternatives that are appropriate for consideration in the statement. In addition, the permits  
 122.22 that will be required for the proposed action must be identified during the scoping process.  
 122.23 Further, the process must identify those permits for which information will be developed

122.24 concurrently with the environmental impact statement. The board shall provide in its rules  
122.25 for the expeditious completion of the scoping process. The determinations reached in the  
122.26 process must be incorporated into the order requiring the preparation of an environmental  
122.27 impact statement.

122.28 (i) The responsible governmental unit shall, to the extent practicable, avoid duplication  
122.29 and ensure coordination between state and federal environmental review and between  
122.30 environmental review and environmental permitting. Whenever practical, information  
122.31 needed by a governmental unit for making final decisions on permits or other actions required  
122.32 for a proposed project must be developed in conjunction with the preparation of an  
122.33 environmental impact statement. When an environmental impact statement is prepared for  
122.34 a project requiring multiple permits for which two or more agencies' decision processes  
123.1 include either mandatory or discretionary hearings before a hearing officer before the  
123.2 agencies' decision on the permit, the agencies may, notwithstanding any law or rule to the  
123.3 contrary, conduct the hearings in a single consolidated hearing process if requested by the  
123.4 proposer. All agencies having jurisdiction over a permit that is included in the consolidated  
123.5 hearing shall participate. The responsible governmental unit shall establish appropriate  
123.6 procedures for the consolidated hearing process, including procedures to ensure that the  
123.7 consolidated hearing process is consistent with the applicable requirements for each permit  
123.8 regarding the rights and duties of parties to the hearing, and shall use the earliest applicable  
123.9 hearing procedure to initiate the hearing. All agencies having jurisdiction over a permit  
123.10 identified in the draft environmental assessment worksheet scoping document must begin  
123.11 reviewing any permit application upon publication of the notice of preparation of the  
123.12 environmental impact statement.

123.13 (j) An environmental impact statement must be prepared and its adequacy determined  
123.14 within 280 days after notice of its preparation unless the time is extended by consent of the  
123.15 parties or by the governor for good cause. The responsible governmental unit shall determine  
123.16 the adequacy of an environmental impact statement, unless within 60 days after notice is  
123.17 published that an environmental impact statement will be prepared, the board chooses to  
123.18 determine the adequacy of an environmental impact statement. If an environmental impact  
123.19 statement is found to be inadequate, the responsible governmental unit has 60 days to prepare  
123.20 an adequate environmental impact statement.

123.21 (k) The proposer of a specific action may include in the information submitted to the  
123.22 responsible governmental unit a preliminary draft environmental impact statement under  
123.23 this section on that action for review, modification, and determination of completeness and  
123.24 adequacy by the responsible governmental unit. A preliminary draft environmental impact  
123.25 statement prepared by the project proposer and submitted to the responsible governmental  
123.26 unit must identify or include as an appendix all studies and other sources of information  
123.27 used to substantiate the analysis contained in the preliminary draft environmental impact  
123.28 statement. The responsible governmental unit shall require additional studies, if needed,  
123.29 and obtain from the project proposer all additional studies and information necessary for  
123.30 the responsible governmental unit to perform its responsibility to review, modify, and  
123.31 determine the completeness and adequacy of the environmental impact statement.

124.1 Sec. 129. Minnesota Statutes 2020, section 116G.07, is amended by adding a subdivision  
124.2 to read:

124.3 Subd. 4. **Exemption; Mississippi River Corridor Critical Area.** Plans and regulations  
124.4 of local units of government within the Mississippi River Corridor Critical Area are exempt  
124.5 from subdivisions 1 to 3 and are subject to section 116G.15, subdivision 8.

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

124.7 Sec. 130. Minnesota Statutes 2020, section 116G.15, is amended by adding a subdivision  
124.8 to read:

124.9 Subd. 8. **Reviewing and approving local plans and regulations.** (a) In the Mississippi  
124.10 River Corridor Critical Area, the commissioner of natural resources is responsible for  
124.11 carrying out the duties of the board and the Metropolitan Council is responsible for carrying  
124.12 out the duties of the regional development commission under sections 116G.07 to 116G.10.  
124.13 Notwithstanding sections 116G.07, subdivisions 2 and 3, and 116G.10, subdivision 3, the  
124.14 responsibilities and procedures for reviewing and approving local plans and regulations in  
124.15 the Mississippi River Corridor Critical Area, and amendments thereto, are subject to this  
124.16 subdivision.

124.17 (b) Within 60 days of receiving a draft plan from a local unit of government, the  
124.18 commissioner, in coordination with the Metropolitan Council, must review the plan to  
124.19 determine the plan's consistency with:

124.20 (1) this section;

124.21 (2) Minnesota Rules, chapter 6106; and

124.22 (3) the local unit of government's comprehensive plan.

124.23 (c) Within 60 days of receiving draft regulations from a local unit of government, the  
124.24 commissioner must review the regulations to determine the regulations' consistency with:

124.25 (1) Minnesota Rules, chapter 6106; and

124.26 (2) the commissioner-approved plan adopted by the local unit of government under  
124.27 paragraph (b).

124.28 (d) Upon review of a draft plan and regulations under paragraphs (b) and (c), the  
124.29 commissioner must:

124.30 (1) conditionally approve the draft plan and regulations by written decision; or

125.1 (2) return the draft plan and regulations to the local unit of government for modification,  
125.2 along with a written explanation of the need for modification.

125.3 (i) When the commissioner returns a draft plan and regulations to the local unit of  
125.4 government for modification, the local unit of government must revise the draft plan and

215.19 Sec. 89. Minnesota Statutes 2020, section 116G.07, is amended by adding a subdivision  
215.20 to read:

215.21 Subd. 4. **Exemption; Mississippi River Corridor Critical Area.** Plans and regulations  
215.22 of local units of government within the Mississippi River Corridor Critical Area are exempt  
215.23 from subdivisions 1 to 3 and are subject to section 116G.15, subdivision 8.

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

215.25 Sec. 90. Minnesota Statutes 2020, section 116G.15, is amended by adding a subdivision  
215.26 to read:

215.27 Subd. 8. **Reviewing and approving local plans and regulations.** (a) In the Mississippi  
215.28 River Corridor Critical Area, the commissioner of natural resources is responsible for  
215.29 carrying out the duties of the board and the Metropolitan Council is responsible for carrying  
215.30 out the duties of the regional development commission under sections 116G.07 to 116G.10.  
215.31 Notwithstanding sections 116G.07, subdivisions 2 and 3, and 116G.10, subdivision 3, the  
216.1 responsibilities and procedures for reviewing and approving local plans and regulations in  
216.2 the Mississippi River Corridor Critical Area, and amendments thereto, are subject to this  
216.3 subdivision.

216.4 (b) Within 60 days of receiving a draft plan from a local unit of government, the  
216.5 commissioner, in coordination with the Metropolitan Council, must review the plan to  
216.6 determine the plan's consistency with:

216.7 (1) this section;

216.8 (2) Minnesota Rules, chapter 6106; and

216.9 (3) the local unit of government's comprehensive plan.

216.10 (c) Within 60 days of receiving draft regulations from a local unit of government, the  
216.11 commissioner must review the regulations to determine the regulations' consistency with:

216.12 (1) Minnesota Rules, chapter 6106; and

216.13 (2) the commissioner-approved plan adopted by the local unit of government under  
216.14 paragraph (b).

216.15 (d) Upon review of a draft plan and regulations under paragraphs (b) and (c), the  
216.16 commissioner must:

216.17 (1) conditionally approve the draft plan and regulations by written decision; or

216.18 (2) return the draft plan and regulations to the local unit of government for modification,  
216.19 along with a written explanation of the need for modification.

216.20 (i) When the commissioner returns a draft plan and regulations to the local unit of  
216.21 government for modification, the local unit of government must revise the draft plan and

- 125.5 regulations within 60 days after receiving the commissioner's written explanation and must  
125.6 resubmit the revised draft plan and regulations to the commissioner.
- 125.7 (ii) The Metropolitan Council and the commissioner must review the revised draft plan  
125.8 and regulations upon receipt from the local unit of government as provided under paragraphs  
125.9 (b) and (c).
- 125.10 (iii) If the local unit of government or the Metropolitan Council requests a meeting, a  
125.11 final revision need not be made until a meeting is held with the commissioner on the draft  
125.12 plan and regulations. The request extends the 60-day time limit specified in item (i) until  
125.13 after the meeting is held.
- 125.14 (e) Only plans and regulations receiving final approval from the commissioner have the  
125.15 force and effect of law. The commissioner must grant final approval under this section only  
125.16 if:
- 125.17 (1) the plan is an element of a comprehensive plan that is authorized by the Metropolitan  
125.18 Council according to sections 473.175 and 473.858; and
- 125.19 (2) the local unit of government adopts a plan and regulations that are consistent with  
125.20 the draft plan and regulations conditionally approved under paragraph (d).
- 125.21 (f) The local unit of government must implement and enforce the commissioner-approved  
125.22 plan and regulations after the plan and regulations take effect.
- 125.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 125.24 Sec. 131. Minnesota Statutes 2020, section 127A.353, subdivision 4, is amended to read:
- 125.25 Subd. 4. **Duties; powers.** (a) The school trust lands director shall:
- 125.26 (1) take an oath of office before assuming any duties as the director;
- 125.27 (2) evaluate the school trust land asset position;
- 125.28 (3) determine the estimated current and potential market value of school trust lands;
- 125.29 (4) advise the governor, Executive Council, commissioner of natural resources, and the  
125.30 Legislative Permanent School Fund Commission on the management of school trust lands,  
125.31 including:
- 126.1 (i) Department of Natural Resources school trust land management plans;
- 126.2 (ii) leases of school trust lands;
- 126.3 (iii) royalty agreements on school trust lands;
- 126.4 (iv) land sales and exchanges;
- 126.5 (v) cost certification; and

- 216.22 regulations within 60 days after receiving the commissioner's written explanation and must  
216.23 resubmit the revised draft plan and regulations to the commissioner.
- 216.24 (ii) The Metropolitan Council and the commissioner must review the revised draft plan  
216.25 and regulations upon receipt from the local unit of government as provided under paragraphs  
216.26 (b) and (c).
- 216.27 (iii) If the local unit of government or the Metropolitan Council requests a meeting, a  
216.28 final revision need not be made until a meeting is held with the commissioner on the draft  
216.29 plan and regulations. The request extends the 60-day time limit specified in item (i) until  
216.30 after the meeting is held.
- 217.1 (e) Only plans and regulations receiving final approval from the commissioner have the  
217.2 force and effect of law. The commissioner must grant final approval under this section only  
217.3 if:
- 217.4 (1) the plan is an element of a comprehensive plan that is authorized by the Metropolitan  
217.5 Council according to sections 473.175 and 473.858; and
- 217.6 (2) the local unit of government adopts a plan and regulations that are consistent with  
217.7 the draft plan and regulations conditionally approved under paragraph (d).
- 217.8 (f) The local unit of government must implement and enforce the commissioner-approved  
217.9 plan and regulations after the plan and regulations take effect.
- 217.10 **EFFECTIVE DATE.** This section is effective the day following final enactment.

- 126.6 (vi) revenue generating options;
- 126.7 (5) propose to the Legislative Permanent School Fund Commission legislative changes  
126.8 that will improve the asset allocation of the school trust lands;
- 126.9 (6) develop a ten-year strategic plan and a 25-year framework for management of school  
126.10 trust lands, in conjunction with the commissioner of natural resources, that is updated every  
126.11 five years and implemented by the commissioner, with goals to:
- 126.12 (i) retain core real estate assets;
- 126.13 (ii) increase the value of the real estate assets and the cash flow from those assets;
- 126.14 (iii) rebalance the portfolio in assets with high performance potential and the strategic  
126.15 disposal of selected assets;
- 126.16 (iv) establish priorities for management actions; ~~and~~
- 126.17 (v) balance revenue enhancement and resource stewardship; and
- 126.18 (vi) advance strategies on school trust lands to capitalize on ecosystem services markets;
- 126.19 (7) submit to the Legislative Permanent School Fund Commission for review an annual  
126.20 budget and management plan for the director; and
- 126.21 (8) keep the beneficiaries, governor, legislature, and the public informed about the work  
126.22 of the director by reporting to the Legislative Permanent School Fund Commission in a  
126.23 public meeting at least once during each calendar quarter.
- 126.24 (b) In carrying out the duties under paragraph (a), the school trust lands director shall  
126.25 have the authority to:
- 126.26 (1) direct and control money appropriated to the director;
- 126.27 (2) establish job descriptions and employ up to five employees in the unclassified service,  
126.28 within the limitations of money appropriated to the director;
- 126.29 (3) enter into interdepartmental agreements with any other state agency;
- 127.1 (4) enter into joint powers agreements under chapter 471;
- 127.2 (5) evaluate and initiate real estate development projects on school trust lands with the  
127.3 advice of the Legislative Permanent School Fund Commission in order to generate long-term  
127.4 economic return to the permanent school fund;
- 127.5 (6) serve as temporary trustee of school trust land for school trust lands subject to  
127.6 proposed or active eminent domain proceedings; and
- 127.7 (7) submit recommendations on strategies for school trust land leases, sales, or exchanges  
127.8 to the commissioner of natural resources and the Legislative Permanent School Fund  
127.9 Commission.

127.10 Sec. 132. Minnesota Statutes 2020, section 282.08, is amended to read:

127.11 **282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.**

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

127.15 (1) the portion required to pay any amounts included in the appraised value under section  
127.16 282.01, subdivision 3, as representing increased value due to any public improvement made  
127.17 after forfeiture of the parcel to the state, but not exceeding the amount certified by the  
127.18 appropriate governmental authority must be apportioned to the governmental subdivision  
127.19 entitled to it;

127.20 (2) the portion required to pay any amount included in the appraised value under section  
127.21 282.019, subdivision 5, representing increased value due to response actions taken after  
127.22 forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by  
127.23 the Pollution Control Agency or the commissioner of agriculture, must be apportioned to  
127.24 the agency or the commissioner of agriculture and deposited in the fund from which the  
127.25 expenses were paid;

217.11 Sec. 91. Minnesota Statutes 2020, section 168.1295, subdivision 1, is amended to read:

217.12 Subdivision 1. **General requirements and procedures.** (a) The commissioner shall  
217.13 issue state parks and trails plates to an applicant who:

217.14 (1) is a registered owner of a passenger automobile, recreational vehicle, one-ton pickup  
217.15 truck, or motorcycle;

217.16 (2) pays a fee in the amount specified for special plates under section 168.12, subdivision  
217.17 5;

217.18 (3) pays the registration tax required under section 168.013;

217.19 (4) pays the fees required under this chapter;

217.20 (5) contributes a minimum of ~~\$60~~ \$70 annually to the state parks and trails donation  
217.21 account established in section 85.056; and

217.22 (6) complies with this chapter and rules governing registration of motor vehicles and  
217.23 licensing of drivers.

217.24 (b) The state parks and trails plate application must indicate that the contribution specified  
217.25 under paragraph (a), clause (5), is a minimum contribution to receive the plate and that the  
217.26 applicant may make an additional contribution to the account.

217.27 (c) State parks and trails plates may be personalized according to section 168.12,  
217.28 subdivision 2a.

- 127.26 (3) the portion of the remainder required to discharge any special assessment chargeable  
127.27 against the parcel for drainage or other purpose whether due or deferred at the time of  
127.28 forfeiture, must be apportioned to the governmental subdivision entitled to it; and
- 127.29 (4) any balance must be apportioned as follows:
- 127.30 (i) The county board may annually by resolution set aside no more than 30 percent of  
127.31 the receipts remaining to be used for forest development on tax-forfeited land and dedicated  
128.1 memorial forests, to be expended under the supervision of the county board. It must be  
128.2 expended only on projects improving the health and management of the forest resource.
- 128.3 (ii) The county board may annually by resolution set aside no more than 20 percent of  
128.4 the receipts remaining to be used for the acquisition and maintenance of county parks or  
128.5 recreational areas as defined in sections 398.31 to 398.36, to be expended under the  
128.6 supervision of the county board.
- 128.7 (iii) The county board may by resolution set aside up to 100 percent of the receipts  
128.8 remaining to be used:
- 128.9 (A) according to section 282.09, subdivision 2;
- 128.10 (B) for remediating contamination at tax-forfeited properties; or
- 128.11 (C) for correcting blighted conditions at tax-forfeited properties.
- 128.12 An election made under this item is effective for a minimum of five years, unless the county  
128.13 board specifies a shorter duration.
- 128.14 (iv) Any balance remaining must be apportioned as follows: county, 40 percent; town  
128.15 or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized  
128.16 territory that portion which would have accrued to the township must be administered by  
128.17 the county board of commissioners.
- 128.18 **EFFECTIVE DATE.** This section is effective the day following final enactment.

218.1 Sec. 92. Minnesota Statutes 2020, section 290C.01, is amended to read:

218.2 **290C.01 PURPOSE.**

218.3 It is the policy of this state to promote sustainable forest resource management on the  
218.4 state's public and private lands. The state's private forests comprise approximately one-half  
218.5 of the state forest land resources. These forests play a critical role in protecting water quality  
218.6 and soil resources, and provide extensive wildlife habitat, natural carbon sequestration,  
218.7 diverse recreational experiences, and significant forest products that support the state's  
218.8 economy. Ad valorem property taxes represent a significant annual cost that can discourage  
218.9 long-term forest management investments. In order to foster silviculture investments and  
218.10 retain these forests for their economic and ecological benefits, this chapter, hereafter referred



218.11 to as the "Sustainable Forest Incentive Act," is enacted to encourage the state's private forest  
218.12 landowners to make a long-term commitment to sustainable forest management.

128.19 Sec. 133. Minnesota Statutes 2020, section 290C.04, is amended to read:

128.20 **290C.04 APPLICATIONS.**

128.21 (a) A landowner may apply to enroll forest land for the sustainable forest incentive  
128.22 program under this chapter. The claimant must complete, sign, and submit an application  
128.23 to the commissioner by October 31 in order for the land to become eligible beginning in  
128.24 the next year. The application shall be on a form prescribed by the commissioners of revenue  
128.25 and natural resources and must include the information the commissioners deem necessary.  
128.26 At a minimum, the application must show the following information for the land and the  
128.27 claimant: (i) the claimant's Social Security number or state or federal business tax registration  
128.28 number and date of birth, (ii) the claimant's address, (iii) the claimant's signature, (iv) the  
128.29 county's parcel identification numbers for the tax parcels that completely contain the  
128.30 claimant's forest land that is sought to be enrolled, (v) the number of acres eligible for  
128.31 enrollment in the program, ~~(vi) the approved plan writer's signature and identification~~  
128.32 ~~number, (vii) (vi) proof, in a form specified by the commissioner, that the claimant has~~  
129.1 ~~executed and acknowledged in the manner required by law for a deed, and recorded, a~~  
129.2 ~~covenant that the land is not and shall not be developed in a manner inconsistent with the~~  
129.3 ~~requirements and conditions of this chapter, and ~~(viii) (vii) a registration number for the~~~~  
129.4 ~~forest management plan, issued by the commissioner of natural resources. The covenant~~  
129.5 ~~shall state in writing that the covenant is binding on the claimant and the claimant's successor~~  
129.6 ~~or assignee, and that it runs with the land for a period of not less than eight years unless the~~  
129.7 ~~claimant requests termination of the covenant after a reduction in payments due to changes~~  
129.8 ~~in the payment formula under section 290C.07 or as a result of executive action, the amount~~  
129.9 ~~of payment a claimant is eligible to receive under section 290C.07 is reduced or limited.~~  
129.10 The commissioner shall specify the form of the covenant and provide copies upon request.  
129.11 The covenant must include a legal description that encompasses all the forest land that the  
129.12 claimant wishes to enroll under this section or the certificate of title number for that land if  
129.13 it is registered land. The commissioner of natural resources shall record the area eligible  
129.14 for enrollment into the Sustainable Forest Incentive Act as electronic geospatial data, as  
129.15 defined in section 16E.30, subdivision 10.

129.16 (b) The commissioner shall provide by electronic means data sufficient for the  
129.17 commissioner of natural resources to determine whether the land qualifies for enrollment.  
129.18 The commissioner must make the data available within 30 days of receipt of the application  
129.19 filed by the claimant or by October 1, whichever is sooner. The commissioner of natural  
129.20 resources must notify the commissioner whether the land qualifies for enrollment within  
129.21 30 days of the data being available, and if the land qualifies for enrollment, the commissioner  
129.22 of natural resources shall specify the number of qualifying acres per tax parcel.

129.23 (c) The commissioner shall notify the claimant within 90 days after receipt of a completed  
129.24 application that either the land has or has not been approved for enrollment. A claimant  
129.25 whose application is denied may appeal the denial as provided in section 290C.13.

129.26 (d) Within 90 days after the denial of an application, or within 90 days after the final  
129.27 resolution of any appeal related to the denial, the commissioner shall execute and  
129.28 acknowledge a document releasing the land from the covenant required under this chapter.  
129.29 The document must be mailed to the claimant and is entitled to be recorded.

129.30 (e) The Social Security numbers collected from individuals under this section are private  
129.31 data as provided in section 13.355. The federal business tax registration number and date  
129.32 of birth data collected under this section are also private data on individuals or nonpublic  
129.33 data, as defined in section 13.02, subdivisions 9 and 12, but may be shared with county  
129.34 assessors for purposes of tax administration and with county treasurers for purposes of the  
129.35 revenue recapture under chapter 270A.

172.1 Sec. 42. Minnesota Statutes 2020, section 325E.046, is amended to read:

172.2 **325E.046 STANDARDS FOR LABELING PLASTIC BAGS, FOOD OR**  
172.3 **BEVERAGE PRODUCTS, AND PACKAGING.**

172.4 Subdivision 1. **"Biodegradable" label.** A manufacturer, distributor, or wholesaler may  
172.5 not sell or offer for sale and any other person may not knowingly sell or offer for sale in  
172.6 this state a plastic bag covered product labeled "biodegradable," "degradable,"  
172.7 "decomposable," or any form of those terms, or in any way imply that the bag covered  
172.8 product will chemically decompose into innocuous elements in a reasonably short period  
172.9 of time in a landfill, composting, or other terrestrial environment unless a scientifically  
172.10 based standard for biodegradability is developed and the bags are certified as meeting the  
172.11 standard, break down, fragment, degrade, biodegrade, or decompose in a landfill or other  
172.12 environment, unless an ASTM standard specification is adopted for the term claimed and  
172.13 the specification is approved by the legislature.

172.14 Subd. 2. **"Compostable" label.** (a) A manufacturer, distributor, or wholesaler may not  
172.15 sell or offer for sale and any other person may not knowingly sell or offer for sale in this  
172.16 state a plastic bag covered product labeled "compostable" unless, at the time of sale or offer  
172.17 for sale, the bag covered product:

172.18 (1) meets the ASTM Standard Specification for Compostable Labeling of Plastics  
172.19 Designed to be Aerobically Composted in Municipal or Industrial Facilities (D6400); Each  
172.20 bag must be labeled to reflect that it meets the standard. For purposes of this subdivision,  
172.21 "ASTM" has the meaning given in section 296A.01, subdivision 6., or its successor, or the  
172.22 ASTM Standard Specification for Labeling of End Items that Incorporate Plastics and  
172.23 Polymers as Coatings or Additives with Paper and Other Substrates Designed to be  
172.24 Aerobically Composted in Municipal or Industrial Facilities (D6868), or its successor, and  
172.25 the covered product is labeled to reflect that it meets the specification;

172.26 (2) is comprised of only wood without any coatings or additives; or

- 172.27 (3) is comprised of only paper without any coatings or additives.
- 172.28 (b) A covered product labeled "compostable" and meeting the criteria under paragraph
- 172.29 (a) must be clearly and prominently labeled on the product, or on the product's smallest unit
- 172.30 of sale, to reflect that it is intended for an industrial or commercial compost facility. The
- 172.31 label required under this paragraph must be in a legible text size and font.
- 172.32 Subd. 2a. **Certification of compostable products.** Beginning January 1, 2024, a
- 172.33 manufacturer, distributor, or wholesaler may not sell or offer for sale and any other person
- 173.1 may not knowingly sell or offer for sale in this state a covered product labeled as
- 173.2 "compostable" unless the covered product is certified as meeting the requirements of
- 173.3 subdivision 2 by an entity that:
- 173.4 (1) is a nonprofit corporation;
- 173.5 (2) as its primary focus of operation, promotes the production, use, and appropriate end
- 173.6 of life for materials and products that are designed to fully biodegrade in specific biologically
- 173.7 active environments such as industrial composting; and
- 173.8 (3) is technically capable of and willing to perform analysis necessary to determine a
- 173.9 product's compliance with subdivision 2.
- 173.10 Subd. 3. **Enforcement; civil penalty; injunctive relief.** (a) A ~~manufacturer, distributor,~~
- 173.11 ~~or wholesaler~~ person who violates ~~subdivision 1 or 2~~ this section is subject to a civil or
- 173.12 administrative penalty of \$100 for each prepackaged saleable unit sold or offered for sale
- 173.13 up to a maximum of \$5,000 and may be enjoined from those violations.
- 173.14 (b) The attorney general may bring an action in the name of the state in a court of
- 173.15 competent jurisdiction for recovery of civil penalties or for injunctive relief as provided in
- 173.16 this subdivision. The attorney general may accept an assurance of discontinuance of acts
- 173.17 in violation of ~~subdivision 1 or 2~~ this section in the manner provided in section 8.31,
- 173.18 subdivision 2b.
- 173.19 (c) The commissioner of the Pollution Control Agency may enforce this section under
- 173.20 sections 115.071 and 116.072.
- 173.21 (d) When requested by the attorney general or the commissioner of the Pollution Control
- 173.22 Agency, a person selling or offering for sale a covered product labeled as "compostable"
- 173.23 must furnish to the attorney general or the commissioner any information that the person
- 173.24 may have or may reasonably obtain that is relevant to show compliance with this section.
- 173.25 Subd. 4. **Definitions.** For purposes of this section, the following terms have the meanings
- 173.26 given:
- 173.27 (1) "ASTM" has the meaning given in section 296A.01, subdivision 6;
- 173.28 (2) "covered product" means a bag, food or beverage product, or packaging;

130.1 Sec. 134. Laws 2016, chapter 154, section 16, is amended to read:  
130.2 Sec. 16. **EXCHANGE OF STATE LAND; AITKIN, BELTRAMI, AND**  
130.3 **KOOCHICHING COUNTIES.**  
130.4 (a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342,  
130.5 subdivision 3, and subject to the valuation restrictions described in paragraph (c), the  
130.6 commissioner of natural resources may, with the approval of the Land Exchange Board as  
130.7 required under the Minnesota Constitution, article XI, section 10, and according to the

173.29 (3) "food or beverage product" means a product that is used to wrap, package, contain,  
173.30 serve, store, prepare, or consume a food or beverage, such as plates, bowls, cups, lids, trays,  
173.31 straws, utensils, and hinged or lidded containers; and  
173.32 (4) "packaging" has the meaning given in section 115A.03, subdivision 22b.  
174.1 **EFFECTIVE DATE.** This section is effective January 1, 2023.  
174.2 Sec. 43. **[325F.075] FOOD PACKAGING; PFAS.**  
174.3 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have  
174.4 the meanings given.  
174.5 (b) "Food package" means a container applied to or providing a means to market, protect,  
174.6 handle, deliver, serve, contain, or store a food or beverage. Food package includes:  
174.7 (1) a unit package, an intermediate package, and a shipping container;  
174.8 (2) unsealed receptacles, such as carrying cases, crates, cups, plates, bowls, pails, rigid  
174.9 foil and other trays, wrappers and wrapping films, bags, and tubs; and  
174.10 (3) an individual assembled part of a food package, such as any interior or exterior  
174.11 blocking, bracing, cushioning, weatherproofing, exterior strapping, coatings, closures, inks,  
174.12 and labels.  
174.13 (c) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS" means a class of  
174.14 fluorinated organic chemicals containing at least one fully fluorinated carbon atom.  
174.15 Subd. 2. **Prohibition.** No person shall manufacture, knowingly sell, offer for sale,  
174.16 distribute for sale, distribute, or offer for use in Minnesota a food package that contains  
174.17 **PFAS.**  
174.18 Subd. 3. **Enforcement.** (a) The commissioner of the Pollution Control Agency may  
174.19 enforce this section under sections 115.071 and 116.072. The commissioner may coordinate  
174.20 with the commissioners of commerce and health in enforcing this section.  
174.21 (b) When requested by the commissioner of the Pollution Control Agency, a person  
174.22 must furnish to the commissioner any information that the person may have or may  
174.23 reasonably obtain that is relevant to show compliance with this section.  
174.24 **EFFECTIVE DATE.** This section is effective January 1, 2023.  
248.3 Sec. 9. Laws 2016, chapter 154, section 16, is amended to read:  
248.4 Sec. 16. **EXCHANGE OF STATE LAND; AITKIN, BELTRAMI, AND**  
248.5 **KOOCHICHING COUNTIES.**  
248.6 (a) Notwithstanding the riparian restrictions in Minnesota Statutes, section 94.342,  
248.7 subdivision 3, and subject to the valuation restrictions described in paragraph (c), the  
248.8 commissioner of natural resources may, with the approval of the Land Exchange Board as  
248.9 required under the Minnesota Constitution, article XI, section 10, and according to the

130.8 remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the  
130.9 state-owned land leased for farming wild rice described in paragraph (b).

130.10 (b) The state land that may be exchanged is held under the following state leases for  
130.11 farming of wild rice:

130.12 (1) Lease LAGR001305, covering 175.1 acres in Aitkin County;

130.13 (2) Lease LMIS010040, covering 107.1 acres in Beltrami County;

130.14 (3) Lease LMIS010096, covering 137.4 acres in Beltrami County; and

130.15 (4) Lease LAGR001295, covering 264.40 acres in Koochiching County.

130.16 (c) For the appraisal of the land, no improvements paid for by the lessee shall be included  
130.17 in the estimate of market value.

130.18 (d) Additional adjoining state lands may be added to the exchanges if mutually agreed  
130.19 upon by the commissioner and the exchange partner to avoid leaving unmanageable parcels  
130.20 of land in state ownership after an exchange or to meet county zoning standards or other  
130.21 regulatory needs for the wild rice farming operations.

130.22 (e) The state land administered by the commissioner of natural resources in Koochiching  
130.23 County borders the Lost River. The lands to be exchanged are not required to provide at  
130.24 least equal opportunity for access to waters by the public, but the lands must be at least  
130.25 equal in value and have the potential to generate revenue for the school trust lands.

130.26 (f) Notwithstanding Minnesota Statutes, section 94.343, subdivision 8a, lessees must  
130.27 pay to the commissioner all costs, as determined by the commissioner, that are associated  
130.28 with each exchange transaction, including valuation expenses; legal fees; survey expenses;  
130.29 costs of title work, advertising, and public hearings; transactional staff costs; and closing  
130.30 costs.

131.1 Sec. 135. Laws 2016, chapter 154, section 48, is amended to read:  
131.2 Sec. 48. **EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.**

131.3 Subdivision 1. Exchange of land. (a) Notwithstanding the riparian restrictions in  
131.4 Minnesota Statutes, section 94.342, subdivision 3, the commissioner of natural resources  
131.5 may, with the approval of the Land Exchange Board as required under the Minnesota  
131.6 Constitution, article XI, section 10, and according to the remaining provisions of Minnesota  
131.7 Statutes, sections 94.342 to 94.347, exchange the riparian land described in paragraph (b).

131.8 (b) The state land that may be exchanged is located in St. Louis County and is described  
131.9 as: Government Lot 5, Section 35, Township 64 North, Range 12 West.

131.10 (c) The state land administered by the commissioner of natural resources borders Low  
131.11 Lake. The land to be exchanged is forest land that includes areas bordering the Whiteface  
131.12 River. While the land does not provide at least equal opportunity for access to waters by

248.10 remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the  
248.11 state-owned land leased for farming wild rice described in paragraph (b).

248.12 (b) The state land that may be exchanged is held under the following state leases for  
248.13 farming of wild rice:

248.14 (1) Lease LAGR001305, covering 175.1 acres in Aitkin County;

248.15 (2) Lease LMIS010040, covering 107.1 acres in Beltrami County;

248.16 (3) Lease LMIS010096, covering 137.4 acres in Beltrami County; and

248.17 (4) Lease LAGR001295, covering 264.40 acres in Koochiching County.

248.18 (c) For the appraisal of the land, no improvements paid for by the lessee shall be included  
248.19 in the estimate of market value.

248.20 (d) Additional adjoining state lands may be added to the exchanges if mutually agreed  
248.21 upon by the commissioner and the exchange partner to avoid leaving unmanageable parcels  
248.22 of land in state ownership after an exchange or to meet county zoning standards or other  
248.23 regulatory needs for the wild rice farming operations.

248.24 (e) The state land administered by the commissioner of natural resources in Koochiching  
248.25 County borders the Lost River. The lands to be exchanged are not required to provide at  
248.26 least equal opportunity for access to waters by the public, but the lands must be at least  
248.27 equal in value and have the potential to generate revenue for the school trust lands.

248.28 (f) Notwithstanding Minnesota Statutes, section 94.343, subdivision 8a, lessees must  
248.29 pay to the commissioner all costs, as determined by the commissioner, that are associated  
248.30 with each exchange transaction, including valuation expenses; legal fees; survey expenses;  
249.1 costs of title work, advertising, and public hearings; transactional staff costs; and closing  
249.2 costs.

249.3 Sec. 10. Laws 2016, chapter 154, section 48, is amended to read:  
249.4 Sec. 48. **EXCHANGE OF STATE LAND; ST. LOUIS COUNTY.**

249.5 Subdivision 1. Exchange of land. (a) Notwithstanding the riparian restrictions in  
249.6 Minnesota Statutes, section 94.342, subdivision 3, the commissioner of natural resources  
249.7 may, with the approval of the Land Exchange Board as required under the Minnesota  
249.8 Constitution, article XI, section 10, and according to the remaining provisions of Minnesota  
249.9 Statutes, sections 94.342 to 94.347, exchange the riparian land described in paragraph (b).

249.10 (b) The state land that may be exchanged is located in St. Louis County and is described  
249.11 as: Government Lot 5, Section 35, Township 64 North, Range 12 West.

249.12 (c) The state land administered by the commissioner of natural resources borders Low  
249.13 Lake. The land to be exchanged is forest land that includes areas bordering the Whiteface  
249.14 River. While the land does not provide at least equal opportunity for access to waters by

131.13 the public, the land to be acquired by the commissioner in the exchange will improve access  
131.14 to adjacent state forest lands.

131.15 Subd. 2. **Gifts of land.** Notwithstanding Minnesota Statutes, section 94.342 or 94.343,  
131.16 or any other law to the contrary, the Land Exchange Board may consider a gift of land from  
131.17 the exchange partner pursuant to Minnesota Statutes, section 84.085, subdivision 1, paragraph  
131.18 (d), in addition to land proposed for exchange with the state land referenced in subdivision  
131.19 1, paragraph (b), in determining whether the proposal is in the best interests of the school  
131.20 trust.

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

131.22 Sec. 136. Laws 2019, First Special Session chapter 4, article 1, section 2, subdivision 9,  
131.23 is amended to read:

131.24 Subd. 9. <b>Environmental Quality Board</b>	1,774,000	1,274,000
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131.25 Appropriations by Fund

	2020	2021
131.26 <b>General</b>	1,081,000	1,081,000
131.27 <b>Environmental</b>	393,000	193,000
131.28 <b>Remediation</b>	300,000	-0-

131.30 (a) \$200,000 the first year is from the  
131.31 environmental fund to begin to develop and  
131.32 assemble the material required under Code of  
132.1 Federal Regulations, title 40, section 233.10,  
132.2 to have the state of Minnesota assume the  
132.3 section 404 permitting program of the Federal  
132.4 Clean Water Act. The Board may execute  
132.5 contracts or interagency agreements to  
132.6 facilitate developing the required agreements  
132.7 and materials. By February 1, ~~2021~~ 2022, the  
132.8 board must submit a report on the additional  
132.9 funding necessary to secure section 404  
132.10 assumption and the additional funding needed  
132.11 to fully implement the state-assumed program  
132.12 to the chairs and ranking minority members  
132.13 of the legislative committees and divisions  
132.14 with jurisdiction over the environment and  
132.15 natural resources. This is a onetime

249.15 the public, the land to be acquired by the commissioner in the exchange will improve access  
249.16 to adjacent state forest lands.

249.17 Subd. 2. **Gifts of land.** Notwithstanding Minnesota Statutes, section 94.342 or 94.343,  
249.18 or any other law to the contrary, the Land Exchange Board may consider a gift of land from  
249.19 the exchange partner pursuant to Minnesota Statutes, section 84.085, subdivision 1, paragraph  
249.20 (d), in addition to land proposed for exchange with the state land referenced in subdivision  
249.21 1, paragraph (b), in determining whether the proposal is in the best interests of the school  
249.22 trust.

132.16 appropriation and is available until June 30,  
132.17 2022.

132.18 (b) \$300,000 the first year is from the  
132.19 remediation fund to conduct a study of the  
132.20 potential to deploy solar photovoltaic devices  
132.21 on closed landfill program sites. This is a  
132.22 onetime appropriation. By December 1, 2020,  
132.23 the board, in consultation with the Pollution  
132.24 Control Agency and the commissioners of  
132.25 administration, commerce, and management  
132.26 and budget, must provide to the chairs and  
132.27 ranking minority members of the legislative  
132.28 committees and divisions with jurisdiction  
132.29 over environment and natural resources policy  
132.30 and finance and energy policy and finance a  
132.31 report on the use of properties in the state's  
132.32 closed landfill program for solar energy  
132.33 production. The report must include:

133.1 (1) identification and assessment of properties  
133.2 in the closed landfill program with the highest  
133.3 potential for solar energy production;

133.4 (2) identification of potential barriers to solar  
133.5 energy production and potential ways to  
133.6 address those barriers; and

133.7 (3) policy recommendations that would  
133.8 facilitate solar energy production on closed  
133.9 landfill program sites in a manner that would  
133.10 contribute to state and local government  
133.11 sustainability goals.

133.12 **EFFECTIVE DATE.** This section is effective retroactively from January 31, 2021.

133.13 Sec. 137. Laws 2019, First Special Session chapter 4, article 3, section 109, as amended  
133.14 by Laws 2020, chapter 83, article 1, section 100, is amended to read:

133.15 Sec. 109. **APPLYING STORM WATER RULES TO CITIES AND TOWNSHIPS.**

133.16 Until the Pollution Control Agency amends rules for storm water, Minnesota Rules, part  
133.17 7090.1010, subpart 1, item B, subitem (1), applies only to the portions of a city, a town,  
133.18 and unorganized areas of counties or township that are designated as urbanized under Code  
133.19 of Federal Regulations, title 40, section 122.26 (a)(9)(i)(A), and other platted areas within  
133.20 that jurisdiction those jurisdictions.

133.21 Sec. 138. ADDITIONS TO STATE PARKS.

133.22 Subdivision 1. [85.012] [Subd. 18.] Fort Snelling State Park, Dakota County. The  
 133.23 following areas are added to Fort Snelling State Park, Dakota County:

133.24 (1) that part of Section 28, Township 28 North, Range 23 West, Dakota County,  
 133.25 Minnesota, bounded by the Dakota County line along the Minnesota River and the following  
 133.26 described lines:

133.27 Beginning at the intersection of the south line of Lot 18 of Auditor's Subdivision Number  
 133.28 29 of Mendota, according to the plat on file in the Office of the Dakota County Recorder,  
 133.29 with the westerly right-of-way line of the existing Sibley Memorial Highway; thence  
 133.30 northerly along said westerly right-of-way line to the north line of said Lot 18; thence  
 133.31 westerly along the north line of said Lot 18 to the easterly right-of-way line of the  
 134.1 Chicago and Northwestern Railroad; thence northerly and northeasterly along said  
 134.2 easterly right-of-way to the east line of said Section 28;

134.3 (2) that part of Section 33, Township 28 North, Range 23 West, Dakota County,  
 134.4 Minnesota, lying westerly of the easterly right-of-way of the Chicago and Northwestern  
 134.5 Railroad;

134.6 (3) that part of Government Lot 6 of Section 33, Township 28 North, Range 23 West,  
 134.7 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and  
 134.8 Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway  
 134.9 and North of the South 752 feet of said Government Lot 6;

134.10 (4) the North 152 feet of the South 752 feet of that part of Government Lot 6 of Section  
 134.11 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the  
 134.12 easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly  
 134.13 right-of-way of Sibley Memorial Highway;

134.14 (5) the North 270 feet of the South 600 feet of that part of Government Lot 6 lying  
 134.15 between the westerly right-of-way of Sibley Memorial Highway and the easterly right-of-way  
 134.16 of the Chicago and Northwestern Railroad in Section 33, Township 28 North, Range 23  
 134.17 West, Dakota County, Minnesota;

134.18 (6) that part of the South 20 rods of Government Lot 6 of Section 33, Township 28  
 134.19 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way  
 134.20 of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley  
 134.21 Memorial Highway, excepting therefrom that part described as follows:

134.22 Commencing at the southeast corner of said Government Lot 6; thence North 89 degrees  
 134.23 56 minutes 54 seconds West assumed bearing along the south line of said Government  
 134.24 Lot 6 a distance of 260.31 feet to the point of beginning of the property to be described;  
 134.25 thence continue North 89 degrees 56 minutes 54 seconds West a distance of 71.17 feet;  
 134.26 thence northwesterly a distance of 37.25 feet along a nontangential curve concave to  
 134.27 the East having a radius of 4,098.00 feet and a central angle of 00 degrees 31 minutes

249.23 Sec. 11. ADDITIONS TO STATE PARKS.

249.24 Subdivision 1. [85.012] [Subd. 18.] Fort Snelling State Park, Dakota County. The  
 249.25 following areas are added to Fort Snelling State Park, Dakota County:

249.26 (1) that part of Section 28, Township 28 North, Range 23 West, Dakota County,  
 249.27 Minnesota, bounded by the Dakota County line along the Minnesota River and the following  
 249.28 described lines:

249.29 Beginning at the intersection of the south line of Lot 18 of Auditor's Subdivision Number  
 249.30 29 of Mendota, according to the plat on file in the Office of the Dakota County Recorder,  
 249.31 with the westerly right-of-way line of the existing Sibley Memorial Highway; thence  
 250.1 northerly along said westerly right-of-way line to the north line of said Lot 18; thence  
 250.2 westerly along the north line of said Lot 18 to the easterly right-of-way line of the  
 250.3 Chicago and Northwestern Railroad; thence northerly and northeasterly along said  
 250.4 easterly right-of-way to the east line of said Section 28;

250.5 (2) that part of Section 33, Township 28 North, Range 23 West, Dakota County,  
 250.6 Minnesota, lying westerly of the easterly right-of-way of the Chicago and Northwestern  
 250.7 Railroad;

250.8 (3) that part of Government Lot 6 of Section 33, Township 28 North, Range 23 West,  
 250.9 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and  
 250.10 Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway  
 250.11 and North of the South 752 feet of said Government Lot 6;

250.12 (4) the North 152 feet of the South 752 feet of that part of Government Lot 6 of Section  
 250.13 33, Township 28 North, Range 23 West, Dakota County, Minnesota, lying East of the  
 250.14 easterly right-of-way of the Chicago and Northwestern Railroad and West of the westerly  
 250.15 right-of-way of Sibley Memorial Highway;

250.16 (5) the North 270 feet of the South 600 feet of that part of Government Lot 6 lying  
 250.17 between the westerly right-of-way of Sibley Memorial Highway and the easterly right-of-way  
 250.18 of the Chicago and Northwestern Railroad in Section 33, Township 28 North, Range 23  
 250.19 West, Dakota County, Minnesota;

250.20 (6) that part of the South 20 rods of Government Lot 6 of Section 33, Township 28  
 250.21 North, Range 23 West, Dakota County, Minnesota, lying East of the easterly right-of-way  
 250.22 of the Chicago and Northwestern Railroad and West of the westerly right-of-way of Sibley  
 250.23 Memorial Highway, excepting therefrom that part described as follows:

250.24 Commencing at the southeast corner of said Government Lot 6; thence North 89 degrees  
 250.25 56 minutes 54 seconds West assumed bearing along the south line of said Government  
 250.26 Lot 6 a distance of 260.31 feet to the point of beginning of the property to be described;  
 250.27 thence continue North 89 degrees 56 minutes 54 seconds West a distance of 71.17 feet;  
 250.28 thence northwesterly a distance of 37.25 feet along a nontangential curve concave to  
 250.29 the East having a radius of 4,098.00 feet and a central angle of 00 degrees 31 minutes



134.28 15 seconds the chord of said curve bears North 23 degrees 31 minutes 27 seconds West;  
 134.29 thence northerly a distance of 127.39 feet along a compound curve concave to the East  
 134.30 having a radius of 2,005.98 feet and a central angle of 03 degrees 38 minutes 19 seconds;  
 134.31 thence North 70 degrees 22 minutes 29 seconds East not tangent to said curve a distance  
 134.32 of 65.00 feet; thence southerly a distance of 123.26 feet along a nontangential curve  
 134.33 concave to the East having a radius of 1,940.98 feet and a central angle of 03 degrees  
 134.34 38 minutes 19 seconds the chord of said curve bears South 21 degrees 26 minutes 40  
 135.1 seconds East; thence southerly a distance of 65.42 feet to the point of beginning along  
 135.2 a compound curve concave to the East having a radius of 4,033.00 feet and a central  
 135.3 angle of 00 degrees 55 minutes 46 seconds;

135.4 (7) that part of Government Lot 5 of Section 33, Township 28 North, Range 23 West,  
 135.5 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and  
 135.6 Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway,  
 135.7 excepting therefrom that part described as follows:

135.8 Commencing at the southeast corner of said Government Lot 5; thence North 89 degrees  
 135.9 56 minutes 18 seconds West assumed bearing along the south line of said Government  
 135.10 Lot 5 a distance of 70.48 feet to the point of beginning of the property to be described;  
 135.11 thence continue North 89 degrees 56 minutes 18 seconds West along said south line of  
 135.12 Government Lot 5 a distance of 40.01 feet; thence North 01 degree 30 minutes 25 seconds  
 135.13 East a distance of 6.08 feet; thence northerly a distance of 185.58 feet along a tangential  
 135.14 curve concave to the West having a radius of 4,427.00 feet and a central angle of 02  
 135.15 degrees 24 minutes 07 seconds; thence South 89 degrees 06 minutes 18 seconds West  
 135.16 not tangent to said curve a distance of 25.00 feet; thence North 00 degrees 53 minutes  
 135.17 42 seconds West a distance of 539.13 feet; thence northerly a distance of 103.77 feet  
 135.18 along a tangential curve concave to the West having a radius of 1,524.65 feet and a  
 135.19 central angle of 03 degrees 53 minutes 59 seconds; thence northerly a distance of 159.33  
 135.20 feet along a compound curve concave to the West having a radius of 522.45 feet and a  
 135.21 central angle of 17 degrees 28 minutes 23 seconds; thence northwesterly a distance of  
 135.22 86.78 feet along a tangential curve concave to the West having a radius of 1,240.87 feet  
 135.23 and a central angle of 04 degrees 00 minutes 25 seconds; thence North 26 degrees 16  
 135.24 minutes 30 seconds West tangent to said curve a distance of 92.39 feet; thence  
 135.25 northwesterly a distance of 178.12 feet along a tangential curve concave to the East  
 135.26 having a radius of 4,098.00 feet and a central angle of 02 degrees 29 minutes 25 seconds  
 135.27 to a point on the north line of said Government Lot 5 which is 331.48 feet from the  
 135.28 northeast corner thereof as measured along said north line; thence South 89 degrees 56  
 135.29 minutes 54 seconds East along said north line of Government Lot 5 a distance of 71.17  
 135.30 feet; thence southeasterly a distance of 146.53 feet along a nontangential curve concave  
 135.31 to the East having a radius of 4,033.00 feet and a central angle of 02 degrees 04 minutes  
 135.32 54 seconds the chord of said curve bears South 25 degrees 14 minutes 03 seconds East;  
 135.33 thence South 26 degrees 16 minutes 30 seconds East tangent to said curve a distance of  
 135.34 92.39 feet; thence southerly a distance of 91.33 feet along a tangential curve concave  
 135.35 to the West having a radius of 1,305.87 feet and a central angle of 04 degrees 00 minutes

250.30 15 seconds the chord of said curve bears North 23 degrees 31 minutes 27 seconds West;  
 250.31 thence northerly a distance of 127.39 feet along a compound curve concave to the East  
 250.32 having a radius of 2,005.98 feet and a central angle of 03 degrees 38 minutes 19 seconds;  
 250.33 thence North 70 degrees 22 minutes 29 seconds East not tangent to said curve a distance  
 250.34 of 65.00 feet; thence southerly a distance of 123.26 feet along a nontangential curve  
 251.1 concave to the East having a radius of 1,940.98 feet and a central angle of 03 degrees  
 251.2 38 minutes 19 seconds the chord of said curve bears South 21 degrees 26 minutes 40  
 251.3 seconds East; thence southerly a distance of 65.42 feet to the point of beginning along  
 251.4 a compound curve concave to the East having a radius of 4,033.00 feet and a central  
 251.5 angle of 00 degrees 55 minutes 46 seconds;

251.6 (7) that part of Government Lot 5 of Section 33, Township 28 North, Range 23 West,  
 251.7 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and  
 251.8 Northwestern Railroad and West of the westerly right-of-way of Sibley Memorial Highway,  
 251.9 excepting therefrom that part described as follows:

251.10 Commencing at the southeast corner of said Government Lot 5; thence North 89 degrees  
 251.11 56 minutes 18 seconds West assumed bearing along the south line of said Government  
 251.12 Lot 5 a distance of 70.48 feet to the point of beginning of the property to be described;  
 251.13 thence continue North 89 degrees 56 minutes 18 seconds West along said south line of  
 251.14 Government Lot 5 a distance of 40.01 feet; thence North 01 degree 30 minutes 25 seconds  
 251.15 East a distance of 6.08 feet; thence northerly a distance of 185.58 feet along a tangential  
 251.16 curve concave to the West having a radius of 4,427.00 feet and a central angle of 02  
 251.17 degrees 24 minutes 07 seconds; thence South 89 degrees 06 minutes 18 seconds West  
 251.18 not tangent to said curve a distance of 25.00 feet; thence North 00 degrees 53 minutes  
 251.19 42 seconds West a distance of 539.13 feet; thence northerly a distance of 103.77 feet  
 251.20 along a tangential curve concave to the West having a radius of 1,524.65 feet and a  
 251.21 central angle of 03 degrees 53 minutes 59 seconds; thence northerly a distance of 159.33  
 251.22 feet along a compound curve concave to the West having a radius of 522.45 feet and a  
 251.23 central angle of 17 degrees 28 minutes 23 seconds; thence northwesterly a distance of  
 251.24 86.78 feet along a tangential curve concave to the West having a radius of 1,240.87 feet  
 251.25 and a central angle of 04 degrees 00 minutes 25 seconds; thence North 26 degrees 16  
 251.26 minutes 30 seconds West tangent to said curve a distance of 92.39 feet; thence  
 251.27 northwesterly a distance of 178.12 feet along a tangential curve concave to the East  
 251.28 having a radius of 4,098.00 feet and a central angle of 02 degrees 29 minutes 25 seconds  
 251.29 to a point on the north line of said Government Lot 5 which is 331.48 feet from the  
 251.30 northeast corner thereof as measured along said north line; thence South 89 degrees 56  
 251.31 minutes 54 seconds East along said north line of Government Lot 5 a distance of 71.17  
 251.32 feet; thence southeasterly a distance of 146.53 feet along a nontangential curve concave  
 251.33 to the East having a radius of 4,033.00 feet and a central angle of 02 degrees 04 minutes  
 251.34 54 seconds the chord of said curve bears South 25 degrees 14 minutes 03 seconds East;  
 251.35 thence South 26 degrees 16 minutes 30 seconds East tangent to said curve a distance of  
 252.1 92.39 feet; thence southerly a distance of 91.33 feet along a tangential curve concave  
 252.2 to the West having a radius of 1,305.87 feet and a central angle of 04 degrees 00 minutes

136.1 25 seconds; thence southerly a distance of 179.15 feet along a tangential curve concave  
 136.2 to the West having a radius of 587.45 feet and a central angle of 17 degrees 28 minutes  
 136.3 23 seconds; thence southerly a distance of 108.20 feet along a compound curve concave  
 136.4 to the West having a radius of 1,589.65 feet and a central angle of 03 degrees 53 minutes  
 136.5 59 seconds; thence South 00 degrees 53 minutes 42 seconds East tangent to said curve  
 136.6 a distance of 539.13 feet; thence southerly a distance of 187.26 feet along a tangential  
 136.7 curve concave to the West having a radius of 4,467.00 feet and a central angle of 02  
 136.8 degrees 24 minutes 07 seconds; thence South 01 degree 30 minutes 25 seconds West  
 136.9 tangent to said curve a distance of 5.07 feet to the point of beginning; and

136.10 (8) that part of Government Lot 4 of Section 33, Township 28 North, Range 23 West,  
 136.11 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and  
 136.12 Northwestern Railroad and northerly of the following described line:

136.13 Commencing at the southeast corner of said Government Lot 4; thence North 89 degrees  
 136.14 55 minutes 42 seconds West assumed bearing along the south line of said Government  
 136.15 Lot 4 a distance of 312.44 feet to corner B205, MNDOT Right-of-Way Plat No. 19-93,  
 136.16 according to the recorded map thereof; thence continue North 89 degrees 55 minutes 42  
 136.17 seconds West along said south line of Government Lot 4 a distance of 318.00 feet to the  
 136.18 easterly right-of-way of Chicago and Northwestern Railroad; thence northerly along  
 136.19 said railroad right-of-way a distance of 387.97 feet along a nontangential curve concave  
 136.20 to the West having a radius of 2,963.54 feet and a central angle of 07 degrees 30 minutes  
 136.21 03 seconds, the chord of said curve bears North 00 degrees 42 minutes 41 seconds East;  
 136.22 thence North 03 degrees 02 minutes 21 seconds West tangent to said curve along said  
 136.23 railroad right-of-way a distance of 619.45 feet to the point of beginning of the line to  
 136.24 be described; thence North 89 degrees 35 minutes 27 seconds East a distance of 417.92  
 136.25 feet; thence North 18 degrees 18 minutes 58 seconds East a distance of 317.52 feet to a  
 136.26 point on the north line of said Government Lot 4 which is 135.00 feet from the northeast  
 136.27 corner thereof as measured along said north line and there terminating.

136.28 Subd. 2. [85.012] [Subd. 38A.] Lake Vermilion-Soudan Underground Mine State  
 136.29 Park, St. Louis County. The following areas are added to Lake Vermilion-Soudan  
 136.30 Underground Mine State Park, St. Louis County, and are designated as the Granelda Unit:

136.31 (1) Lot 3 of Section 28 and Lot 5 of Section 29 in Township 63 North of Range 17, all  
 136.32 West of the 4th Principal Meridian, according to the United States Government Survey  
 136.33 thereof;

137.1 (2) the Northeast Quarter of the Southwest Quarter, the Northwest Quarter, the Southeast  
 137.2 Quarter of the Northeast Quarter, the Northeast Quarter of the Northeast Quarter, and Lots  
 137.3 numbered 1, 2, 3, and 4 of Section 29 in Township 63 North of Range 17, all West of the  
 137.4 4th Principal Meridian, according to the United States Government survey thereof;

137.5 (3) Lots 1 and 2 of Section 32 in Township 63 North of Range 17, all West of the 4th  
 137.6 Principal Meridian, according to the United States Government Survey thereof; and

252.3 25 seconds; thence southerly a distance of 179.15 feet along a tangential curve concave  
 252.4 to the West having a radius of 587.45 feet and a central angle of 17 degrees 28 minutes  
 252.5 23 seconds; thence southerly a distance of 108.20 feet along a compound curve concave  
 252.6 to the West having a radius of 1,589.65 feet and a central angle of 03 degrees 53 minutes  
 252.7 59 seconds; thence South 00 degrees 53 minutes 42 seconds East tangent to said curve  
 252.8 a distance of 539.13 feet; thence southerly a distance of 187.26 feet along a tangential  
 252.9 curve concave to the West having a radius of 4,467.00 feet and a central angle of 02  
 252.10 degrees 24 minutes 07 seconds; thence South 01 degree 30 minutes 25 seconds West  
 252.11 tangent to said curve a distance of 5.07 feet to the point of beginning; and

252.12 (8) that part of Government Lot 4 of Section 33, Township 28 North, Range 23 West,  
 252.13 Dakota County, Minnesota, lying East of the easterly right-of-way of the Chicago and  
 252.14 Northwestern Railroad and northerly of the following described line:

252.15 Commencing at the southeast corner of said Government Lot 4; thence North 89 degrees  
 252.16 55 minutes 42 seconds West assumed bearing along the south line of said Government  
 252.17 Lot 4 a distance of 312.44 feet to corner B205, MNDOT Right-of-Way Plat No. 19-93,  
 252.18 according to the recorded map thereof; thence continue North 89 degrees 55 minutes 42  
 252.19 seconds West along said south line of Government Lot 4 a distance of 318.00 feet to the  
 252.20 easterly right-of-way of Chicago and Northwestern Railroad; thence northerly along  
 252.21 said railroad right-of-way a distance of 387.97 feet along a nontangential curve concave  
 252.22 to the West having a radius of 2,963.54 feet and a central angle of 07 degrees 30 minutes  
 252.23 03 seconds, the chord of said curve bears North 00 degrees 42 minutes 41 seconds East;  
 252.24 thence North 03 degrees 02 minutes 21 seconds West tangent to said curve along said  
 252.25 railroad right-of-way a distance of 619.45 feet to the point of beginning of the line to  
 252.26 be described; thence North 89 degrees 35 minutes 27 seconds East a distance of 417.92  
 252.27 feet; thence North 18 degrees 18 minutes 58 seconds East a distance of 317.52 feet to a  
 252.28 point on the north line of said Government Lot 4 which is 135.00 feet from the northeast  
 252.29 corner thereof as measured along said north line and there terminating.

252.30 Subd. 2. [85.012] [Subd. 38A.] Lake Vermilion-Soudan Underground Mine State  
 252.31 Park, St. Louis County. The following areas are added to Lake Vermilion-Soudan  
 252.32 Underground Mine State Park, St. Louis County, and are designated as the Granelda Unit:

252.33 (1) Lot 3 of Section 28 and Lot 5 of Section 29 in Township 63 North of Range 17, all  
 252.34 West of the 4th Principal Meridian, according to the United States Government Survey  
 252.35 thereof;

253.1 (2) the Northeast Quarter of the Southwest Quarter, the Northwest Quarter, the Southeast  
 253.2 Quarter of the Northeast Quarter, the Northeast Quarter of the Northeast Quarter, and Lots  
 253.3 numbered 1, 2, 3, and 4 of Section 29 in Township 63 North of Range 17, all West of the  
 253.4 4th Principal Meridian, according to the United States Government survey thereof;

253.5 (3) Lots 1 and 2 of Section 32 in Township 63 North of Range 17, all West of the 4th  
 253.6 Principal Meridian, according to the United States Government Survey thereof; and

137.7 (4) Lot 4 of Section 23 in Township 63 North of Range 18, all West of the 4th Principal  
137.8 Meridian, according to the United States Government Survey thereof.

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

137.10 Sec. 139. **ADDITION TO STATE RECREATION AREA.**

137.11 **[85.013] [Subd. 12a.] Iron Range Off-Highway Vehicle Recreation Area, St. Louis**

137.12 **County.** The following area is added to Iron Range Off-Highway Vehicle Recreation Area,

137.13 **St. Louis County:** that part of the South Half of the Northwest Quarter of Section 15,

137.14 Township 58 North, Range 17 West, St. Louis County, Minnesota, lying northerly of the

137.15 following described line:

137.16 Commencing at the West quarter corner of said Section 15; thence North 01 degree 24  
137.17 minutes 27 seconds West, bearing assumed, along the west line of said South Half of  
137.18 the Northwest Quarter a distance of 1,034.09 feet to a 3/4-inch rebar with plastic cap  
137.19 stamped "MN DNR LS 44974" (DM) and the point of beginning; thence South 62 degrees  
137.20 44 minutes 07 seconds East 405.24 feet to a DM; thence South 82 degrees 05 minutes  
137.21 24 seconds East 314.95 feet to a DM; thence South 86 degrees 18 minutes 01 second  
137.22 East 269.23 feet to a DM; thence North 81 degrees 41 minutes 24 seconds East 243.61  
137.23 feet to a DM; thence North 71 degrees 48 minutes 05 seconds East 478.17 feet to a DM;  
137.24 thence North 60 degrees 53 minutes 38 seconds East 257.32 feet to a DM; thence South  
137.25 09 degrees 16 minutes 07 seconds East 179.09 feet to a DM; thence South 49 degrees  
137.26 16 minutes 00 seconds East 127.27 feet to a DM; thence South 50 degrees 16 minutes  
137.27 11 seconds East 187.13 feet to a DM; thence South 67 degrees 11 minutes 35 seconds  
137.28 East 189.33 feet to a DM; thence South 67 degrees 13 minutes 16 seconds East 209.43  
137.29 feet to a DM; thence South 80 degrees 39 minutes 19 seconds East 167.59 feet to a DM  
137.30 on the east line of said South Half of the Northwest Quarter, and there terminating.

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

138.1 Sec. 140. **DELETIONS FROM STATE PARKS.**

138.2 Subdivision 1. **[85.012] [Subd. 18.] Fort Snelling State Park, Dakota County.** The

138.3 following areas are deleted from Fort Snelling State Park, Dakota County:

138.4 (1) all of Section 33, Township 28 North, Range 23 West of the 4th Principal Meridian  
138.5 lying westerly of the westerly right-of-way line of the existing Minnesota Trunk Highway  
138.6 No. 13, excepting the right-of-way owned by the Chicago and Northwestern railway  
138.7 company; and

138.8 (2) all of Section 28, Township 28 North, Range 23 West of the 4th Principal Meridian  
138.9 bounded by the Dakota County line along the Minnesota River and the following described  
138.10 lines: Beginning at the south line of said Section 28 at its intersection with the westerly  
138.11 right-of-way line of the existing Minnesota Trunk Highway No. 13; thence northerly along  
138.12 the said westerly right-of-way line of existing Minnesota Trunk Highway No. 13 to the  
138.13 southerly right-of-way line of existing Minnesota Trunk Highway Nos. 55 and 100; thence

253.7 (4) Lot 4 of Section 23 in Township 63 North of Range 18, all West of the 4th Principal  
253.8 Meridian, according to the United States Government Survey thereof.

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

253.10 Sec. 12. **ADDITION TO STATE RECREATION AREA.**

253.11 **[85.013] [Subd. 12a.] Iron Range Off-Highway Vehicle Recreation Area, St. Louis**

253.12 **County.** The following area is added to Iron Range Off-Highway Vehicle Recreation Area,

253.13 **St. Louis County:** that part of the South Half of the Northwest Quarter of Section 15,

253.14 Township 58 North, Range 17 West, St. Louis County, Minnesota, lying northerly of the

253.15 following described line:

253.16 Commencing at the West quarter corner of said Section 15; thence North 01 degree 24  
253.17 minutes 27 seconds West, bearing assumed, along the west line of said South Half of  
253.18 the Northwest Quarter a distance of 1,034.09 feet to a 3/4-inch rebar with plastic cap  
253.19 stamped "MN DNR LS 44974" (DM) and the point of beginning; thence South 62 degrees  
253.20 44 minutes 07 seconds East 405.24 feet to a DM; thence South 82 degrees 05 minutes  
253.21 24 seconds East 314.95 feet to a DM; thence South 86 degrees 18 minutes 01 second  
253.22 East 269.23 feet to a DM; thence North 81 degrees 41 minutes 24 seconds East 243.61  
253.23 feet to a DM; thence North 71 degrees 48 minutes 05 seconds East 478.17 feet to a DM;  
253.24 thence North 60 degrees 53 minutes 38 seconds East 257.32 feet to a DM; thence South  
253.25 09 degrees 16 minutes 07 seconds East 179.09 feet to a DM; thence South 49 degrees  
253.26 16 minutes 00 seconds East 127.27 feet to a DM; thence South 50 degrees 16 minutes  
253.27 11 seconds East 187.13 feet to a DM; thence South 67 degrees 11 minutes 35 seconds  
253.28 East 189.33 feet to a DM; thence South 67 degrees 13 minutes 16 seconds East 209.43  
253.29 feet to a DM; thence South 80 degrees 39 minutes 19 seconds East 167.59 feet to a DM  
253.30 on the east line of said South Half of the Northwest Quarter, and there terminating.

254.1 Sec. 13. **DELETIONS FROM STATE PARKS.**

254.2 Subdivision 1. **[85.012] [Subd. 18.] Fort Snelling State Park, Dakota County.** The

254.3 following areas are deleted from Fort Snelling State Park, Dakota County:

254.4 (1) all of Section 33, Township 28 North, Range 23 West of the 4th Principal Meridian  
254.5 lying westerly of the westerly right-of-way line of the existing Minnesota Trunk Highway  
254.6 No. 13, excepting the right-of-way owned by the Chicago and Northwestern railway  
254.7 company; and

254.8 (2) all of Section 28, Township 28 North, Range 23 West of the 4th Principal Meridian  
254.9 bounded by the Dakota County line along the Minnesota River and the following described  
254.10 lines: Beginning at the south line of said Section 28 at its intersection with the westerly  
254.11 right-of-way line of the existing Minnesota Trunk Highway No. 13; thence northerly along  
254.12 the said westerly right-of-way line of existing Minnesota Trunk Highway No. 13 to the  
254.13 southerly right-of-way line of existing Minnesota Trunk Highway Nos. 55 and 100; thence

138.14 along the existing southerly right-of-way line of Minnesota Trunk Highway Nos. 55 and  
 138.15 100 to the westerly right-of-way line owned by the Chicago and Northwestern railway  
 138.16 company; thence northeasterly along the said westerly right-of-way line of the Chicago and  
 138.17 Northwestern railway to the east line of said Section 28, excepting therefrom the right-of-way  
 138.18 owned by the Chicago and Northwestern railway company.

138.19 Subd. 2. [85.012] [Subd. 43.] Minneopa State Park, Blue Earth County. The following  
 138.20 area is deleted from Minneopa State Park, Blue Earth County: a tract of land located in the  
 138.21 Northwest Quarter of the Northwest Quarter of Section 21, Township 108 North, Range 27  
 138.22 West of the Fifth Principal Meridian, Blue Earth County, Minnesota, more particularly  
 138.23 described as follows:

138.24 Commencing at the northwest corner of said Section 21; thence on an assumed bearing  
 138.25 of South 01 degree 31 minutes 27 seconds East, along the west line of the Northwest  
 138.26 Quarter of the Northwest Quarter of said Section 21, a distance of 545.00 feet, to the  
 138.27 south line of the North 545.00 feet of the Northwest Quarter of the Northwest Quarter  
 138.28 of said Section 21, also being the south line of Minneopa Cemetery and the point of  
 138.29 beginning of the tract to be herein described; thence North 88 degrees 22 minutes 26  
 138.30 seconds East, along said south line of Minneopa Cemetery, a distance of 228.95 feet;  
 138.31 thence southwesterly 58.5 feet, more or less, to the intersection of the west line of Block  
 138.32 188 and the northerly line of the railroad right-of-way, said point of intersection being  
 138.33 31.90 feet distant, measured at right angles from the south line of said Minneopa  
 138.34 Cemetery; thence continue southwesterly along said railroad right-of-way 187 feet, more  
 139.1 or less, to a point on the west line of the Northwest Quarter of the Northwest Quarter of  
 139.2 said Section 21; thence North 01 degree 31 minutes 27 seconds West, along said west  
 139.3 line to the point of beginning.

139.4 Subd. 3. [85.012] [Subd. 60.] William O'Brien State Park, Washington County. The  
 139.5 following areas are deleted from William O'Brien State Park, Washington County:

139.6 (1) those parts of Section 25, Township 32 North, Range 20 West, Washington County,  
 139.7 Minnesota, described as follows:

139.8 The West two rods of the Southwest Quarter of the Northeast Quarter, the West two  
 139.9 rods of the North two rods of the Northwest Quarter of the Southeast Quarter, and the  
 139.10 East two rods of the Southeast Quarter of the Northwest Quarter; and

139.11 (2) the East two rods over and across the Northeast Quarter of the Northwest Quarter,  
 139.12 excepting therefrom the North 200 feet of said Northeast Quarter of the Northwest Quarter.  
 139.13 Also, the West 2 rods of the Northwest Quarter of the Northeast Quarter, excepting therefrom  
 139.14 the North 266 feet of said Northwest Quarter of the Northeast Quarter. Also, the South 66  
 139.15 feet of the North 266 feet of that part of said Northwest Quarter of the Northeast Quarter  
 139.16 lying southwesterly of the existing public road known as 199th Street North.

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

254.14 along the existing southerly right-of-way line of Minnesota Trunk Highway Nos. 55 and  
 254.15 100 to the westerly right-of-way line owned by the Chicago and Northwestern railway  
 254.16 company; thence northeasterly along the said westerly right-of-way line of the Chicago and  
 254.17 Northwestern railway to the east line of said Section 28, excepting therefrom the right-of-way  
 254.18 owned by the Chicago and Northwestern railway company.

254.19 Subd. 2. [85.012] [Subd. 43.] Minneopa State Park, Blue Earth County. The following  
 254.20 area is deleted from Minneopa State Park, Blue Earth County: a tract of land located in the  
 254.21 Northwest Quarter of the Northwest Quarter of Section 21, Township 108 North, Range 27  
 254.22 West of the Fifth Principal Meridian, Blue Earth County, Minnesota, more particularly  
 254.23 described as follows:

254.24 Commencing at the northwest corner of said Section 21; thence on an assumed bearing  
 254.25 of South 01 degree 31 minutes 27 seconds East, along the west line of the Northwest  
 254.26 Quarter of the Northwest Quarter of said Section 21, a distance of 545.00 feet, to the  
 254.27 south line of the North 545.00 feet of the Northwest Quarter of the Northwest Quarter  
 254.28 of said Section 21, also being the south line of Minneopa Cemetery and the point of  
 254.29 beginning of the tract to be herein described; thence North 88 degrees 22 minutes 26  
 254.30 seconds East, along said south line of Minneopa Cemetery, a distance of 228.95 feet;  
 254.31 thence southwesterly 58.5 feet, more or less, to the intersection of the west line of Block  
 254.32 188 and the northerly line of the railroad right-of-way, said point of intersection being  
 254.33 31.90 feet distant, measured at right angles from the south line of said Minneopa  
 254.34 Cemetery; thence continue southwesterly along said railroad right-of-way 187 feet, more  
 255.1 or less, to a point on the west line of the Northwest Quarter of the Northwest Quarter of  
 255.2 said Section 21; thence North 01 degree 31 minutes 27 seconds West, along said west  
 255.3 line to the point of beginning.

255.4 Subd. 3. [85.012] [Subd. 60.] William O'Brien State Park, Washington County. The  
 255.5 following areas are deleted from William O'Brien State Park, Washington County:

255.6 (1) those parts of Section 25, Township 32 North, Range 20 West, Washington County,  
 255.7 Minnesota, described as follows:

255.8 The West two rods of the Southwest Quarter of the Northeast Quarter, the West two  
 255.9 rods of the North two rods of the Northwest Quarter of the Southeast Quarter, and the  
 255.10 East two rods of the Southeast Quarter of the Northwest Quarter; and

255.11 (2) the East two rods over and across the Northeast Quarter of the Northwest Quarter,  
 255.12 excepting therefrom the North 200 feet of said Northeast Quarter of the Northwest Quarter.  
 255.13 Also, the West 2 rods of the Northwest Quarter of the Northeast Quarter, excepting therefrom  
 255.14 the North 266 feet of said Northwest Quarter of the Northeast Quarter. Also, the South 66  
 255.15 feet of the North 266 feet of that part of said Northwest Quarter of the Northeast Quarter  
 255.16 lying southwesterly of the existing public road known as 199th Street North.

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

139.18 Sec. 141. PRIVATE SALE OF SURPLUS STATE LAND; CASS COUNTY.

139.19 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of  
139.20 natural resources may sell by private sale the surplus land that is described in paragraph (c).

139.21 (b) The commissioner may make necessary changes to the legal description to correct  
139.22 errors and ensure accuracy.

139.23 (c) The land to be conveyed is located in Cass County and is described as: the westerly  
139.24 20.00 feet of the West Half of the Northeast Quarter, Section 16, Township 139 North,  
139.25 Range 30 West, Cass County, Minnesota. The Grantor, its employees and agents only,  
139.26 reserves a perpetual easement for ingress and egress over and across the above described  
139.27 land.

139.28 (d) The Department of Natural Resources has determined that the land is not needed for  
139.29 natural resource purposes and that the state's land management interests would best be  
139.30 served if the land was returned to private ownership.

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

140.1 Sec. 142. PRIVATE SALE OF SURPLUS STATE LAND; LAKE OF THE WOODS  
140.2 COUNTY.

140.3 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of  
140.4 natural resources may sell by private sale the surplus land that is described in paragraph (c).

140.5 (b) The commissioner may make necessary changes to the legal description to correct  
140.6 errors and ensure accuracy.

140.7 (c) The land to be conveyed is located in Lake of the Woods County and is described  
140.8 as: a strip of land lying in Government Lot 3, Section 5, Township 163 North, Range 34  
140.9 West of the Fifth Principal Meridian, Lake of the Woods County, Minnesota; said strip of  
140.10 land being 33.00 feet in width lying 16.50 feet on each side of the following described  
140.11 centerline:

140.12 Commencing at the southeast corner of said Government Lot 3; thence North 00 degrees  
140.13 09 minutes 28 seconds West, assumed bearing, along the east line of said Government  
140.14 Lot 3, a distance of 690 feet, more or less, to the south line of that particular tract of land  
140.15 deeded to the State of Minnesota according to Document No. 75286, on file and of record  
140.16 in the Office of the Recorder, Lake of the Woods County, Minnesota; thence South 89  
140.17 degrees 50 minutes 32 seconds West, along said south line of that particular tract of  
140.18 land, a distance of 200.00 feet; thence South 00 degrees 09 minutes 28 seconds East,  
140.19 parallel with the east line of said Government Lot 3, a distance of 40.00 feet; thence  
140.20 South 89 degrees 50 minutes 32 seconds West, a distance of 16.50 feet to the point of  
140.21 beginning of the centerline to be herein described; thence South 00 degrees 09 minutes  
140.22 28 seconds East, parallel with the east line of said Government Lot 3, a distance of 650.5

271.23 Sec. 17. PRIVATE SALE OF SURPLUS STATE LAND; CASS COUNTY.

271.24 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of  
271.25 natural resources may sell by private sale the surplus land that is described in paragraph (c).

271.26 (b) The commissioner may make necessary changes to the legal description to correct  
271.27 errors and ensure accuracy.

271.28 (c) The land to be conveyed is located in Cass County and is described as: the westerly  
271.29 20.00 feet of the West Half of the Northeast Quarter, Section 16, Township 139 North,  
271.30 Range 30 West, Cass County, Minnesota. The Grantor, its employees and agents only,  
272.1 reserves a perpetual easement for ingress and egress over and across the above described  
272.2 land.

272.3 (d) The Department of Natural Resources has determined that the land is not needed for  
272.4 natural resource purposes and that the state's land management interests would best be  
272.5 served if the land was returned to private ownership.

273.8 Sec. 20. PRIVATE SALE OF SURPLUS STATE LAND; LAKE OF THE WOODS  
273.9 COUNTY.

273.10 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of  
273.11 natural resources may sell by private sale the surplus land that is described in paragraph (c).

273.12 (b) The commissioner may make necessary changes to the legal description to correct  
273.13 errors and ensure accuracy.

273.14 (c) The land to be conveyed is located in Lake of the Woods County and is described  
273.15 as: a strip of land lying in Government Lot 3, Section 5, Township 163 North, Range 34  
273.16 West of the Fifth Principal Meridian, Lake of the Woods County, Minnesota; said strip of  
273.17 land being 33.00 feet in width lying 16.50 feet on each side of the following described  
273.18 centerline:

273.19 Commencing at the southeast corner of said Government Lot 3; thence North 00 degrees  
273.20 09 minutes 28 seconds West, assumed bearing, along the east line of said Government  
273.21 Lot 3, a distance of 690 feet, more or less, to the south line of that particular tract of land  
273.22 deeded to the State of Minnesota according to Document No. 75286, on file and of record  
273.23 in the Office of the Recorder, Lake of the Woods County, Minnesota; thence South 89  
273.24 degrees 50 minutes 32 seconds West, along said south line of that particular tract of  
273.25 land, a distance of 200.00 feet; thence South 00 degrees 09 minutes 28 seconds East,  
273.26 parallel with the east line of said Government Lot 3, a distance of 40.00 feet; thence  
273.27 South 89 degrees 50 minutes 32 seconds West, a distance of 16.50 feet to the point of  
273.28 beginning of the centerline to be herein described; thence South 00 degrees 09 minutes  
273.29 28 seconds East, parallel with the east line of said Government Lot 3, a distance of 650.5

140.23 feet, more or less, to the south line of said Government Lot 3 and said centerline there  
140.24 terminating.

140.25 (d) The Department of Natural Resources has determined that the land is not needed for  
140.26 natural resource purposes and that the state's land management interests would best be  
140.27 served if the land was returned to private ownership.

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

140.29 Sec. 143. **PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.**

140.30 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of  
140.31 natural resources may convey the surplus land that is described in paragraph (c) to a local  
140.32 unit of government for no consideration.

141.1 (b) The commissioner may make necessary changes to the legal description to correct  
141.2 errors and ensure accuracy.

141.3 (c) The land to be conveyed is located in St. Louis County and is described as: that part  
141.4 of the Southwest Quarter of the Northwest Quarter of Section 27, Township 52 North, Range  
141.5 17 West, St. Louis County, Minnesota, described as follows:

141.6 Commencing at the quarter corner between Sections 27 and 28 of said Township 52  
141.7 North, Range 17 West; thence running East 624 feet; thence North 629 feet to the point  
141.8 of beginning; thence North 418 feet; thence East 208 feet; thence South 418 feet; thence  
141.9 West 208 feet to the point of beginning.

141.10 (d) The Department of Natural Resources has determined that the land is not needed for  
141.11 natural resource purposes and that the state's land management interests would best be  
141.12 served if the land were conveyed to a local unit of government.

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

141.14 Sec. 144. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

141.15 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
141.16 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
141.17 described in paragraph (c).

141.18 (b) The conveyances must be in a form approved by the attorney general. The attorney  
141.19 general may make changes to the land descriptions to correct errors and ensure accuracy.

141.20 (c) The lands to be sold are located in St. Louis County and are described as:

141.21 (1) Lot 5, Block 9, including part of vacated Seafield Street adjacent, Bristol Beach 1st  
141.22 Division, Duluth (parcel 010-0300-01030); and

141.23 (2) that part of the Southeast Quarter of the Northwest Quarter, Township 58, Range  
141.24 15, Section 5, lying northerly of the northerly right-of-way line of the town of White road  
141.25 running in an east-west direction connecting County Road No. 138 with State Highway No.

273.30 feet, more or less, to the south line of said Government Lot 3 and said centerline there  
273.31 terminating.

274.1 (d) The Department of Natural Resources has determined that the land is not needed for  
274.2 natural resource purposes and that the state's land management interests would best be  
274.3 served if the land was returned to private ownership.

274.27 Sec. 22. **PRIVATE SALE OF SURPLUS STATE LAND; ST. LOUIS COUNTY.**

274.28 (a) Notwithstanding Minnesota Statutes, sections 94.09 to 94.16, the commissioner of  
274.29 natural resources may convey the surplus land that is described in paragraph (c) to a local  
274.30 unit of government for no consideration.

274.31 (b) The commissioner may make necessary changes to the legal description to correct  
274.32 errors and ensure accuracy.

275.1 (c) The land to be conveyed is located in St. Louis County and is described as: that part  
275.2 of the Southwest Quarter of the Northwest Quarter of Section 27, Township 52 North, Range  
275.3 17 West, St. Louis County, Minnesota, described as follows:

275.4 Commencing at the quarter corner between Sections 27 and 28 of said Township 52  
275.5 North, Range 17 West; thence running East 624 feet; thence North 629 feet to the point  
275.6 of beginning; thence North 418 feet; thence East 208 feet; thence South 418 feet; thence  
275.7 West 208 feet to the point of beginning.

275.8 (d) The Department of Natural Resources has determined that the land is not needed for  
275.9 natural resource purposes and that the state's land management interests would best be  
275.10 served if the land were conveyed to a local unit of government.

275.11 Sec. 23. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

275.12 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
275.13 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
275.14 described in paragraph (c).

275.15 (b) The conveyances must be in a form approved by the attorney general. The attorney  
275.16 general may make changes to the land descriptions to correct errors and ensure accuracy.

275.17 (c) The lands to be sold are located in St. Louis County and are described as:

275.18 (1) Lot 5, Block 9, including part of vacated Seafield Street adjacent, Bristol Beach 1st  
275.19 Division, Duluth (parcel 010-0300-01030); and

275.20 (2) that part of the Southeast Quarter of the Northwest Quarter, Township 58, Range  
275.21 15, Section 5, lying northerly of the northerly right-of-way line of the town of White road  
275.22 running in an east-west direction connecting County Road No. 138 with State Highway No.

141.26 135 and lying westerly of the following described line: commencing at the northeast corner  
141.27 of Government Lot 3; thence South 89 degrees 46 minutes 22 seconds West along the north  
141.28 line of Government Lot 3 558.28 feet; thence South 27 degrees 50 minutes 01 second West  
141.29 102.75 feet; thence South 41 degrees 51 minutes 46 seconds West 452.29 feet; thence South  
141.30 28 degrees 19 minutes 22 seconds West 422.74 feet; thence South 30 degrees 55 minutes  
141.31 42 seconds West 133.79 feet; thence southwesterly 210.75 feet along a tangential curve  
141.32 concave to the southeast having a radius of 300 feet and a central angle of 40 degrees 15  
142.1 minutes 00 seconds; thence South 09 degrees 19 minutes 19 seconds East tangent to said  
142.2 curve 100.30 feet, more or less, to the north line of said Southeast Quarter of the Northwest  
142.3 Quarter; thence North 89 degrees 09 minutes 31 seconds East along said north line 40.44  
142.4 feet to the point of beginning of the line; thence South 09 degrees 19 minutes 19 seconds  
142.5 East 148 feet, more or less, to said right-of-way line and said line there terminating. Surface  
142.6 only (parcel 570-0021-00112).

142.7 (d) The county has determined that the county's land management interests would best  
142.8 be served if the lands were returned to private ownership.

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

142.10 Sec. 145. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
142.11 **WATER; WADENA COUNTY.**

142.12 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
142.13 resources may sell by public sale the surplus land bordering public water that is described  
142.14 in paragraph (c).

142.15 (b) The commissioner may make necessary changes to the legal description to correct  
142.16 errors and ensure accuracy.

142.17 (c) The land that may be sold is located in Wadena County and is described as: the  
142.18 Northeast Quarter of the Southwest Quarter of Section 26, Township 136 North, Range 34  
142.19 West, Wadena County, Minnesota, except that part described as follows:

142.20 Beginning at the northeast corner of said Northeast Quarter of the Southwest Quarter;  
142.21 thence West 10 rods; thence South 8 rods; thence East 10 rods; thence North 8 rods to  
142.22 the point of beginning and there terminating.

142.23 (d) The land borders the Redeye River. The Department of Natural Resources has  
142.24 determined that the land is not needed for natural resource purposes and that the state's land  
142.25 management interests would best be served if the land were returned to private ownership.

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

142.27 Sec. 146. **RIVERLANDS STATE FOREST; BOUNDARIES.**

142.28 **[89.021] [Subd. 42a.] Riverlands State Forest.** The following areas are designated as  
142.29 the Riverlands State Forest:

275.23 135 and lying westerly of the following described line: commencing at the northeast corner  
275.24 of Government Lot 3; thence South 89 degrees 46 minutes 22 seconds West along the north  
275.25 line of Government Lot 3 558.28 feet; thence South 27 degrees 50 minutes 01 second West  
275.26 102.75 feet; thence South 41 degrees 51 minutes 46 seconds West 452.29 feet; thence South  
275.27 28 degrees 19 minutes 22 seconds West 422.74 feet; thence South 30 degrees 55 minutes  
275.28 42 seconds West 133.79 feet; thence southwesterly 210.75 feet along a tangential curve  
275.29 concave to the southeast having a radius of 300 feet and a central angle of 40 degrees 15  
275.30 minutes 00 seconds; thence South 09 degrees 19 minutes 19 seconds East tangent to said  
275.31 curve 100.30 feet, more or less, to the north line of said Southeast Quarter of the Northwest  
275.32 Quarter; thence North 89 degrees 09 minutes 31 seconds East along said north line 40.44  
275.33 feet to the point of beginning of the line; thence South 09 degrees 19 minutes 19 seconds  
276.1 East 148 feet, more or less, to said right-of-way line and said line there terminating. Surface  
276.2 only (parcel 570-0021-00112).

276.3 (d) The county has determined that the county's land management interests would best  
276.4 be served if the lands were returned to private ownership.

277.27 Sec. 27. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC**  
277.28 **WATER; WADENA COUNTY.**

277.29 (a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural  
277.30 resources may sell by public sale the surplus land bordering public water that is described  
277.31 in paragraph (c).

278.1 (b) The commissioner may make necessary changes to the legal description to correct  
278.2 errors and ensure accuracy.

278.3 (c) The land that may be sold is located in Wadena County and is described as: the  
278.4 Northeast Quarter of the Southwest Quarter of Section 26, Township 136 North, Range 34  
278.5 West, Wadena County, Minnesota, except that part described as follows:

278.6 Beginning at the northeast corner of said Northeast Quarter of the Southwest Quarter;  
278.7 thence West 10 rods; thence South 8 rods; thence East 10 rods; thence North 8 rods to  
278.8 the point of beginning and there terminating.

278.9 (d) The land borders the Redeye River. The Department of Natural Resources has  
278.10 determined that the land is not needed for natural resource purposes and that the state's land  
278.11 management interests would best be served if the land were returned to private ownership.

255.18 Sec. 14. **RIVERLANDS STATE FOREST; BOUNDARIES.**

255.19 **[89.021] [Subd. 42a.] Riverlands State Forest.** The following areas are designated as  
255.20 the Riverlands State Forest:

142.30 (1) those parts of Carlton County in Township 49 North, Range 16 West, described as  
 142.31 follows:

143.1 (i) Government Lots 4, 5, and 6, the westerly 50 feet of Government Lot 3, the easterly  
 143.2 50 feet of Government Lot 8, and Government Lot 7 except that part conveyed to the State  
 143.3 of Minnesota for highway right-of-way, Section 30;

143.4 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 and all of Government Lot  
 143.5 14 except the North 890 feet of the West 765 feet and except the railroad right-of-way,  
 143.6 Section 31; and

143.7 (iii) the South Half of the Northwest Quarter and the Southwest Quarter of Section 32;

143.8 (2) those parts of St. Louis County in Township 50 North, Range 17 West, described as  
 143.9 follows:

143.10 (i) Government Lots 1, 2, 3, and 6 and the Southeast Quarter of the Northwest Quarter  
 143.11 of Section 7;

143.12 (ii) Government Lots 1, 2, and 3, that part of the Northeast Quarter of the Northeast  
 143.13 Quarter lying south of Township Road 5703, the Northwest Quarter of the Northwest  
 143.14 Quarter, the Northeast Quarter of the Southeast Quarter, the Southwest Quarter of the  
 143.15 Southeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter  
 143.16 of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, Section 15;

143.17 (iii) Government Lots 1, 2, 3, and 4, Section 16;

143.18 (iv) Government Lots 1, 2, 3, and 4, Section 17;

143.19 (v) Government Lots 1 and 2, Section 18;

143.20 (vi) Government Lots 3, 7, 8, and 9, Section 22;

143.21 (vii) that part of the Southwest Quarter of the Southwest Quarter lying within 50 feet of  
 143.22 the St. Louis River in Section 23;

143.23 (viii) Government Lots 11 and 12 and that part of Government Lot 6 lying South of the  
 143.24 North 700 feet, except the railroad right-of-way, Section 26; and

143.25 (ix) Government Lot 3 in Section 27;

143.26 (3) those parts of St. Louis County in Township 50 North, Range 18 West, described as  
 143.27 follows:

143.28 (i) Government Lots 2, 3, 4, 7, 9, and 10, the Southwest Quarter of the Northeast Quarter,  
 143.29 the Southeast Quarter of the Northwest Quarter, the Northwest Quarter of the Southeast  
 143.30 Quarter, the Northeast Quarter of the Southwest Quarter, reserving a 66-foot-wide access  
 143.31 easement across Government Lot 2 for access to Grantor's property in Section 31, Township

255.21 (1) those parts of Carlton County in Township 49 North, Range 16 West, described as  
 255.22 follows:

255.23 (i) Government Lots 4, 5, and 6, the westerly 50 feet of Government Lot 3, the easterly  
 255.24 50 feet of Government Lot 8, and Government Lot 7 except that part conveyed to the State  
 255.25 of Minnesota for highway right-of-way, Section 30;

255.26 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 and all of Government Lot  
 255.27 14 except the North 890 feet of the West 765 feet and except the railroad right-of-way,  
 255.28 Section 31; and

255.29 (iii) the South Half of the Northwest Quarter and the Southwest Quarter of Section 32;

255.30 (2) those parts of St. Louis County in Township 50 North, Range 17 West, described as  
 255.31 follows:

256.1 (i) Government Lots 1, 2, 3, and 6 and the Southeast Quarter of the Northwest Quarter  
 256.2 of Section 7;

256.3 (ii) Government Lots 1, 2, and 3, that part of the Northeast Quarter of the Northeast  
 256.4 Quarter lying south of Township Road 5703, the Northwest Quarter of the Northwest  
 256.5 Quarter, the Northeast Quarter of the Southeast Quarter, the Southwest Quarter of the  
 256.6 Southeast Quarter, the Southeast Quarter of the Northeast Quarter, the Northwest Quarter  
 256.7 of the Southeast Quarter, and the Southeast Quarter of the Southeast Quarter, Section 15;

256.8 (iii) Government Lots 1, 2, 3, and 4, Section 16;

256.9 (iv) Government Lots 1, 2, 3, and 4, Section 17;

256.10 (v) Government Lots 1 and 2, Section 18;

256.11 (vi) Government Lots 3, 7, 8, and 9, Section 22;

256.12 (vii) that part of the Southwest Quarter of the Southwest Quarter lying within 50 feet of  
 256.13 the St. Louis River in Section 23;

256.14 (viii) Government Lots 11 and 12 and that part of Government Lot 6 lying South of the  
 256.15 North 700 feet except the railroad right-of-way, Section 26; and

256.16 (ix) Government Lot 3 in Section 27;

256.17 (3) those parts of St. Louis County in Township 50 North, Range 18 West, described as  
 256.18 follows:

256.19 (i) Government Lots 2, 3, 4, 7, 9, and 10, the Southwest Quarter of the Northeast Quarter,  
 256.20 the Southeast Quarter of the Northwest Quarter, the Northwest Quarter of the Southeast  
 256.21 Quarter, the Northeast Quarter of the Southwest Quarter, reserving a 66-foot-wide access  
 256.22 easement across Government Lot 2 for access to Grantor's property in Section 31, Township



144.1 51 North, Range 17 West, and that part of Government Lot 6, Section 1, and Government  
144.2 Lot 6, Section 2, described as follows:

144.3 Commencing at an iron pin at the centerline curve point of Trunk Highway No. 2, being  
144.4 the Minnesota Department of Transportation Station No. 2637 + 00, said point bears  
144.5 North 76 degrees 18 minutes 00 seconds West, assumed bearing 762.00 feet from the  
144.6 point of intersection of the tangent of said Trunk Highway No. 2, being an  
144.7 aluminum-capped monument on the cap of which are stamped the figures "2644 62.0"  
144.8 and the letters "PI," "Minn Highway Dept. Monument," thence South 13 degrees 42  
144.9 minutes 00 seconds West 100.00 feet along the prolongation of the radial line from said  
144.10 curve point, to the southerly right-of-way line of said Trunk Highway No. 2, the point  
144.11 of beginning of the tract to be herein described; thence easterly 622.50 feet along said  
144.12 southerly right-of-way line, along a nontangential curve, concave to the North, having  
144.13 a radius of 5,830.00 feet, a central angle of 6 degrees 07 minutes 04 seconds, and the  
144.14 chord of said curve bears South 79 degrees 21 minutes 32 seconds East; thence South  
144.15 26 degrees 25 minutes 57 seconds West 284.19 feet; thence South 88 degrees 07 minutes  
144.16 14 seconds West 769 feet, more or less, to the shore of the St. Louis River; thence  
144.17 northerly along said shore to its intersection with a line that bears North 76 degrees 18  
144.18 minutes 00 seconds West from the point of beginning; thence South 76 degrees 18  
144.19 minutes 00 seconds East 274 feet, more or less, to the point of beginning, Section 1; and

144.20 (ii) Government Lot 1, Section 12;

144.21 (4) those parts of St. Louis County in Township 51 North, Range 17 West, described as  
144.22 follows:

144.23 (i) Government Lots 3, 4, 5, 6, and 8, Section 3;

144.24 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Northwest Quarter of the  
144.25 Northeast Quarter, Southeast Quarter of the Northwest Quarter, and East Half of the Southeast  
144.26 Quarter, Section 9;

144.27 (iii) Government Lots 1, 2, 5, and 8 and the Southwest Quarter of the Southeast Quarter,  
144.28 Section 16;

144.29 (iv) Government Lots 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the Southeast  
144.30 Quarter of the Northwest Quarter of the Northwest Quarter, Section 20;

144.31 (v) Government Lot 1 and the Southwest Quarter of the Southwest Quarter, Section 29;

144.32 (vi) Government Lots 4, 5, 6, 7, 8, 9, 10, 11, and 12 and the Northeast Quarter of  
144.33 Southwest Quarter, Section 30; and

145.1 (vii) Government Lots 1, 2, 3, 4, 5, and 6, Section 31;

145.2 (5) those parts of St. Louis County in Township 51 North, Range 18 West, described as  
145.3 follows:

256.23 51 North, Range 17 West, and that part of Government Lot 6, Section 1, and Government  
256.24 Lot 6, Section 2, described as follows:

256.25 Commencing at an iron pin at the centerline curve point of Trunk Highway No. 2, being  
256.26 the Minnesota Department of Transportation Station No. 2637 + 00, said point bears  
256.27 North 76 degrees 18 minutes 00 seconds West, assumed bearing 762.00 feet from the  
256.28 point of intersection of the tangent of said Trunk Highway No. 2, being an  
256.29 aluminum-capped monument on the cap of which are stamped the figures "2644 62.0"  
256.30 and the letters "PI," "Minn Highway Dept. Monument," thence South 13 degrees 42  
256.31 minutes 00 seconds West 100.00 feet along the prolongation of the radial line from said  
256.32 curve point, to the southerly right-of-way line of said Trunk Highway No. 2, the point  
257.1 of beginning of the tract to be herein described; thence easterly 622.50 feet along said  
257.2 southerly right-of-way line, along a nontangential curve, concave to the North, having  
257.3 a radius of 5,830.00 feet, a central angle of 6 degrees 07 minutes 04 seconds, and the  
257.4 chord of said curve bears South 79 degrees 21 minutes 32 seconds East; thence South  
257.5 26 degrees 25 minutes 57 seconds West 284.19 feet; thence South 88 degrees 07 minutes  
257.6 14 seconds West 769 feet, more or less, to the shore of the St. Louis River; thence  
257.7 northerly along said shore to its intersection with a line that bears North 76 degrees 18  
257.8 minutes 00 seconds West from the point of beginning; thence South 76 degrees 18  
257.9 minutes 00 seconds East 274 feet, more or less, to the point of beginning, Section 1; and

257.10 (ii) Government Lot 1, Section 12;

257.11 (4) those parts of St. Louis County in Township 51 North, Range 17 West, described as  
257.12 follows:

257.13 (i) Government Lots 3, 4, 5, 6, and 8, Section 3;

257.14 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Northwest Quarter of the  
257.15 Northeast Quarter, Southeast Quarter of the Northwest Quarter, and East Half of the Southeast  
257.16 Quarter, Section 9;

257.17 (iii) Government Lots 1, 2, 5, and 8 and the Southwest Quarter of the Southeast Quarter,  
257.18 Section 16;

257.19 (iv) Government Lots 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the Southeast  
257.20 Quarter of the Northwest Quarter of the Northwest Quarter, Section 20;

257.21 (v) Government Lot 1 and the Southwest Quarter of the Southwest Quarter, Section 29;

257.22 (vi) Government Lots 4, 5, 6, 7, 8, 9, 10, 11, and 12 and the Northeast Quarter of  
257.23 Southwest Quarter, Section 30; and

257.24 (vii) Government Lots 1, 2, 3, 4, 5, and 6, Section 31;

257.25 (5) those parts of St. Louis County in Township 51 North, Range 18 West, described as  
257.26 follows:

- 145.4 (i) Government Lots 1 and 2, Section 27;  
 145.5 (ii) Government Lot 1, Section 28, except railroad right-of-way;  
 145.6 (iii) Government Lots 2, 3, and 4, Section 28;  
 145.7 (iv) Government Lots 3 and 4, Section 29;  
 145.8 (v) Government Lots 2, 3, and 4, Section 30;  
 145.9 (vi) Government Lots 3 and 4, Section 35; and  
 145.10 (vii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest  
 145.11 Quarter, Northeast Quarter of the Southeast Quarter, Southeast Quarter of the Southeast  
 145.12 Quarter, and Southwest Quarter of the Southeast Quarter, Section 36, reserving a  
 145.13 66-foot-wide access easement across Government Lots 5 and 6 and the Southwest Quarter  
 145.14 of the Southeast Quarter for access to Grantor's property in Section 31, Township 51 North,  
 145.15 Range 17 West;  
 145.16 (6) those parts of St. Louis County in Township 51 North, Range 19 West, described as  
 145.17 follows:  
 145.18 (i) that part of Government Lots 1, 2, and 3, Section 26, lying North of the St. Louis  
 145.19 River and Government Lot 7, Section 28;  
 145.20 (ii) Government Lot 8, Section 28, lying northerly of G.N. right-of-way and Government  
 145.21 Lot 5, Section 30;  
 145.22 (iii) Government Lots 7 and 10, Section 30, except right-of-way;  
 145.23 (iv) Government Lot 9, Section 30; and  
 145.24 (v) Government Lot 1, Section 31, lying northerly of the northerly railroad right-of-way  
 145.25 line;  
 145.26 (7) those parts of St. Louis County in Township 51 North, Range 20 West, described as  
 145.27 follows:  
 145.28 (i) Government Lot 2, Section 16;  
 145.29 (ii) Government Lot 8, Section 22;  
 145.30 (iii) Government Lot 3, Section 26;  
 146.1 (iv) Government Lots 1, 2, 3, and 4, Section 36; and  
 146.2 (v) Government Lots 6, 7, and 8, Section 36, except railroad right-of-way;  
 146.3 (8) those parts of St. Louis County in Township 52 North, Range 15 West, described as  
 146.4 follows:

- 257.27 (i) Government Lots 1 and 2, Section 27;  
 257.28 (ii) Government Lot 1, Section 28, except railroad right-of-way;  
 257.29 (iii) Government Lots 2, 3, and 4, Section 28;  
 257.30 (iv) Government Lots 3 and 4, Section 29;  
 257.31 (v) Government Lots 2, 3, and 4, Section 30;  
 258.1 (vi) Government Lots 3 and 4, Section 35; and  
 258.2 (vii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest  
 258.3 Quarter, Northeast Quarter of the Southeast Quarter, Southeast Quarter of the Southeast  
 258.4 Quarter, and Southwest Quarter of the Southeast Quarter, Section 36, reserving a  
 258.5 66-foot-wide access easement across Government Lots 5 and 6 and the Southwest Quarter  
 258.6 of the Southeast Quarter for access to Grantor's property in Section 31, Township 51 North,  
 258.7 Range 17 West;  
 258.8 (6) those parts of St. Louis County in Township 51 North, Range 19 West, described as  
 258.9 follows:  
 258.10 (i) that part of Government Lots 1, 2, and 3, Section 26, lying North of the St. Louis  
 258.11 River and Government Lot 7, Section 28;  
 258.12 (ii) Government Lot 8, Section 28, lying northerly of G.N. right-of-way and Government  
 258.13 Lot 5, Section 30;  
 258.14 (iii) Government Lots 7 and 10, Section 30, except right-of-way;  
 258.15 (iv) Government Lot 9, Section 30; and  
 258.16 (v) Government Lot 1, Section 31, lying northerly of the northerly railroad right-of-way  
 258.17 line;  
 258.18 (7) those parts of St. Louis County in Township 51 North, Range 20 West, described as  
 258.19 follows:  
 258.20 (i) Government Lot 2, Section 16;  
 258.21 (ii) Government Lot 8, Section 22;  
 258.22 (iii) Government Lot 3, Section 26;  
 258.23 (iv) Government Lots 1, 2, 3, and 4, Section 36; and  
 258.24 (v) Government Lots 6, 7, and 8, Section 36, except railroad right-of-way;  
 258.25 (8) those parts of St. Louis County in Township 52 North, Range 15 West, described as  
 258.26 follows:

- 146.5 (i) Government Lots 3, 4, 5, and 6, Section 16;  
146.6 (ii) Government Lots 1, 2, 3, 4, 5, 7, and 8, Section 17, and Government Lot 6, Section  
146.7 17, except the West 330 feet; and  
146.8 (iii) Government Lots 3, 4, 5, 6, and 7, Section 19;  
146.9 (9) those parts of St. Louis County in Township 52 North, Range 16 West, described as  
146.10 follows:  
146.11 (i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter,  
146.12 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,  
146.13 Section 21;  
146.14 (ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the  
146.15 Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;  
146.16 (iii) Government Lot 3, Section 23;  
146.17 (iv) Government Lot 2, Section 24;  
146.18 (v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;  
146.19 (vi) Government Lot 1, Section 26;  
146.20 (vii) Government Lots 2 and 7, Section 26;  
146.21 (viii) Government Lots 3 and 4, Section 27, reserving unto Grantor and Grantor's  
146.22 successors and assigns a 66-foot-wide access road easement across said Government Lot 3  
146.23 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's  
146.24 presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section  
146.25 27, said access road being measured 33 feet from each side of the centerline of that road  
146.26 that is presently existing at various widths and running in a generally  
146.27 southwesterly-northeasterly direction;  
146.28 (ix) Government Lots 1 and 2, Section 28;  
146.29 (x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter  
146.30 and Southwest Quarter of the Northeast Quarter, Section 29;  
147.1 (xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto Grantor and Grantor's  
147.2 successors and assigns a 66-foot-wide access road easement across said Government Lots  
147.3 1, 2, and 3 for the purpose of access to Grantor's or Grantor's successors or assigns land and  
147.4 Grantor's presently owned lands that may be sold, assigned, or transferred in Government  
147.5 Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline  
147.6 of that road that is presently existing at various widths and running in a generally East-West  
147.7 direction and any future extensions thereof as may be reasonably necessary to provide the  
147.8 access contemplated herein;

- 258.27 (i) Government Lots 3, 4, 5, and 6, Section 16;  
258.28 (ii) Government Lots 1, 2, 3, 4, 5, 7, and 8, Section 17, and Government Lot 6, Section  
258.29 17, except the West 330 feet; and  
258.30 (iii) Government Lots 3, 4, 5, 6, and 7, Section 19;  
259.1 (9) those parts of St. Louis County in Township 52 North, Range 16 West, described as  
259.2 follows:  
259.3 (i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter,  
259.4 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,  
259.5 Section 21;  
259.6 (ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the  
259.7 Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;  
259.8 (iii) Government Lot 3, Section 23;  
259.9 (iv) Government Lot 2, Section 24;  
259.10 (v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;  
259.11 (vi) Government Lot 1, Section 26;  
259.12 (vii) Government Lots 2 and 7, Section 26;  
259.13 (viii) Government Lots 3 and 4, Section 27, reserving unto Grantor and Grantor's  
259.14 successors and assigns a 66-foot-wide access road easement across said Government Lot 3  
259.15 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's  
259.16 presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section  
259.17 27, said access road being measured 33 feet from each side of the centerline of that road  
259.18 that is presently existing at various widths and running in a generally  
259.19 southwesterly-northeasterly direction;  
259.20 (ix) Government Lots 1 and 2, Section 28;  
259.21 (x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter  
259.22 and Southwest Quarter of the Northeast Quarter, Section 29;  
259.23 (xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto Grantor and Grantor's  
259.24 successors and assigns a 66-foot-wide access road easement across said Government Lots  
259.25 1, 2, and 3 for the purpose of access to Grantor's or Grantor's successors or assigns land and  
259.26 Grantor's presently owned lands that may be sold, assigned, or transferred in Government  
259.27 Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline  
259.28 of that road that is presently existing at various widths and running in a generally East-West  
259.29 direction and any future extensions thereof as may be reasonably necessary to provide the  
259.30 access contemplated herein;

147.9 (xii) Government Lots 5, 7, 8, and 9, Section 31;

147.10 (xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter  
 147.11 of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the  
 147.12 Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the  
 147.13 Northwest Quarter, Section 32, reserving unto Grantor and Grantor's successors and assigns  
 147.14 an access road easement across the West 66 feet of the North 66 feet of said Government  
 147.15 Lot 1 for the purpose of access to Grantor's or Grantor's successors or assigns land and  
 147.16 Grantor's presently owned land that may be sold, assigned, or transferred in Government  
 147.17 Lot 4, Section 29; and

147.18 (xiv) Northeast Quarter of Northeast Quarter, Section 35;

147.19 (10) those parts of St. Louis County in Township 52 North, Range 17 West, described  
 147.20 as follows:

147.21 (i) the Southwest Quarter of the Southeast Quarter and Southeast Quarter of the Southwest  
 147.22 Quarter, Section 24, reserving unto Grantor and Grantor's successors and assigns a  
 147.23 66-foot-wide access road easement across said Southwest Quarter of the Southeast Quarter  
 147.24 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's  
 147.25 presently owned land that may be sold, assigned, or transferred in Government Lot 4, Section  
 147.26 29, Township 52 North, Range 16 West, said access road being measured 33 feet from each  
 147.27 side of the centerline of that road that is presently existing at various widths and running in  
 147.28 a generally North-South direction;

147.29 (ii) Government Lots 2, 3, 4, 5, and 7 and the Southwest Quarter of the Northeast Quarter,  
 147.30 Section 25, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide  
 147.31 access road easement across said Government Lots 2 and 5 for the purpose of access to  
 147.32 Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that  
 147.33 may be sold, assigned, or transferred in Government Lot 6, Section 25, said access road  
 147.34 being measured 33 feet from each side of the centerline of that road that is presently existing  
 148.1 at various widths and running in a generally northwesterly-southeasterly direction and any  
 148.2 future extensions thereof as may be reasonably necessary to provide the access contemplated  
 148.3 herein;

148.4 (iii) Government Lots 2, 4, 5, and 6 and all that part of Government Lot 3 lying East of  
 148.5 U.S. Highway 53, Section 26, reserving unto Grantor and Grantor's successors and assigns  
 148.6 a 66-foot-wide access road easement across said Government Lots 2 and 3 for the purpose  
 148.7 of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned  
 148.8 land that may be sold, assigned, or transferred in Government Lot 1, Section 26, said access  
 148.9 road being measured 33 feet from each side of the centerline of that road that is presently  
 148.10 existing at various widths and running in a generally southwesterly-northeasterly direction  
 148.11 and reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road  
 148.12 easement across said Government Lots 4, 5, and 6 for the purpose of access to Grantor's or  
 148.13 Grantor's successors or assigns land and Grantor's presently owned land that may be sold,  
 148.14 assigned, or transferred in Government Lot 6, Section 25, said access road being measured

259.31 (xii) Government Lots 5, 7, 8, and 9, Section 31;

260.1 (xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter  
 260.2 of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the  
 260.3 Northwest Quarter, and an undivided two-thirds interest in the Southwest Quarter of the  
 260.4 Northwest Quarter, Section 32, reserving unto Grantor and Grantor's successors and assigns  
 260.5 an access road easement across the West 66 feet of the North 66 feet of said Government  
 260.6 Lot 1 for the purpose of access to Grantor's or Grantor's successors or assigns land and  
 260.7 Grantor's presently owned land that may be sold, assigned, or transferred in Government  
 260.8 Lot 4, Section 29; and

260.9 (xiv) Northeast Quarter of Northeast Quarter, Section 35;

260.10 (10) those parts of St. Louis County in Township 52 North, Range 17 West, described  
 260.11 as follows:

260.12 (i) the Southwest Quarter of the Southeast Quarter and Southeast Quarter of the Southwest  
 260.13 Quarter, Section 24, reserving unto Grantor and Grantor's successors and assigns a  
 260.14 66-foot-wide access road easement across said Southwest Quarter of the Southeast Quarter  
 260.15 for the purpose of access to Grantor's or Grantor's successors or assigns land and Grantor's  
 260.16 presently owned land that may be sold, assigned, or transferred in Government Lot 4, Section  
 260.17 29, Township 52 North, Range 16 West, said access road being measured 33 feet from each  
 260.18 side of the centerline of that road that is presently existing at various widths and running in  
 260.19 a generally North-South direction;

260.20 (ii) Government Lots 2, 3, 4, 5, and 7 and the Southwest Quarter of the Northeast Quarter,  
 260.21 Section 25, reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide  
 260.22 access road easement across said Government Lots 2 and 5 for the purpose of access to  
 260.23 Grantor's or Grantor's successors or assigns land and Grantor's presently owned land that  
 260.24 may be sold, assigned, or transferred in Government Lot 6, Section 25, said access road  
 260.25 being measured 33 feet from each side of the centerline of that road that is presently existing  
 260.26 at various widths and running in a generally northwesterly-southeasterly direction and any  
 260.27 future extensions thereof as may be reasonably necessary to provide the access contemplated  
 260.28 herein;

260.29 (iii) Government Lots 2, 4, 5, and 6 and all that part of Government Lot 3 lying East of  
 260.30 U.S. Highway 53, Section 26, reserving unto Grantor and Grantor's successors and assigns  
 260.31 a 66-foot-wide access road easement across said Government Lots 2 and 3 for the purpose  
 260.32 of access to Grantor's or Grantor's successors or assigns land and Grantor's presently owned  
 260.33 land that may be sold, assigned, or transferred in Government Lot 1, Section 26, said access  
 260.34 road being measured 33 feet from each side of the centerline of that road that is presently  
 261.1 existing at various widths and running in a generally southwesterly-northeasterly direction  
 261.2 and reserving unto Grantor and Grantor's successors and assigns a 66-foot-wide access road  
 261.3 easement across said Government Lots 4, 5, and 6 for the purpose of access to Grantor's or  
 261.4 Grantor's successors or assigns land and Grantor's presently owned land that may be sold,  
 261.5 assigned, or transferred in Government Lot 6, Section 25, said access road being measured

148.15 33 feet from each side of the centerline of that road that is presently existing at various  
148.16 widths and running in a generally southwesterly-northeasterly direction and any future  
148.17 extensions thereof as may be reasonably necessary to provide the access contemplated  
148.18 herein; and

148.19 (iv) Government Lots 1, 2, and 3, Section 36, reserving unto Grantor and Grantor's  
148.20 successors and assigns an access road easement across the West 66 feet of said Government  
148.21 Lot 2 for the purpose of access to Grantor's or Grantor's successors or assigns land and  
148.22 Grantor's presently owned land that may be sold, assigned, or transferred in the Southwest  
148.23 Quarter of the Northeast Quarter, Section 36;

148.24 (11) those parts of St. Louis County in Township 52 North, Range 19 West, described  
148.25 as follows:

148.26 (i) Government Lot 1, Section 16;

148.27 (ii) Government Lots 1 and 2, Section 17; and

148.28 (iii) Government Lot 1, Section 19;

148.29 (12) those parts of St. Louis County in Township 52 North, Range 20 West, described  
148.30 as follows:

148.31 (i) Government Lots 2, 3, and 4, Section 13;

148.32 (ii) Government Lot 6, Section 24;

148.33 (iii) that part of Government Lot 8, Section 24, described as follows:

149.1 Commencing at the West Quarter corner of said Section 24, which is also the northwest  
149.2 corner of Government Lot 8; thence South 01 degree 36 minutes 01 second East (bearing  
149.3 assigned) 1,230.11 feet along the west line of Government Lot 8 to the centerline of St.  
149.4 Louis County Highway 29 and the point of beginning; thence North 46 degrees 59  
149.5 minutes 59 seconds East along said centerline 445.91 feet; thence South 43 degrees 00  
149.6 minutes 01 second East 82.57 feet to an iron pipe monument on the westerly bank of  
149.7 the St. Louis River; thence continuing South 43 degrees 00 minutes 01 second East 30  
149.8 feet, more or less, to the water's edge of the St. Louis River; thence southwesterly along  
149.9 said water's edge to the west line of said Government Lot 8; thence North 01 degree 36  
149.10 minutes 01 second West along the west line of said Government Lot 8 to the point of  
149.11 beginning;

149.12 (iv) Government Lots 3, 4, and 5 and the Southeast Quarter of the Southwest Quarter,  
149.13 Section 26; and

149.14 (v) Government Lots 1, 2, 3, and 4, Section 34;

149.15 (13) those parts of St. Louis County in Township 53 North, Range 13 West, described  
149.16 as follows:

261.6 33 feet from each side of the centerline of that road that is presently existing at various  
261.7 widths and running in a generally southwesterly-northeasterly direction and any future  
261.8 extensions thereof as may be reasonably necessary to provide the access contemplated  
261.9 herein; and

261.10 (iv) Government Lots 1, 2, and 3, Section 36, reserving unto Grantor and Grantor's  
261.11 successors and assigns an access road easement across the West 66 feet of said Government  
261.12 Lot 2 for the purpose of access to Grantor's or Grantor's successors or assigns land and  
261.13 Grantor's presently owned land that may be sold, assigned, or transferred in the Southwest  
261.14 Quarter of the Northeast Quarter, Section 36;

261.15 (11) those parts of St. Louis County in Township 52 North, Range 19 West, described  
261.16 as follows:

261.17 (i) Government Lot 1, Section 16;

261.18 (ii) Government Lots 1 and 2, Section 17; and

261.19 (iii) Government Lot 1, Section 19;

261.20 (12) those parts of St. Louis County in Township 52 North, Range 20 West, described  
261.21 as follows:

261.22 (i) Government Lots 2, 3, and 4, Section 13;

261.23 (ii) Government Lot 6, Section 24;

261.24 (iii) that part of Government Lot 8, Section 24, described as follows:

261.25 Commencing at the West Quarter corner of said Section 24, which is also the northwest  
261.26 corner of Government Lot 8; thence South 01 degree 36 minutes 01 second East (bearing  
261.27 assigned) 1,230.11 feet along the west line of Government Lot 8 to the centerline of St.  
261.28 Louis County Highway 29 and the point of beginning; thence North 46 degrees 59  
261.29 minutes 59 seconds East along said centerline 445.91 feet; thence South 43 degrees 00  
261.30 minutes 01 second East 82.57 feet to an iron pipe monument on the westerly bank of  
261.31 the St. Louis River; thence continuing South 43 degrees 00 minutes 01 second East 30  
261.32 feet, more or less, to the water's edge of the St. Louis River; thence southwesterly along  
261.33 said water's edge to the west line of said Government Lot 8; thence North 01 degree 36  
262.1 minutes 01 second West along the west line of said Government Lot 8 to the point of  
262.2 beginning;

262.3 (iv) Government Lots 3, 4, and 5 and the Southeast Quarter of the Southwest Quarter,  
262.4 Section 26; and

262.5 (v) Government Lots 1, 2, 3, and 4, Section 34;

262.6 (13) those parts of St. Louis County in Township 53 North, Range 13 West, described  
262.7 as follows:

- 149.17 (i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West  
 149.18 of the Little Cloquet River, Section 4;
- 149.19 (ii) Government Lots 1, 2, 3, 4, and 5, the Northeast Quarter of the Northeast Quarter,  
 149.20 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,  
 149.21 Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter,  
 149.22 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter,  
 149.23 Section 5;
- 149.24 (iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter,  
 149.25 Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter,  
 149.26 Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,  
 149.27 Section 6;
- 149.28 (iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast  
 149.29 Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest  
 149.30 Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest  
 149.31 Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest  
 149.32 Quarter, Section 7;
- 150.1 (v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,  
 150.2 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,  
 150.3 Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,  
 150.4 Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest  
 150.5 Quarter, Section 8;
- 150.6 (vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest  
 150.7 Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest  
 150.8 Quarter, Section 17;
- 150.9 (vii) Government Lots 1 and 4, Section 29;
- 150.10 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,  
 150.11 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,  
 150.12 Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest Quarter,  
 150.13 Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest Quarter,  
 150.14 Section 30; and
- 150.15 (ix) Government Lots 1, 2, 3, and 4, Section 31;
- 150.16 (14) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Section 36, Township 53 North,  
 150.17 Range 14 West, St. Louis County;
- 150.18 (15) those parts of St. Louis County in Township 53 North, Range 18 West, described  
 150.19 as follows:
- 150.20 (i) Government Lots 3, 6, 7, and 8, Section 6; and

- 262.8 (i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West  
 262.9 of the Little Cloquet River, Section 4;
- 262.10 (ii) Government Lots 1, 2, 3, 4, and 5, the Northeast Quarter of the Northeast Quarter,  
 262.11 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,  
 262.12 Northeast Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter,  
 262.13 Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Northwest Quarter,  
 262.14 Section 5;
- 262.15 (iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter,  
 262.16 Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter,  
 262.17 Southeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter,  
 262.18 Section 6;
- 262.19 (iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northwest Quarter of the Northeast  
 262.20 Quarter, Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest  
 262.21 Quarter, Southeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest  
 262.22 Quarter, Southeast Quarter of the Southeast Quarter, and Northeast Quarter of the Southwest  
 262.23 Quarter, Section 7;
- 262.24 (v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,  
 262.25 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,  
 262.26 Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,  
 262.27 Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest  
 262.28 Quarter, Section 8;
- 262.29 (vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest  
 262.30 Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest  
 262.31 Quarter, Section 17;
- 262.32 (vii) Government Lots 1 and 4, Section 29;
- 263.1 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter,  
 263.2 Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter,  
 263.3 Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest Quarter,  
 263.4 Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest Quarter,  
 263.5 Section 30; and
- 263.6 (ix) Government Lots 1, 2, 3, and 4, Section 31;
- 263.7 (14) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Section 36, Township 53 North,  
 263.8 Range 14 West, St. Louis County;
- 263.9 (15) those parts of St. Louis County in Township 53 North, Range 18 West, described  
 263.10 as follows:
- 263.11 (i) Government Lots 3, 6, 7, and 8, Section 6; and

- 150.21 (ii) Government Lots 1 and 2, Section 7;  
150.22 (16) those parts of St. Louis County in Township 53 North, Range 19 West, described  
150.23 as follows:  
150.24 (i) all that part of Government Lot 5 lying within 50 feet of the St. Louis River, Section  
150.25 5, and Government Lots 1, 2, 5, 6, 7, and 8, Section 12;  
150.26 (ii) Government Lots 1, 2, 3, 5, 8, and 9, Section 13;  
150.27 (iii) all that portion of Government Lot 1, Section 23, that lies within 50 feet of the East  
150.28 bank of the Whiteface River at mean stage of water;  
150.29 (iv) all that portion of Government Lots 2, 4, and 5, Section 23, that lies within 50 feet  
150.30 of the West bank of the Whiteface River at mean stage of water;  
151.1 (v) all that part of Government Lot 7, Section 23, lying West of the former DM&IR  
151.2 railroad right-of-way;  
151.3 (vi) Government Lots 8 and 10, Section 23;  
151.4 (vii) all that part of the Northwest Quarter of the Southeast Quarter, Section 23, lying  
151.5 West of the former DM&IR railroad right-of-way;  
151.6 (viii) Government Lots 5, 7, and 8, Section 31; and  
151.7 (ix) Government Lot 5, Section 33;  
151.8 (17) those parts of St. Louis County in Township 54 North, Range 13 West, described  
151.9 as follows:  
151.10 (i) Government Lots 1, 4, 5, 6, and 7, Section 20;  
151.11 (ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter,  
151.12 Section 21;  
151.13 (iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;  
151.14 (iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and  
151.15 (v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter,  
151.16 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,  
151.17 Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter,  
151.18 Section 31;  
151.19 (18) those parts of St. Louis County in Township 54 North, Range 16 West, described  
151.20 as follows:

- 263.12 (ii) Government Lots 1 and 2, Section 7;  
263.13 (16) those parts of St. Louis County in Township 53 North, Range 19 West, described  
263.14 as follows:  
263.15 (i) all that part of Government Lot 5 lying within 50 feet of the St. Louis River, Section  
263.16 5, and Government Lots 1, 2, 5, 6, 7, and 8, Section 12;  
263.17 (ii) Government Lots 1, 2, 3, 5, 8, and 9, Section 13;  
263.18 (iii) all that portion of Government Lot 1, Section 23, that lies within 50 feet of the East  
263.19 bank of the Whiteface River at mean stage of water;  
263.20 (iv) all that portion of Government Lots 2, 4, and 5, Section 23, that lies within 50 feet  
263.21 of the West bank of the Whiteface River at mean stage of water;  
263.22 (v) all that part of Government Lot 7, Section 23, lying West of the former DM&IR  
263.23 railroad right-of-way;  
263.24 (vi) Government Lots 8 and 10, Section 23;  
263.25 (vii) all that part of the Northwest Quarter of the Southeast Quarter, Section 23, lying  
263.26 West of the former DM&IR railroad right-of-way;  
263.27 (viii) Government Lots 5, 7, and 8, Section 31; and  
263.28 (ix) Government Lot 5, Section 33;  
263.29 (17) those parts of St. Louis County in Township 54 North, Range 13 West, described  
263.30 as follows:  
264.1 (i) Government Lots 1, 4, 5, 6, and 7, Section 20;  
264.2 (ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter,  
264.3 Section 21;  
264.4 (iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;  
264.5 (iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and  
264.6 (v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter,  
264.7 Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter,  
264.8 Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter,  
264.9 Section 31;  
264.10 (18) those parts of St. Louis County in Township 54 North, Range 16 West, described  
264.11 as follows:

- 151.21 (i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter,
- 151.22 Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter,
- 151.23 and Southwest Quarter of the Northeast Quarter, Section 1;
- 151.24 (ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast
- 151.25 Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast
- 151.26 Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest
- 151.27 Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;
- 151.28 (iii) all that part of Government Lot 9 lying South of the Whiteface River and West of
- 151.29 County Road 547, also known as Comstock Lake Road, Section 3; and
- 151.30 (iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and
- 151.31 Southwest Quarter of the Northeast Quarter, Section 10;
- 152.1 (19) those parts of St. Louis County in Township 54 North, Range 18 West, described
- 152.2 as follows:
- 152.3 (i) the South Half of the Southwest Quarter, except the railroad right-of-way, Section
- 152.4 15;
- 152.5 (ii) Government Lot 2, except the North 660 feet of the East 990 feet, Section 16;
- 152.6 (iii) Government Lots 1, 3, 4, 5, 6, 7, and 8, Section 16;
- 152.7 (iv) Government Lot 3, Section 20;
- 152.8 (v) Government Lots 1, 2, 3, 4, and 5, Section 21;
- 152.9 (vi) Government Lots 1, 4, 5, and 7, Section 22;
- 152.10 (vii) those parts of Government Lots 2 and 9, except railroad right-of-way, Section 22;
- 152.11 (viii) all that part of Government Lot 6, Section 22, lying West of the Duluth Mesaba
- 152.12 and Northern Railway Company's right-of-way;
- 152.13 (ix) Government Lot 9, Section 22, except the following parcels:
- 152.14 (A) beginning at a point where the south line of company road, called Kelsey Road,
- 152.15 intersects with the west line of the right-of-way of the Duluth, Missabe and Northern Railway
- 152.16 on the Northeast Quarter of the Southeast Quarter, Section 22, Township 54, Range 18;
- 152.17 thence West along the south line of said company road 627 feet; thence South 348 1/3 feet;
- 152.18 thence East 627 feet to the west line of the right-of-way of the Duluth, Missabe and Northern
- 152.19 Railway; thence North on the west line of said right-of-way 348 1/3 feet to commencement;
- 152.20 (B) beginning at the quarter corner between Sections 22 and 23, Township 54, Range
- 152.21 18; thence running North along the section line 114 feet, 6 inches, to the south line of Kelsey
- 152.22 Road; thence northwesterly along the south line of Kelsey Road 348 feet, 8 inches, to the
- 152.23 boundary of the right-of-way of the Duluth, Missabe and Northern Railway, thence South
- 152.24 along the easterly boundary of the right-of-way of the Duluth, Missabe and Northern Railway

- 264.12 (i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter,
- 264.13 Southeast Quarter of the Northwest Quarter, Southeast Quarter of the Northeast Quarter,
- 264.14 and Southwest Quarter of the Northeast Quarter, Section 1;
- 264.15 (ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast
- 264.16 Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast
- 264.17 Quarter, Southeast Quarter of the Southeast Quarter, Southeast Quarter of the Southwest
- 264.18 Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;
- 264.19 (iii) all that part of Government Lot 9 lying South of the Whiteface River and West of
- 264.20 County Road 547, also known as Comstock Lake Road, Section 3; and
- 264.21 (iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and
- 264.22 Southwest Quarter of the Northeast Quarter, Section 10;
- 264.23 (19) those parts of St. Louis County in Township 54 North, Range 18 West, described
- 264.24 as follows:
- 264.25 (i) the South Half of the Southwest Quarter, except the railroad right-of-way, Section
- 264.26 15;
- 264.27 (ii) Government Lot 2, except the North 660 feet of the East 990 feet, Section 16;
- 264.28 (iii) Government Lots 1, 3, 4, 5, 6, 7, and 8, Section 16;
- 264.29 (iv) Government Lot 3, Section 20;
- 264.30 (v) Government Lots 1, 2, 3, 4, and 5, Section 21;
- 264.31 (vi) Government Lots 1, 4, 5, and 7, Section 22;
- 265.1 (vii) those parts of Government Lots 2 and 9, except railroad right-of-way, Section 22;
- 265.2 (viii) all that part of Government Lot 6, Section 22, lying West of the Duluth Mesaba
- 265.3 and Northern Railway Company's right-of-way;
- 265.4 (ix) Government Lot 9, Section 22, except the following parcels:
- 265.5 (A) beginning at a point where the south line of company road, called Kelsey Road,
- 265.6 intersects with the west line of the right-of-way of the Duluth, Missabe and Northern Railway
- 265.7 on the Northeast Quarter of the Southeast Quarter, Section 22, Township 54, Range 18;
- 265.8 thence West along the south line of said company road 627 feet; thence South 348 1/3 feet;
- 265.9 thence East 627 feet to the west line of the right-of-way of the Duluth, Missabe and Northern
- 265.10 Railway; thence North on the west line of said right-of-way 348 1/3 feet to commencement;
- 265.11 (B) beginning at the quarter corner between Sections 22 and 23, Township 54, Range
- 265.12 18; thence running North along the section line 114 feet, 6 inches, to the south line of Kelsey
- 265.13 Road; thence northwesterly along the south line of Kelsey Road 348 feet, 8 inches, to the
- 265.14 boundary of the right-of-way of the Duluth, Missabe and Northern Railway, thence South
- 265.15 along the easterly boundary of the right-of-way of the Duluth, Missabe and Northern Railway



152.25 274 feet to the quarter line on Section 22; thence easterly along said quarter line 304 feet,  
 152.26 6 inches, to the point of beginning; and

152.27 (C) commencing at the southwest corner of Riverside Cemetery as recorded in "P" of  
 152.28 Plats, Page 15; thence easterly along the south line of said cemetery to a point where said  
 152.29 cemetery line intersects the westerly line of Highway No. 7, also known as Mesaba Trunk  
 152.30 Highway; thence southerly along the westerly line of said Highway No. 7 to a point where  
 152.31 said westerly line of said Highway No. 7 intersects the south line of Lot 9, Section 22,  
 152.32 Township 54, Range 18; thence westerly along the southerly line of said Lot 9 to a point  
 153.1 where the southerly line intersects the easterly line of the DM & N Railway Company's  
 153.2 right-of-way; thence northerly along the easterly side of said DM & N Railway Company's  
 153.3 right-of-way to beginning;

153.4 (x) Government Lots 2, 3, 4, 5, 6, 7, and 8, Section 29;

153.5 (xi) Government Lots 5 and 6, Section 30; and

153.6 (xii) Government Lots 3, 4, 5, 6, 9, 10, 11, and 12, Section 31;

153.7 (20) those parts of St. Louis County in Township 54 North, Range 19 West, described  
 153.8 as follows:

153.9 (i) Government Lots 5, 6, 7, 8, and 9, Section 5;

153.10 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 8;

153.11 (iii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 20;

153.12 (iv) Government Lots 2 and 3, Section 29;

153.13 (v) Government Lot 1, Section 32;

153.14 (vi) Government Lot 5, except the South 1,320 feet, Section 32; and

153.15 (vii) Government Lot 2, Section 33;

153.16 (21) those parts of St. Louis County in Township 55 North, Range 15 West, described  
 153.17 as follows:

153.18 (i) Governments Lot 1 and 2, Section 11;

153.19 (ii) Government Lot 9, except Highway 4 right-of-way, Section 11;

153.20 (iii) Government Lot 10, except Highway 4 right-of-way, Section 11;

153.21 (iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;

153.22 (v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of Southwest Quarter,  
 153.23 Section 21;

265.16 274 feet to the quarter line on Section 22; thence easterly along said quarter line 304 feet,  
 265.17 6 inches, to the point of beginning; and

265.18 (C) commencing at the southwest corner of Riverside Cemetery as recorded in "P" of  
 265.19 Plats, Page 15; thence easterly along the south line of said cemetery to a point where said  
 265.20 cemetery line intersects the westerly line of Highway No. 7, also known as Mesaba Trunk  
 265.21 Highway; thence southerly along the westerly line of said Highway No. 7 to a point where  
 265.22 said westerly line of said Highway No. 7 intersects the south line of Lot 9, Section 22,  
 265.23 Township 54, Range 18; thence westerly along the southerly line of said Lot 9 to a point  
 265.24 where the southerly line intersects the easterly line of the DM & N Railway Company's  
 265.25 right-of-way; thence northerly along the easterly side of said DM & N Railway Company's  
 265.26 right-of-way to beginning;

265.27 (x) Government Lots 2, 3, 4, 5, 6, 7, and 8, Section 29;

265.28 (xi) Government Lots 5 and 6, Section 30; and

265.29 (xii) Government Lots 3, 4, 5, 6, 9, 10, 11, and 12, Section 31;

265.30 (20) those parts of St. Louis County in Township 54 North, Range 19 West, described  
 265.31 as follows:

265.32 (i) Government Lots 5, 6, 7, 8, and 9, Section 5;

266.1 (ii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 8;

266.2 (iii) Government Lots 1, 2, 3, 4, 5, 6, 7, and 8, Section 20;

266.3 (iv) Government Lots 2 and 3, Section 29;

266.4 (v) Government Lot 1, Section 32;

266.5 (vi) Government Lot 5, except the South 1,320 feet, Section 32; and

266.6 (vii) Government Lot 2, Section 33;

266.7 (21) those parts of St. Louis County in Township 55 North, Range 15 West, described  
 266.8 as follows:

266.9 (i) Governments Lot 1 and 2, Section 11;

266.10 (ii) Government Lot 9, except Highway 4 right-of-way, Section 11;

266.11 (iii) Government Lot 10, except Highway 4 right-of-way, Section 11;

266.12 (iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;

266.13 (v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of Southwest Quarter,  
 266.14 Section 21;

153.24 (vi) the Southwest Quarter of the Northeast Quarter, reserving unto Grantor and Grantor's  
153.25 successors and assigns a 66-foot-wide access easement across said Southwest Quarter of  
153.26 the Northeast Quarter for the purpose of access to Grantor's or Grantor's successors or  
153.27 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred  
153.28 in Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road  
153.29 being measured 33 feet on each side of the centerline of that road that is presently existing  
153.30 and known as the Whiteface Truck Trail, Section 21;

154.1 (vii) Government Lots 1, 2, and 3, Section 22;

154.2 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter,  
154.3 Section 28;

154.4 (ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter,  
154.5 Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter,  
154.6 Section 29;

154.7 (x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter,  
154.8 Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter,  
154.9 Section 30;

154.10 (xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the  
154.11 Southwest Quarter, Section 31; and

154.12 (xii) Government Lot 1, Section 32;

154.13 (22) those parts of St. Louis County in Township 55 North, Range 16 West, described  
154.14 as follows:

154.15 (i) the Southwest Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's  
154.16 successors and assigns a 66-foot-wide access road easement across said Southwest Quarter  
154.17 of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or  
154.18 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred  
154.19 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and

154.20 (ii) the Southeast Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's  
154.21 successors and assigns a 66-foot-wide access road easement across said Southeast Quarter  
154.22 of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or  
154.23 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred  
154.24 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35;

154.25 (23) those parts of St. Louis County in Township 55 North, Range 19 West, described  
154.26 as follows:

154.27 (i) an undivided two-thirds interest in Government Lot 1, Section 2;

154.28 (ii) Government Lots 2, 9, 10, and 12, Section 2;

266.15 (vi) the Southwest Quarter of the Northeast Quarter, reserving unto Grantor and Grantor's  
266.16 successors and assigns a 66-foot-wide access easement across said Southwest Quarter of  
266.17 the Northeast Quarter for the purpose of access to Grantor's or Grantor's successors or  
266.18 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred  
266.19 in Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road  
266.20 being measured 33 feet on each side of the centerline of that road that is presently existing  
266.21 and known as the Whiteface Truck Trail, Section 21;

266.22 (vii) Government Lots 1, 2, and 3, Section 22;

266.23 (viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter,  
266.24 Section 28;

266.25 (ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter,  
266.26 Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter,  
266.27 Section 29;

266.28 (x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter,  
266.29 Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter,  
266.30 Section 30;

267.1 (xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the  
267.2 Southwest Quarter, Section 31; and

267.3 (xii) Government Lot 1, Section 32;

267.4 (22) those parts of St. Louis County in Township 55 North, Range 16 West, described  
267.5 as follows:

267.6 (i) the Southwest Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's  
267.7 successors and assigns a 66-foot-wide access road easement across said Southwest Quarter  
267.8 of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or  
267.9 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred  
267.10 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and

267.11 (ii) the Southeast Quarter of the Southeast Quarter, reserving unto Grantor and Grantor's  
267.12 successors and assigns a 66-foot-wide access road easement across said Southeast Quarter  
267.13 of the Southeast Quarter for the purpose of access to Grantor's or Grantor's successors or  
267.14 assigns land and Grantor's presently owned land that may be sold, assigned, or transferred  
267.15 in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35;

267.16 (23) those parts of St. Louis County in Township 55 North, Range 19 West, described  
267.17 as follows:

267.18 (i) an undivided two-thirds interest in Government Lot 1, Section 2;

267.19 (ii) Government Lots 2, 9, 10, and 12, Section 2;

- 154.29 (iii) Government Lot 11, Section 2, except railroad right-of-way;
- 154.30 (iv) Government Lots 1, 2, 3, 4, and 6, Section 10;
- 154.31 (v) Government Lot 4, Section 11;
- 155.1 (vi) Government Lots 1, 2, 6, 7, and 13, Section 15;
- 155.2 (vii) Government Lots 1 and 2, Section 16;
- 155.3 (viii) Government Lots 1 and 3 and the Southeast Quarter of the Northeast Quarter and  
155.4 Southwest Quarter of the Northeast Quarter, Section 22;
- 155.5 (ix) Government Lots 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest  
155.6 Quarter, Section 29;
- 155.7 (x) Government Lot 6, Section 30; and
- 155.8 (xi) Government Lots 4, 7, 8, 9, and 10, Section 31;
- 155.9 (24) those parts of St. Louis County in Township 56 North, Range 17 West, described  
155.10 as follows:
- 155.11 (i) Government Lots 2 and 8 and the Northwest Quarter of the Southeast Quarter and  
155.12 Northeast Quarter of the Southwest Quarter, Section 3;
- 155.13 (ii) Government Lots 4, 5, 6, 7, and 9, Section 3; and
- 155.14 (iii) Government Lots 6 and 9, that part of Government Lot 8 lying North of Highway  
155.15 No. 53, and that part of Government Lot 7 lying West of Highway No. 53, Section 4;
- 155.16 (25) those parts of St. Louis County in Township 56 North, Range 18 West, described  
155.17 as follows:
- 155.18 (i) Government Lots 5 and 6, Section 2;
- 155.19 (ii) Government Lots 5, 7, and 9 and the Northeast Quarter of the Southwest Quarter,  
155.20 Section 3;
- 155.21 (iii) all that part of Government Lot 11, except the following described parcel of land:  
155.22 Beginning at a point that is located 958 feet North of the southeast corner of said  
155.23 Government Lot 11, which corner is also the southeast corner of said Section 3, and 33  
155.24 feet West of the east line of said Lot 11; thence running North parallel with the east line  
155.25 of said Lot 11 a distance of 700.5 feet to a point; thence southwesterly to a point that is  
155.26 331.5 feet West and 1226 feet North of the southeast corner of said Lot 11; thence  
155.27 southerly parallel with the east line of said lot, a distance of 268 feet to a point; thence  
155.28 easterly a distance of 298.5 feet to the place of beginning, Section 3;
- 155.29 (iv) Government Lot 12, Section 3, except the following described parcels of land:

- 267.20 (iii) Government Lot 11, Section 2, except railroad right-of-way;
- 267.21 (iv) Government Lots 1, 2, 3, 4, and 6, Section 10;
- 267.22 (v) Government Lot 4, Section 11;
- 267.23 (vi) Government Lots 1, 2, 6, 7, and 13, Section 15;
- 267.24 (vii) Government Lots 1 and 2, Section 16;
- 267.25 (viii) Government Lots 1 and 3 and the Southeast Quarter of the Northeast Quarter and  
267.26 Southwest Quarter of the Northeast Quarter, Section 22;
- 267.27 (ix) Government Lots 3, 4, 5, 6, 7, and 8 and the Northeast Quarter of the Northwest  
267.28 Quarter, Section 29;
- 267.29 (x) Government Lot 6, Section 30; and
- 267.30 (xi) Government Lots 4, 7, 8, 9, and 10, Section 31;
- 268.1 (24) those parts of St. Louis County in Township 56 North, Range 17 West, described  
268.2 as follows:
- 268.3 (i) Government Lots 2 and 8 and the Northwest Quarter of the Southeast Quarter and  
268.4 Northeast Quarter of the Southwest Quarter, Section 3;
- 268.5 (ii) Government Lots 4, 5, 6, 7, and 9, Section 3; and
- 268.6 (iii) Government Lots 6 and 9, that part of Government Lot 8 lying North of Highway  
268.7 No. 53, and that part of Government Lot 7 lying West of Highway No. 53, Section 4;
- 268.8 (25) those parts of St. Louis County in Township 56 North, Range 18 West, described  
268.9 as follows:
- 268.10 (i) Government Lots 5 and 6, Section 2;
- 268.11 (ii) Government Lots 5, 7, and 9 and the Northeast Quarter of the Southwest Quarter,  
268.12 Section 3;
- 268.13 (iii) all that part of Government Lot 11, except the following described parcel of land:  
268.14 Beginning at a point that is located 958 feet North of the southeast corner of said  
268.15 Government Lot 11, which corner is also the southeast corner of said Section 3, and 33  
268.16 feet West of the east line of said Lot 11; thence running North parallel with the east line  
268.17 of said Lot 11 a distance of 700.5 feet to a point; thence southwesterly to a point that is  
268.18 331.5 feet West and 1226 feet North of the southeast corner of said Lot 11; thence  
268.19 southerly parallel with the east line of said lot, a distance of 268 feet to a point; thence  
268.20 easterly a distance of 298.5 feet to the place of beginning, Section 3;
- 268.21 (iv) Government Lot 12, Section 3, except the following described parcels of land:

155.30 (A) commencing at a point along the East and West One-Quarter line of said Section 3,  
 155.31 which point is 33 feet West of the East One-Quarter corner of said Section 3, said point  
 156.1 being on the west right-of-way line of County Highway No. 7; thence westerly along said  
 156.2 quarter line for a distance of 300 feet to a point; thence southerly at right angles and parallel  
 156.3 to the highway right-of-way in question for a distance of 300 feet to a point; thence easterly  
 156.4 for a distance of 300 feet to a point in the west right-of-way line of County Highway No.  
 156.5 7; thence northerly along the west right-of-way line of County Highway No. 7 for a distance  
 156.6 of 300 feet to the point of beginning;

156.7 (B) commencing at the East Quarter corner of said Section 3; thence westerly along the  
 156.8 East/West Quarter line of said Section 3 a distance of 33.00 feet to the westerly right-of-way  
 156.9 line of County Highway No. 7; thence continuing westerly along said East/West Quarter  
 156.10 line a distance of 300.00 feet to the point of beginning; thence southerly, parallel with the  
 156.11 westerly right-of-way line of County Highway No. 7 a distance of 400.00 feet; thence  
 156.12 westerly, parallel with said East/West Quarter line to the easterly right-of-way line of the  
 156.13 DM&IR Railroad; thence northerly along said easterly right-of-way line to said East/West  
 156.14 Quarter line; thence easterly along said East/West Quarter line to the point of beginning;  
 156.15 and

156.16 (C) the East 33 feet of the North 300 feet of said Government Lot 12;  
 156.17 (v) the Southeast Quarter of the Southeast Quarter, Section 4;  
 156.18 (vi) the Southeast Quarter of the Southeast Quarter, Section 7;  
 156.19 (vii) Government Lots 6 and 7, Section 8;  
 156.20 (viii) Government Lots 1 and 2, Section 9;  
 156.21 (ix) Government Lots 2 and 3, Section 17;  
 156.22 (x) Government Lots 5, 6, 7, 9, 10, 11, 12, and 13 and the Southeast Quarter of the  
 156.23 Northwest Quarter, Section 18;  
 156.24 (xi) Government Lots 6, 7, 8, 9, 11, and 12 and the Northeast Quarter of the Northwest  
 156.25 Quarter, Section 19;  
 156.26 (xii) Government Lots 1, 5, 8, and 9, Section 20;  
 156.27 (xiii) Government Lots 4, 5, 6, 7, and 8 and Government Lot 3, except for 1.0 acre for  
 156.28 cemetery, Section 29;  
 156.29 (xiv) Government Lot 9, Section 30;  
 156.30 (xv) Government Lots 1, 2, 3, 6, 8, 9, 10, and 11, Section 31; and  
 156.31 (xvi) Government Lots 1 and 2, Section 32;

268.22 (A) commencing at a point along the East and West One-Quarter line of said Section 3,  
 268.23 which point is 33 feet West of the East One-Quarter corner of said Section 3, said point  
 268.24 being on the west right-of-way line of County Highway No. 7; thence westerly along said  
 268.25 quarter line for a distance of 300 feet to a point; thence southerly at right angles and parallel  
 268.26 to the highway right-of-way in question for a distance of 300 feet to a point; thence easterly  
 268.27 for a distance of 300 feet to a point in the west right-of-way line of County Highway No.  
 268.28 7; thence northerly along the west right-of-way line of County Highway No. 7 for a distance  
 268.29 of 300 feet to the point of beginning;

268.30 (B) commencing at the East Quarter corner of said Section 3; thence westerly along the  
 268.31 East/West Quarter line of said Section 3 a distance of 33.00 feet to the westerly right-of-way  
 268.32 line of County Highway No. 7; thence continuing westerly along said East/West Quarter  
 269.1 line a distance of 300.00 feet to the point of beginning; thence southerly, parallel with the  
 269.2 westerly right-of-way line of County Highway No. 7 a distance of 400.00 feet; thence  
 269.3 westerly, parallel with said East/West Quarter line to the easterly right-of-way line of the  
 269.4 DM&IR Railroad; thence northerly along said easterly right-of-way line to said East/West  
 269.5 Quarter line; thence easterly along said East/West Quarter line to the point of beginning;  
 269.6 and

269.7 (C) the East 33 feet of the North 300 feet of said Government Lot 12;  
 269.8 (v) the Southeast Quarter of the Southeast Quarter, Section 4;  
 269.9 (vi) the Southeast Quarter of the Southeast Quarter, Section 7;  
 269.10 (vii) Government Lots 6 and 7, Section 8;  
 269.11 (viii) Government Lots 1 and 2, Section 9;  
 269.12 (ix) Government Lots 2 and 3, Section 17;  
 269.13 (x) Government Lots 5, 6, 7, 9, 10, 11, 12, and 13 and the Southeast Quarter of the  
 269.14 Northwest Quarter, Section 18;  
 269.15 (xi) Government Lots 6, 7, 8, 9, 11, and 12 and the Northeast Quarter of the Northwest  
 269.16 Quarter, Section 19;  
 269.17 (xii) Government Lots 1, 5, 8, and 9, Section 20;  
 269.18 (xiii) Government Lots 4, 5, 6, 7, and 8 and Government Lot 3, except for 1.0 acre for  
 269.19 cemetery, Section 29;  
 269.20 (xiv) Government Lot 9, Section 30;  
 269.21 (xv) Government Lots 1, 2, 3, 6, 8, 9, 10, and 11, Section 31; and  
 269.22 (xvi) Government Lots 1 and 2, Section 32;

157.1 (26) those parts of St. Louis County in Township 56 North, Range 19 West, described  
157.2 as follows:

157.3 (i) Government Lot 1, Section 35;  
157.4 (ii) Government Lot 2, Section 35; and  
157.5 (iii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the  
157.6 Southeast Quarter and Southwest Quarter of the Northeast Quarter, Section 36;

157.7 (27) those parts of St. Louis County in Township 57 North, Range 16 West, described  
157.8 as follows:

157.9 (i) the Southeast Quarter of the Northwest Quarter, Northwest Quarter of the Northeast  
157.10 Quarter, Southwest Quarter of the Southwest Quarter, and Northeast Quarter of the Southwest  
157.11 Quarter, Section 12; and

157.12 (ii) the Southeast Quarter of the Northwest Quarter, Section 15; and

157.13 (28) those parts of St. Louis County in Township 57 North, Range 17 West, described  
157.14 as follows:

157.15 (i) the Northeast Quarter of the Southwest Quarter and Southwest Quarter of the  
157.16 Southwest Quarter, Section 25; and

157.17 (ii) the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the  
157.18 Southeast Quarter, Section 26.

157.19 **Sec. 147. PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**

157.20 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
157.21 other law to the contrary, Aitkin County may sell by private sale the tax-forfeited land  
157.22 described in paragraph (c).

157.23 (b) The conveyance must be in a form approved by the attorney general. The attorney  
157.24 general may make changes to the land description to correct errors and ensure accuracy.

157.25 (c) The land to be sold is located in Aitkin County and is described as:

157.26 The North Half of the Northeast Quarter of the Northeast Quarter lying East of 275th  
157.27 Avenue in Section 11, Township 47 North, Range 25 West, Aitkin County, Minnesota  
157.28 (part of parcel 15-0-017700).

157.29 (d) The county has determined that the county's land management interests would best  
157.30 be served if the land was returned to private ownership.

158.1 **Sec. 148. GOODHUE COUNTY; LAND TRANSFERS.**

158.2 Subdivision 1. **Land transfers.** (a) Notwithstanding Minnesota Statutes, section 373.01,  
158.3 subdivision 1, Goodhue County may sell, lease, or otherwise convey county-owned land  
158.4 that abuts Lake Byllesby to adjoining property owners who after the transfer will have direct

269.23 (26) those parts of St. Louis County in Township 56 North, Range 19 West, described  
269.24 as follows:

269.25 (i) Government Lot 1, Section 35;  
269.26 (ii) Government Lot 2, Section 35; and  
269.27 (iii) Government Lots 1, 2, 3, 4, 5, 6, 7, 8, and 9 and the Southeast Quarter of the  
269.28 Southeast Quarter and Southwest Quarter of the Northeast Quarter, Section 36;

269.29 (27) those parts of St. Louis County in Township 57 North, Range 16 West, described  
269.30 as follows:

270.1 (i) the Southeast Quarter of the Northwest Quarter, Northwest Quarter of the Northeast  
270.2 Quarter, Southwest Quarter of the Southwest Quarter, and Northeast Quarter of the Southwest  
270.3 Quarter, Section 12; and

270.4 (ii) the Southeast Quarter of the Northwest Quarter, Section 15; and

270.5 (28) those parts of St. Louis County in Township 57 North, Range 17 West, described  
270.6 as follows:

270.7 (i) the Northeast Quarter of the Southwest Quarter and Southwest Quarter of the  
270.8 Southwest Quarter, Section 25; and

270.9 (ii) the Southeast Quarter of the Southeast Quarter and the Northeast Quarter of the  
270.10 Southeast Quarter, Section 26.

270.11 **Sec. 15. PRIVATE SALE OF TAX-FORFEITED LAND; AITKIN COUNTY.**

270.12 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
270.13 other law to the contrary, Aitkin County may sell by private sale the tax-forfeited land  
270.14 described in paragraph (c).

270.15 (b) The conveyance must be in a form approved by the attorney general. The attorney  
270.16 general may make changes to the land description to correct errors and ensure accuracy.

270.17 (c) The land to be sold is located in Aitkin County and is described as:

270.18 The North Half of the Northeast Quarter of the Northeast Quarter lying East of 275th  
270.19 Avenue in Section 11, Township 47 North, Range 25 West, Aitkin County, Minnesota  
270.20 (part of parcel 15-0-017700).

270.21 (d) The county has determined that the county's land management interests would best  
270.22 be served if the land was returned to private ownership.

272.6 **Sec. 18. GOODHUE COUNTY; LAND TRANSFERS.**

272.7 Subdivision 1. **Land transfers.** (a) Notwithstanding Minnesota Statutes, section 373.01,  
272.8 subdivision 1, paragraph (a), clause (3), Goodhue County may sell, lease, or otherwise  
272.9 convey county-owned land that abuts Lake Byllesby to adjoining property owners who after

158.5 access to Lake Byllesby. Any sale, lease, or other conveyance must be for the market value  
158.6 of the property as appraised by the county. A sale, lease, or other conveyance under this  
158.7 section must reserve to the county mineral rights according to Minnesota Statutes, section  
158.8 373.01, and flowage easements relating to water levels of Lake Byllesby.

158.9 (b) This section does not apply to any county-owned land that has been developed by  
158.10 the county as public parkland.

158.11 Subd. 2. **Effective date; local approval.** This section is effective the day after the  
158.12 governing body of Goodhue County and its chief clerical officer comply with Minnesota  
158.13 Statutes, section 645.021, subdivisions 2 and 3.

158.14 Sec. 149. **PRIVATE SALE OF TAX-FORFEITED LANDS; ITASCA COUNTY.**

158.15 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
158.16 other law to the contrary, Itasca County may sell by private sale the tax-forfeited lands  
158.17 described in paragraph (c).

158.18 (b) The conveyances must be in a form approved by the attorney general. The attorney  
158.19 general may make changes to the land descriptions to correct errors and ensure accuracy.

158.20 (c) The lands to be sold are located in Itasca County and are described as:

158.21 (1) all that part of Government Lot 2, Section 27, Township 145 North, Range 26 West,  
158.22 lying northeasterly of the northeasterly right-of-way line of CSAH 39 and northwesterly of  
158.23 the following described line: Commencing at the northwest corner of said Government Lot  
158.24 2; thence South 89 degrees 21 minutes East, along the north line of said Government Lot  
158.25 2 a distance of 286 feet, more or less, to a point on the northeasterly right-of-way line of  
158.26 the CSAH 39 right-of-way; thence South 51 degrees 01 minute East, 260.41 feet to the point  
158.27 of beginning of the line to be described; thence North 42 degrees 11 minutes East to intersect  
158.28 the water's edge of Ball Club Lake and there said line terminates; and

158.29 (2) the South two rods of the East 16 rods of Government Lot 14, Section 4, Township  
158.30 60 North, Range 26 West of the Fourth Principle Meridian, containing approximately 0.20  
158.31 acres.

159.1 (d) The county has determined that the county's land management interests would best  
159.2 be served if the lands were returned to private ownership.

159.3 Sec. 150. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATERS;**  
159.4 **ROSEAU COUNTY.**

159.5 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
159.6 commissioner of natural resources may sell by private sale the surplus island located in  
159.7 public water that is described in paragraph (d) to a local unit of government for less than  
159.8 market value.

272.10 the transfer will have direct access to Lake Byllesby. Any sale, lease, or other conveyance  
272.11 must be for the market value of the property as appraised by the county. A sale, lease, or  
272.12 other conveyance under this section must reserve to the county mineral rights according to  
272.13 Minnesota Statutes, section 373.01, and flowage easements relating to water levels of Lake  
272.14 Byllesby.

272.15 (b) This section does not apply to any county-owned land that has been developed by  
272.16 the county as public parkland.

272.17 Subd. 2. **Effective date; local approval.** This section is effective the day after the  
272.18 governing body of Goodhue County and its chief clerical officer comply with Minnesota  
272.19 Statutes, section 645.021, subdivisions 2 and 3.

272.20 Sec. 19. **PRIVATE SALE OF TAX-FORFEITED LANDS; ITASCA COUNTY.**

272.21 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
272.22 other law to the contrary, Itasca County may sell by private sale the tax-forfeited lands  
272.23 described in paragraph (c).

272.24 (b) The conveyances must be in a form approved by the attorney general. The attorney  
272.25 general may make changes to the land descriptions to correct errors and ensure accuracy.

272.26 (c) The lands to be sold are located in Itasca County and are described as:

272.27 (1) all that part of Government Lot 2, Section 27, Township 145 North, Range 26 West,  
272.28 lying northeasterly of the northeasterly right-of-way line of CSAH 39 and northwesterly of  
272.29 the following described line: Commencing at the northwest corner of said Government Lot  
272.30 2; thence South 89 degrees 21 minutes East, along the north line of said Government Lot  
272.31 2 a distance of 286 feet, more or less, to a point on the northeasterly right-of-way line of  
272.32 the CSAH 39 right-of-way; thence South 51 degrees 01 minute East, 260.41 feet to the point  
273.1 of beginning of the line to be described; thence North 42 degrees 11 minutes East to intersect  
273.2 the water's edge of Ball Club Lake and there said line terminates; and

273.3 (2) the South two rods of the East 16 rods of Government Lot 14, Section 4, Township  
273.4 60 North, Range 26 West of the Fourth Principle Meridian, containing approximately 0.20  
273.5 acres.

273.6 (d) The county has determined that the county's land management interests would best  
273.7 be served if the lands were returned to private ownership.

274.4 Sec. 21. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATERS;**  
274.5 **ROSEAU COUNTY.**

274.6 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
274.7 commissioner of natural resources may sell by private sale the surplus island located in  
274.8 public water that is described in paragraph (d) to a local unit of government for less than  
274.9 market value.

159.9 (b) The commissioner may make necessary changes to the legal description to correct  
159.10 errors and ensure accuracy.

159.11 (c) The land described in paragraph (d) may be sold by quit claim deed and the  
159.12 conveyance must provide that the land described in paragraph (d) be used for the public  
159.13 and reverts to the state if the local unit of government fails to provide for public use or  
159.14 abandons the public use of the land. The conveyance is subject to a flowage easement held  
159.15 by the United States of America.

159.16 (d) The land that may be conveyed is located in Roseau County and is described as: an  
159.17 unsurveyed island located in the approximate center of the South Half of the Southeast  
159.18 Quarter of Section 29, Township 163 North, Range 36 West, Roseau County, Minnesota;  
159.19 said island contains 6.7 acres, more or less (parcel identification number 563199100).

159.20 (e) The island is located in Warroad River and was created after statehood when dredge  
159.21 spoils were deposited on a sandbar in the Warroad River. The Department of Natural  
159.22 Resources has determined that the land is not needed for natural resource purposes, the  
159.23 conveyance would further the public interest, and the state's land management interests  
159.24 would best be served if the land was conveyed to a local unit of government for a public  
159.25 park and other public use.

159.26 Sec. 151. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

159.27 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
159.28 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
159.29 described in paragraph (c).

159.30 (b) The conveyances must be in a form approved by the attorney general. The attorney  
159.31 general may make changes to the land descriptions to correct errors and ensure accuracy.

159.32 (c) The lands to be sold are located in St. Louis County and are described as:

160.1 (1) the South Half of the North Half of the South Half of the Southwest Quarter of the  
160.2 Northwest Quarter, except the East 470 feet and except the part taken for a road, Township  
160.3 50 North, Range 15 West, Section 29 (parcel identification number 395-0010-08713);

160.4 (2) the East 271 feet of the West 371 feet of the North 669.94 feet of the Northwest  
160.5 Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the  
160.6 Fourth Principal Meridian. Together with the West 100 feet of the North 669.94 feet of the  
160.7 Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15  
160.8 West of the Fourth Principal Meridian, which lies South of the North 300 feet thereof (part  
160.9 of parcel identification number 410-0024-00550);

160.10 (3) the West 371 feet of the Northwest Quarter of the Northwest Quarter of Section 34,  
160.11 Township 61 North, Range 15 West of the Fourth Principal Meridian, which lies South of  
160.12 the North 669.94 feet thereof (part of parcel identification number 410-0024-00550); and

274.10 (b) The commissioner may make necessary changes to the legal description to correct  
274.11 errors and ensure accuracy.

274.12 (c) The land described in paragraph (d) may be sold by quitclaim deed and the conveyance  
274.13 must provide that the land described in paragraph (d) be used for the public and reverts to  
274.14 the state if the local unit of government fails to provide for public use or abandons the public  
274.15 use of the land. The conveyance is subject to a flowage easement held by the United States  
274.16 of America.

274.17 (d) The land that may be conveyed is located in Roseau County and is described as: an  
274.18 unsurveyed island located in the approximate center of the South Half of the Southeast  
274.19 Quarter of Section 29, Township 163 North, Range 36 West, Roseau County, Minnesota;  
274.20 said island contains 6.7 acres, more or less (parcel identification number 563199100).

274.21 (e) The island is located in Warroad River and was created after statehood when dredge  
274.22 spoils were deposited on a sandbar in the Warroad River. The Department of Natural  
274.23 Resources has determined that the land is not needed for natural resource purposes, the  
274.24 conveyance would further the public interest, and the state's land management interests  
274.25 would best be served if the land was conveyed to a local unit of government for a public  
274.26 park and other public use.

276.5 Sec. 24. **PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.**

276.6 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
276.7 other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands  
276.8 described in paragraph (c).

276.9 (b) The conveyances must be in a form approved by the attorney general. The attorney  
276.10 general may make changes to the land descriptions to correct errors and ensure accuracy.

276.11 (c) The lands to be sold are located in St. Louis County and are described as:

276.12 (1) the South Half of the North Half of the South Half of the Southwest Quarter of the  
276.13 Northwest Quarter, except the East 470 feet and except the part taken for a road, Township  
276.14 50 North, Range 15 West, Section 29 (parcel identification number 395-0010-08713);

276.15 (2) the East 271 feet of the West 371 feet of the North 669.94 feet of the Northwest  
276.16 Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15 West of the  
276.17 Fourth Principal Meridian. Together with the West 100 feet of the North 669.94 feet of the  
276.18 Northwest Quarter of the Northwest Quarter of Section 34, Township 61 North, Range 15  
276.19 West of the Fourth Principal Meridian, which lies South of the North 300 feet thereof (part  
276.20 of parcel identification number 410-0024-00550);

276.21 (3) the West 371 feet of the Northwest Quarter of the Northwest Quarter of Section 34,  
276.22 Township 61 North, Range 15 West of the Fourth Principal Meridian, which lies South of  
276.23 the North 669.94 feet thereof (part of parcel identification number 410-0024-00550); and

160.13 (4) the Northeast Quarter, except the Southwest Quarter, and the North Half of the  
160.14 Northwest Quarter, Township 52 North, Range 19 West, Section 24 (part of parcel  
160.15 identification number 470-0010-03830).

160.16 (d) The county has determined that the county's land management interests would best  
160.17 be served if the lands were returned to private ownership.

160.18 Sec. 152. **ST. LOUIS COUNTY; LAND LEASE.**

160.19 Subdivision 1. **St. Louis County; lease.** Notwithstanding Minnesota Statutes, sections  
160.20 16A.695 and 282.04, St. Louis County may lease property legally described as part of  
160.21 Government Lot 5 except the lake portion of Embarrass Mine, Township 58, Range 15  
160.22 West, Section 5, for use as a water intake and water treatment project under Laws 2018,  
160.23 chapter 214, article 1, section 22, subdivision 6, for consideration of more than \$12,000 per  
160.24 year and for a period exceeding ten years.

160.25 Subd. 2. **Department of Natural Resources; lease.** Notwithstanding Minnesota Statutes,  
160.26 section 92.50, or other law to the contrary, the commissioner may lease property in Township  
160.27 58, Range 15, Section 5, for use as a water intake and water treatment project under Laws  
160.28 2018, chapter 214, article 1, section 22, subdivision 6, for a period exceeding 21 years,  
160.29 including a lease term of 40 years.

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

161.1 Sec. 153. **CONVEYANCE OF CERTAIN PARCELS; ST. LOUIS COUNTY.**

161.2 (a) Notwithstanding conflicting requirements in section 373.01, St. Louis County may  
161.3 convey, at no charge, small parcels of nonconforming property to the adjoining or  
161.4 surrounding owners subject to the following conditions:

161.5 (1) the parcels must be five acres or less in size;

161.6 (2) the parcels were acquired prior to December 31, 1960;

161.7 (3) the conveyance will be restricted to the adjoining or surrounding property;

161.8 (4) the adjoining parcel that the county land is to be conveyed to must abut the county  
161.9 parcel on two or more sides; and

161.10 (5) no delinquent property taxes are owed on the adjoining or surrounding property to  
161.11 be eligible for the conveyance.

161.12 (b) This section shall be liberally construed to encourage the transfer of ownership of  
161.13 nonconforming real property and promote its return to the tax rolls.

161.14 **EFFECTIVE DATE.** This section is effective the day after the governing body of St.  
161.15 Louis County and its chief clerical officer comply with Minnesota Statutes, section 645.021,  
161.16 subdivisions 2 and 3.

276.24 (4) the Northeast Quarter, except the Southwest Quarter, and the North Half of the  
276.25 Northwest Quarter, Township 52 North, Range 19 West, Section 24 (part of parcel  
276.26 identification number 470-0010-03830).

276.27 (d) The county has determined that the county's land management interests would best  
276.28 be served if the lands were returned to private ownership.

276.29 Sec. 25. **ST. LOUIS COUNTY; LAND LEASE.**

276.30 Subdivision 1. **St. Louis County; lease.** Notwithstanding Minnesota Statutes, sections  
276.31 16A.695 and 282.04, St. Louis County may lease property legally described as part of  
277.1 Government Lot 5 except the lake portion of Embarrass Mine, Township 58, Range 15  
277.2 West, Section 5, for use as a water intake and water treatment project under Laws 2018,  
277.3 chapter 214, article 1, section 22, subdivision 6, for consideration of more than \$12,000 per  
277.4 year and for a period exceeding ten years.

277.5 Subd. 2. **Department of Natural Resources; lease.** Notwithstanding Minnesota Statutes,  
277.6 section 92.50, or other law to the contrary, the commissioner may lease property in Township  
277.7 58, Range 15, Section 5, for use as a water intake and water treatment project under Laws  
277.8 2018, chapter 214, article 1, section 22, subdivision 6, for a period exceeding 21 years,  
277.9 including a lease term of 40 years.

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



161.17 Sec. 154. **PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

161.18 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
161.19 other law to the contrary, Beltrami County may sell by private sale the tax-forfeited lands  
161.20 described in paragraph (c).

161.21 (b) The conveyances must be in a form approved by the attorney general. The attorney  
161.22 general may make changes to the land descriptions to correct errors and ensure accuracy.

161.23 (c) The lands to be sold are located in Beltrami County and are described as:

161.24 (1) the East 285 feet of the North 55 feet of the South Half of the Southeast Quarter,  
161.25 Section 13, Township 149 North, Range 32 West of the Fifth Principle Meridian (parcel  
161.26 identification number 16.00170.00);

161.27 (2) Lot 6, Block 12, Plat of Redby, Section 19, Township 151 North, Range 33 West  
161.28 (parcel identification number 36.00027.00);

161.29 (3) Lot 7, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West  
161.30 (parcel identification number 36.00052.00);

162.1 (4) Lot 8, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West  
162.2 (parcel identification number 36.00053.00);

162.3 (5) Lot 9, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West  
162.4 (parcel identification number 36.00054.00);

162.5 (6) Lots 10, 11, and 12, Block 16, Plat of Redby, Section 20, Township 151 North,  
162.6 Range 33 West (parcel identification number 36.00055.00);

162.7 (7) the southerly 200 feet of vacated Block 28, Plat of Redby, less the northerly 75 feet  
162.8 of the westerly 150 feet thereof and less the easterly 170 feet thereof, Section 20, Township  
162.9 151 North, Range 33 West (parcel identification number 36.00077.00);

162.10 (8) Lot 4, Block 29, Plat of Redby, Section 20, Township 151 North, Range 33 West  
162.11 (parcel identification number 36.00081.00); and

162.12 (9) Lot 1, Block 62, Plat of Redby, Section 19, Township 151 North, Range 33 West  
162.13 (parcel identification number 36.00148.00).

162.14 (d) The county has determined that the county's land management interests would best  
162.15 be served if the lands were returned to private ownership.

162.16 Sec. 155. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
162.17 **SHERBURNE COUNTY.**

162.18 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
162.19 commissioner of natural resources may sell by private sale the surplus land bordering public

270.23 Sec. 16. **PRIVATE SALE OF TAX-FORFEITED LAND; BELTRAMI COUNTY.**

270.24 (a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or  
270.25 other law to the contrary, Beltrami County may sell by private sale the tax-forfeited lands  
270.26 described in paragraph (c).

270.27 (b) The conveyances must be in a form approved by the attorney general. The attorney  
270.28 general may make changes to the land descriptions to correct errors and ensure accuracy.

270.29 (c) The lands to be sold are located in Beltrami County and are described as:

271.1 (1) the East 285 feet of the North 55 feet of the South Half of the Southeast Quarter,  
271.2 Section 13, Township 149 North, Range 32 West of the Fifth Principle Meridian (parcel  
271.3 identification number 16.00170.00);

271.4 (2) Lot 6, Block 12, Plat of Redby, Section 19, Township 151 North, Range 33 West  
271.5 (parcel identification number 36.00027.00);

271.6 (3) Lot 7, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West  
271.7 (parcel identification number 36.00052.00);

271.8 (4) Lot 8, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West  
271.9 (parcel identification number 36.00053.00);

271.10 (5) Lot 9, Block 16, Plat of Redby, Section 20, Township 151 North, Range 33 West  
271.11 (parcel identification number 36.00054.00);

271.12 (6) Lots 10, 11, and 12, Block 16, Plat of Redby, Section 20, Township 151 North,  
271.13 Range 33 West (parcel identification number 36.00055.00);

271.14 (7) the southerly 200 feet of vacated Block 28, Plat of Redby, less the northerly 75 feet  
271.15 of the westerly 150 feet thereof and less the easterly 170 feet thereof, Section 20, Township  
271.16 151 North, Range 33 West (parcel identification number 36.00077.00);

271.17 (8) Lot 4, Block 29, Plat of Redby, Section 20, Township 151 North, Range 33 West  
271.18 (parcel identification number 36.00081.00); and

271.19 (9) Lot 1, Block 62, Plat of Redby, Section 19, Township 151 North, Range 33 West  
271.20 (parcel identification number 36.00148.00).

271.21 (d) The county has determined that the county's land management interests would best  
271.22 be served if the lands were returned to private ownership.

277.11 Sec. 26. **PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;**  
277.12 **SHERBURNE COUNTY.**

277.13 (a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the  
277.14 commissioner of natural resources may sell by private sale the surplus land bordering public

162.20 water that is described in paragraph (c) to a local unit of government for less than market  
162.21 value.

162.22 (b) The commissioner may make necessary changes to the legal description to correct  
162.23 errors and ensure accuracy.

162.24 (c) The land that may be sold is located in Sherburne County and is described as: that  
162.25 part of Government Lot 3, Section 24, Township 33 North, Range 28 West, described as  
162.26 follows:

162.27 The East 400 feet of Government Lot 3, Section 24, Township 33 North, Range 28 West,  
162.28 according to the United States Government survey thereof.

162.29 (d) The land borders Big Lake. The Department of Natural Resources has determined  
162.30 that the land is not needed for natural resource purposes and that the state's land management  
162.31 interests would best be served if the land were conveyed to a local unit of government.

163.1 **Sec. 156. RULEMAKING; WALLEYE AND SAUGER POSSESSION LIMIT.**

163.2 (a) By March 1, 2022, the commissioner of natural resources must amend Minnesota  
163.3 Rules, part 6262.0200, subpart 1, item F, to provide that the daily and possession limit for  
163.4 walleye and sauger in all inland waters is six in aggregate and no more than four may be  
163.5 walleye.

163.6 (b) The commissioner may use the good cause exemption under Minnesota Statutes,  
163.7 section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota  
163.8 Statutes, section 14.386, does not apply, except as provided under Minnesota Statutes,  
163.9 section 14.388.

163.10 **Sec. 157. AMENDING FEEDLOT PERMITS.**

163.11 The commissioner of the Pollution Control Agency must, when necessary, amend all  
163.12 general and individual permits for feedlots to conform with Minnesota Statutes, section  
163.13 116.07, subdivision 7, paragraph (h).

163.14 **EFFECTIVE DATE.** This section is effective retroactively from February 1, 2021.

163.15 **Sec. 158. TIMBER PERMITS; CANCELLATION AND EXTENSION.**

163.16 Subdivision 1. **Eligibility.** (a) For the purposes of this section, an "eligible permit" is a  
163.17 timber permit issued before July 1, 2020.

163.18 (b) In order to be eligible under this section, a permit holder must not be delinquent or  
163.19 have an active willful trespass with the state.

163.20 (c) In order to be eligible under subdivisions 2, 4, and 5, a permit holder must submit  
163.21 the written request to the commissioner of natural resources before the expiration of the  
163.22 permit or by July 1, 2021, whichever is earlier.

277.15 water that is described in paragraph (c) to a local unit of government for less than market  
277.16 value.

277.17 (b) The commissioner may make necessary changes to the legal description to correct  
277.18 errors and ensure accuracy.

277.19 (c) The land that may be sold is located in Sherburne County and is described as: that  
277.20 part of Government Lot 3, Section 24, Township 33 North, Range 28 West, described as  
277.21 follows:

277.22 The East 400 feet of Government Lot 3, Section 24, Township 33 North, Range 28 West,  
277.23 according to the United States Government survey thereof.

277.24 (d) The land borders Big Lake. The Department of Natural Resources has determined  
277.25 that the land is not needed for natural resource purposes and that the state's land management  
277.26 interests would best be served if the land were conveyed to a local unit of government.

218.13 **Sec. 93. TIMBER PERMITS; CANCELLATION AND EXTENSION.**

218.14 Subdivision 1. **Eligibility.** (a) For the purposes of this section, an "eligible permit" is a  
218.15 timber permit issued before July 1, 2020.

218.16 (b) In order to be eligible under this section, a permit holder must not be delinquent or  
218.17 have an active willful trespass with the state.

218.18 (c) In order to be eligible under subdivisions 2, 4, and 5, a permit holder must submit  
218.19 the written request to the commissioner of natural resources before the expiration of the  
218.20 permit or by July 1, 2021, whichever is earlier.

163.23 Subd. 2. **Extensions.** Upon written request to the commissioner of natural resources by  
163.24 the holder of an eligible permit with more than 30 percent of the total permit volume in any  
163.25 combination of spruce or balsam fir, the commissioner may grant an extension of the permit  
163.26 for two years without penalty or interest.

163.27 Subd. 3. **Unused balsam fir.** The commissioner of natural resources may cancel any  
163.28 provision in a timber sale that requires the security payment for or removal of all or part of  
163.29 the balsam fir when the permit contains more than 50 cords of balsam fir. The commissioner  
163.30 may require the permit holder to fell or pile the balsam fir to meet management objectives.

164.1 Subd. 4. **Refunds.** (a) Upon written request to the commissioner of natural resources  
164.2 by the holder of an eligible permit that is inactive and intact with more than 30 percent of  
164.3 the total permit volume in any combination of spruce or balsam fir, the commissioner may  
164.4 cancel the permit and refund the sale security, advance payments, or bid guarantee as  
164.5 applicable for the permit to the permit holder.

164.6 (b) Upon written request to the commissioner of natural resources by the holder of an  
164.7 eligible active permit with more than 30 percent of the total permit volume in any  
164.8 combination of spruce or balsam fir and a previously existing cutting block agreement, the  
164.9 commissioner may cancel any intact cutting block designated in the permit that was not  
164.10 bonded or bonded before July 1, 2020, and refund security, as applicable, for the cutting  
164.11 block to the permit holder. Any partially harvested cutting block is ineligible to be canceled  
164.12 under this paragraph. The remaining provisions of the permit remain in effect.

164.13 Subd. 5. **Good Neighbor Authority.** The commissioner of natural resources, in  
164.14 consultation with the United States Forest Service, may negotiate and provide holders of  
164.15 eligible permits with more than 30 percent of the total permit volume in any combination  
164.16 of spruce or balsam fir a method to voluntarily return intact cutting blocks designated in  
164.17 Good Neighbor Authority permits. Upon written request by the eligible permit holder, the  
164.18 commissioner may cancel any intact cutting block designated in the permit that was not  
164.19 bonded or bonded before July 1, 2020, and refund applicable security for the cutting block  
164.20 to the permit holder. Any partially harvested cutting block is ineligible to be canceled under  
164.21 this subdivision. The remaining provisions of the permit remain in effect.

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

164.23 Sec. 159. **WHOLE EFFLUENT TOXICITY RULEMAKING FOR FACILITIES**  
164.24 **THAT PROCESS SUGAR BEETS.**

164.25 (a) By January 31, 2022, the commissioner of the Pollution Control Agency must adopt  
164.26 rules on:

164.27 (1) evaluating and applying whole effluent toxicity (WET) as water-quality-based effluent  
164.28 limitations and permit conditions for discharges from facilities that process sugar beets that  
164.29 are located outside the Lake Superior basin; and

218.21 Subd. 2. **Extensions.** Upon written request to the commissioner of natural resources by  
218.22 the holder of an eligible permit with more than 30 percent of the total permit volume in any  
218.23 combination of spruce or balsam fir, the commissioner may grant an extension of the permit  
218.24 for two years without penalty or interest.

218.25 Subd. 3. **Unused balsam fir.** The commissioner of natural resources may cancel any  
218.26 provision in a timber sale that requires the security payment for or removal of all or part of  
218.27 the balsam fir when the permit contains more than 50 cords of balsam fir. The commissioner  
218.28 may require the permit holder to fell or pile the balsam fir to meet management objectives.

218.29 Subd. 4. **Refunds.** (a) Upon written request to the commissioner of natural resources  
218.30 by the holder of an eligible permit that is inactive and intact with more than 30 percent of  
218.31 the total permit volume in any combination of spruce or balsam fir, the commissioner may  
218.32 cancel the permit and refund the sale security, advance payments, or bid guarantee as  
218.33 applicable for the permit to the permit holder.

219.1 (b) Upon written request to the commissioner of natural resources by the holder of an  
219.2 eligible active permit with more than 30 percent of the total permit volume in any  
219.3 combination of spruce or balsam fir and a previously existing cutting block agreement, the  
219.4 commissioner may cancel any intact cutting block designated in the permit that was not  
219.5 bonded or bonded before July 1, 2020, and refund security, as applicable, for the cutting  
219.6 block to the permit holder. Any partially harvested cutting block is ineligible to be canceled  
219.7 under this paragraph. The remaining provisions of the permit remain in effect.

219.8 Subd. 5. **Good Neighbor Authority.** The commissioner of natural resources, in  
219.9 consultation with the United States Forest Service, may negotiate and provide holders of  
219.10 eligible permits with more than 30 percent of the total permit volume in any combination  
219.11 of spruce or balsam fir a method to voluntarily return intact cutting blocks designated in  
219.12 Good Neighbor Authority permits. Upon written request by the eligible permit holder, the  
219.13 commissioner may cancel any intact cutting block designated in the permit that was not  
219.14 bonded or bonded before July 1, 2020, and refund applicable security for the cutting block  
219.15 to the permit holder. Any partially harvested cutting block is ineligible to be canceled under  
219.16 this subdivision. The remaining provisions of the permit remain in effect.

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

- 164.30 (2) the applicability and standards for acute and chronic mixing zones at those facilities.
- 164.31 (b) Rules adopted under this section must be substantially identical to Minnesota Rules,  
164.32 parts 7052.0210, subparts 1 and 2, and 7052.0240, so that, to the greatest extent possible,  
164.33 facilities that process sugar beets in all parts of the state are subject to the same mixing  
165.1 zones requirements and acute and chronic WET requirements for establishing permit  
165.2 conditions.
- 165.3 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 165.4 Sec. 160. **INTERIM PROVISIONS.**
- 165.5 (a) From the effective date of this act until the rules under section 155 are adopted, to  
165.6 the extent allowable under the federal Clean Water Act or other federal laws, this section  
165.7 applies to discharges from facilities that process sugar beets outside the Lake Superior basin.
- 165.8 (b) If a whole effluent toxicity test, as defined under Minnesota Rules, part 7050.0218,  
165.9 subpart 3, item AAA, is performed on the effluent of a point source discharger that is a  
165.10 facility that processes sugar beets and results in less than 50 percent mortality of the test  
165.11 organisms or if a demonstration is provided under Minnesota Rules, part 7052.0210, subpart  
165.12 1, that 0.3 acute toxic units can be met at the edge of an approved acute mixing zone, the  
165.13 effluent must not be considered acutely toxic or lethal to aquatic organisms unless the  
165.14 commissioner of the Pollution Control Agency finds that the test species do not represent  
165.15 sensitive organisms in the affected surface water body or the whole effluent toxicity test  
165.16 was performed on a sample not representative of the effluent quality.
- 165.17 (c) The commissioner of the Pollution Control Agency must establish whole effluent  
165.18 toxicity mixing zones and whole effluent toxicity water-quality-based effluent limitations  
165.19 and permit conditions for facilities that process sugar beets according to Minnesota Rules,  
165.20 parts 7052.0210, subparts 1 and 2, and 7052.0240.
- 165.21 (d) The antibrackling provisions of Minnesota Rules, part 7001.1080, subpart 9, do  
165.22 not apply to new or revised permit conditions established under paragraph (c).
- 165.23 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 165.24 Sec. 161. **ANALYSIS OF WISCONSIN'S GREEN TIER PROGRAM.**
- 165.25 The commissioner of the Pollution Control Agency must conduct an analysis of the  
165.26 Green Tier Program operated in Wisconsin under Wisconsin Statutes, section 299.83, which  
165.27 recognizes and rewards environmental performance that voluntarily exceeds legal  
165.28 requirements related to health, safety, and the environment resulting in continuous  
165.29 improvement in Wisconsin's environment, economy, and quality of life. By February 1,  
165.30 2022, the commissioner must report the results of the analysis to the chairs and ranking  
165.31 minority members of the house of representatives and senate committees and divisions with  
165.32 jurisdiction over environment and natural resources. The report must include:

- 166.1 (1) an overview of how the program operates in Wisconsin;
- 166.2 (2) an assessment of benefits and challenges that would likely accompany the adoption  
166.3 of a similar program in Minnesota;
- 166.4 (3) a comparison of the program with the Minnesota XL permit project operated under  
166.5 Minnesota Statutes, sections 114C.10 to 114C.19;
- 166.6 (4) an assessment of what policy changes, legal changes, and funding would be required  
166.7 to successfully implement a similar program in Minnesota; and
- 166.8 (5) any other related matters deemed relevant by the commissioner.
- 166.9 **Sec. 162. STATE IMPLEMENTATION PLAN REVISIONS.**
- 166.10 (a) The commissioner of the Pollution Control Agency must seek approval from the  
166.11 federal Environmental Protection Agency for revisions to the state's federal Clean Air Act  
166.12 state implementation plan so that under the revised plan, the Pollution Control Agency is  
166.13 prohibited from applying a national or state ambient air quality standard in a permit issued  
166.14 solely to authorize operations to continue at an existing facility with unmodified emissions  
166.15 levels. Nothing in this section shall be construed to require the commissioner to apply for  
166.16 a revision that would prohibit the agency from applying a national or state ambient air  
166.17 quality standard in a permit that authorizes an increase in emissions due to construction of  
166.18 a new facility or in a permit that authorizes changes to existing facilities that result in a  
166.19 significant net emissions increase of a regulated NSR pollutant, as defined in Code of Federal  
166.20 Regulations, title 40, section 52.21(b)(50).
- 166.21 (b) The commissioner of the Pollution Control Agency must report quarterly to the chairs  
166.22 and ranking minority members of the house of representatives and senate committees and  
166.23 divisions with jurisdiction over environment and natural resources policy on the status of  
166.24 efforts to implement paragraph (a) until the revisions required by paragraph (a) have been  
166.25 either approved or denied.
- 166.26 **Sec. 163. FACILITATE ORIENTED STRAND BOARD MANUFACTURING**  
166.27 **FACILITY; ITASCA COUNTY.**
- 166.28 (a) Notwithstanding any law to the contrary, a business corporation that proposes an  
166.29 economic development project to build an oriented strand board manufacturing facility in  
166.30 Itasca County, and that receives approval of financial incentives to be provided for that  
166.31 project from both the Department of Employment and Economic Development and the  
166.32 Department of Iron Range Resources and Rehabilitation anytime during 2021, may apply  
167.1 for and receive construction stormwater, temporary dewatering, and land use construction  
167.2 permits required to begin grading, grubbing, and clearing the project site prior to completion  
167.3 of the environmental review processes necessary to commence construction of the facility.
- 167.4 (b) Prior to commencing any grading, grubbing, and clearing work at the project site  
167.5 pursuant to this section, the commissioner of employment and economic development shall  
167.6 require and receive a bond or other security or other financial assurance satisfactory to the

167.7 commissioner to provide for the restoration of all disturbed land to its previous condition  
167.8 if the environmental review process does not lead to successful permitting of the project.

167.9 **Sec. 164. CONDITIONS UPON TERMINATING CERTAIN MINERAL LEASES**  
167.10 **IN 2021.**

167.11 If the commissioner of natural resources terminates state mineral leases associated with  
167.12 a mine permit for an operation to mine, provide direct reduction of ore, and make steel in  
167.13 calendar year 2021, the commissioners of natural resources and the Pollution Control Agency  
167.14 must wait at least two years after the termination before initiating action to terminate  
167.15 environmental permits associated with the mining or processing of iron ore from the lands,  
167.16 unless earlier termination is necessary to ensure environmental protection or if otherwise  
167.17 governed by federal law. Nothing in this section prohibits a permittee from proposing to  
167.18 amend or otherwise exercise any existing rights to transfer or cancel permits under existing  
167.19 law. Nothing in this section precludes the commissioner of natural resources from terminating  
167.20 or transferring any state mineral leases issued in association with the properties listed above,  
167.21 provided the termination or transfer complies with all other requirements of Minnesota  
167.22 Statutes, chapter 93.

167.23 **Sec. 165. MORATORIUM ON SPECIAL PERMITS TO TAKE CANADA GOOSE**  
167.24 **NESTS AND EGGS.**

167.25 Until July 1, 2022, the commissioner of natural resources shall cancel any existing and  
167.26 not issue any new special permits under Minnesota Statutes, section 97A.401, subdivision  
167.27 5, for Canada goose egg oiling or egg destruction including addling or puncturing.

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

167.29 **Sec. 166. DRAINAGE PILOT PROJECT; BOIS DE SIOUX WATERSHED**  
167.30 **DISTRICT.**

167.31 (a) Notwithstanding any conflicting requirements in Minnesota Statutes, chapter 103E,  
167.32 the Bois De Sioux watershed district may:

168.1 (1) update the drainage system benefits for the purpose of ordering a repair under  
168.2 Minnesota Statutes, section 103E.715, subdivision 4, paragraph (a), clause (2), using the  
168.3 most recent three-year average of the county assessor's assessed value of land that is benefited  
168.4 from the drainage system; and

168.5 (2) use the appraised value of property for the value of land needed for additional  
168.6 right-of-way under Minnesota Statutes, section 103E.715, subdivision 6.

168.7 (b) This section expires on June 30, 2026.

168.8 **EFFECTIVE DATE.** This section is effective the day after the board of managers of  
168.9 the Bois De Sioux watershed district and its chief clerical officer comply with Minnesota  
168.10 Statutes, section 645.021, subdivisions 2 and 3.

174.25 Sec. 44. **POSITION ESTABLISHED; POLLUTION CONTROL AGENCY.**

174.26 The commissioner of the Pollution Control Agency shall establish a new full-time  
174.27 equivalent position of community liaison, funded through air quality permit fees, as specified  
174.28 in Minnesota Statutes, section 116.07, subdivision 4d, to conduct the administrative tasks  
174.29 necessary to successfully implement Minnesota Statutes, section 116.07, subdivision 4a,  
174.30 and other regulatory activities requiring interaction between the agency and residents in  
174.31 communities exposed to air pollutants emitted by facilities permitted by the agency.

175.1 Sec. 45. **PFAS WATER QUALITY STANDARDS.**

175.2 The commissioner of the Pollution Control Agency must adopt rules establishing water  
175.3 quality standards for perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid  
175.4 (PFOS). The commissioner must adopt the rules establishing the PFOA and PFOS water  
175.5 quality standards by July 1, 2024, and Minnesota Statutes, section 14.125, does not apply.

175.6 Sec. 46. **HEALTH RISK LIMIT; PERFLUOROCTANE SULFONATE.**

175.7 By July 1, 2023, the commissioner of health must amend the health risk limit for  
175.8 perfluorooctane sulfonate (PFOS) in Minnesota Rules, part 4717.7860, subpart 15, so that  
175.9 the health risk limit does not exceed 0.015 parts per billion. In amending the health risk  
175.10 limit for PFOS, the commissioner must comply with Minnesota Statutes, section 144.0751,  
175.11 requiring a reasonable margin of safety to adequately protect the health of infants, children,  
175.12 and adults.

175.13 Sec. 47. **CARPET STEWARDSHIP PROGRAM; REPORT.**

175.14 Subdivision 1. Carpet stewardship program plan. The commissioner of the Pollution  
175.15 Control Agency must develop a plan for establishing a carpet stewardship program designed  
175.16 to reduce carpet-related waste generation by promoting the collection and recycling of  
175.17 discarded carpet. The plan must include:

175.18 (1) an organizational structure for the program, including roles for the state, carpet  
175.19 producers, retailers, collection site operators, and recyclers;

175.20 (2) a timeline for implementing the program;

175.21 (3) a fee structure that ensures the costs of the program are recovered, including  
175.22 recommendations for determining the amount, methods of collecting the fee, and how fee  
175.23 revenues will be managed;

175.24 (4) a plan for how discarded carpet will be collected and transported to recyclers in this  
175.25 state;

175.26 (5) strategies for improving education and training of retailers, carpet installers, and  
175.27 collection site operators to improve the recycling rates of carpet; and

- 175.28 (6) draft legislation necessary for implementing the plan.
- 175.29 Subd. 2. **Task force; public engagement.** (a) The commissioner must convene a task  
175.30 force to assist with developing the plan required under subdivision 1. The task force must  
175.31 include:
- 176.1 (1) one representative of a statewide association representing retailers;
- 176.2 (2) two representatives of producers;
- 176.3 (3) two representatives of recyclers;
- 176.4 (4) one representative of statewide associations representing waste disposal companies;
- 176.5 (5) one representative of an environmental organization;
- 176.6 (6) one representative of county or municipal waste management programs;
- 176.7 (7) two representatives of companies that use discarded carpet to manufacture products  
176.8 other than new carpet;
- 176.9 (8) one representative of carpet installers; and
- 176.10 (9) two members of the general public.
- 176.11 (b) Members of the task force must not be registered lobbyists.
- 176.12 (c) The commissioner must provide opportunities for the public to provide input on the  
176.13 program.
- 176.14 Subd. 3. **Report.** The commissioner must submit a report with the plan required under  
176.15 this section to the chairs and ranking minority members of the legislative committees and  
176.16 divisions with jurisdiction over the environment by January 15, 2022.
- 176.17 Sec. 48. **SEED DISPOSAL RULEMAKING REQUIRED.**
- 176.18 The commissioner of the Pollution Control Agency, in consultation with the commissioner  
176.19 of agriculture and the University of Minnesota, must adopt rules under Minnesota Statutes,  
176.20 chapter 14, providing for the safe and lawful disposal of unwanted or unused seed that is  
176.21 treated or coated with pesticide. The rules must clearly identify the regulatory jurisdiction  
176.22 of state agencies and local governments with regard to such seed.
- 176.23 Sec. 49. **SOLID WASTE FACILITY REPORTING; RULEMAKING.**
- 176.24 The commissioner of the Pollution Control Agency must, under the good cause exemption  
176.25 in Minnesota Statutes, section 14.388, subdivision 1, clause (3), amend rules to require  
176.26 reports to the agency from a solid waste facility to be submitted by March 1 for the previous  
176.27 calendar year.



219.18 Sec. 94. **TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

219.19 The commissioner of natural resources must not renew or transfer a turtle seller's license  
219.20 after the effective date of this section.

219.21 Sec. 95. **CARBON SEQUESTRATION IN FORESTS OF THE STATE; GOALS.**

219.22 The commissioner of natural resources must establish goals for increasing carbon  
219.23 sequestration in public and private forests in the state. To achieve the goals, the commissioner  
219.24 must identify sustainable forestry strategies that increase the ability of forests to sequester  
219.25 atmospheric carbon while enhancing other ecosystem services, such as improved soil and  
219.26 water quality. By January 15, 2023, the commissioner must submit a report with the goals  
219.27 and recommended forestry strategies to the chairs and ranking minority members of the  
219.28 legislative committees and divisions with jurisdiction over natural resources policy.

219.29 Sec. 96. **STATE PARK PERMIT FEES; FISCAL YEAR 2022.**

219.30 (a) Notwithstanding Minnesota Statutes, section 85.055, subdivision 1, the fees for state  
219.31 park permits from July 1, 2021, to June 30, 2022, are as follows:

219.32 (1) \$40 for an annual state park permit;

220.1 (2) \$31 for a second or subsequent vehicle state park permit;

220.2 (3) \$8.50 for a state park permit valid for one day;

220.3 (4) \$6.50 for a daily vehicle state park permit for groups;

220.4 (5) \$35 for an annual permit for motorcycles; and

220.5 (6) \$16 for a state park permit for persons with disabilities under Minnesota Statutes,  
220.6 section 85.053, subdivision 7, paragraph (a), clauses (1) to (3).

220.7 (b) Employee state park permits remain free as provided under Minnesota Statutes,  
220.8 section 85.055, subdivision 1, clause (6).

227.15 Sec. 8. **SOIL HEALTH COST-SHARE PROGRAM; REPORT.**

227.16 By January 15, 2024, the Board of Water and Soil Resources must evaluate the  
227.17 effectiveness of the soil health cost-share program under Minnesota Statutes, section 103F.06,  
227.18 and submit a report with the results and recommendations to the chairs and ranking minority  
227.19 members of the house of representatives and senate committees and divisions with jurisdiction  
227.20 over the environment and natural resources. The report must include an assessment of the  
227.21 applicability and viability of tools to assist farm operators and landowners in evaluating  
227.22 nutrient, soil organic matter, and soil loss management practices on individual fields.

168.11 Sec. 167. **REPEALER.**

168.12 (a) Minnesota Statutes 2020, sections 85.0505, subdivision 3; 85.0507; 85.054,  
168.13 subdivision 19; and 97C.515, subdivisions 4 and 5, are repealed.

168.14 (b) Laws 2013, chapter 121, section 53, is repealed.

168.15 (c) Minnesota Rules, part 6232.0350, is repealed.

220.9 Sec. 97. **REPEALER.**

220.10 Minnesota Statutes 2020, sections 85.0505, subdivision 3; 85.0507; 85.054, subdivision  
220.11 19; and 97C.605, subdivisions 2, 2a, 2b, and 5, and Minnesota Rules, part 6256.0500,  
220.12 subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.

177.1 Sec. 50. **REPEALER.**

177.2 (a) Minnesota Statutes 2020, sections 115.44, subdivision 9; 115B.48, subdivision 8;  
177.3 and 115C.13, are repealed.

177.4 (b) Minnesota Rules, part 7044.0350, is repealed.

227.23 **ARTICLE 7**

227.24 **FARMED CERVIDAE**

227.25 Section 1. Minnesota Statutes 2020, section 35.155, subdivision 1, is amended to read:

227.26 Subdivision 1. **Running at large prohibited.** (a) An owner may not allow farmed  
227.27 Cervidae to run at large. The owner must make all reasonable efforts to return escaped  
227.28 farmed Cervidae to their enclosures as soon as possible. The owner must immediately notify  
227.29 the commissioner of natural resources of the escape of farmed Cervidae if the farmed  
227.30 Cervidae are not returned or captured by the owner within 24 hours of their escape.

228.1 (b) An owner is liable for expenses of another person in capturing, caring for, and  
228.2 returning farmed Cervidae that have left their enclosures if the person capturing the farmed  
228.3 Cervidae contacts the owner as soon as possible.

228.4 (c) If an owner is unwilling or unable to capture escaped farmed Cervidae, the  
228.5 commissioner of natural resources may destroy the escaped farmed Cervidae. The  
228.6 commissioner of natural resources must allow the owner to attempt to capture the escaped  
228.7 farmed Cervidae prior to destroying the farmed Cervidae. Farmed Cervidae that are not  
228.8 captured by 24 hours after escape may be destroyed.

228.9 (d) A hunter licensed by the commissioner of natural resources under chapter 97A may  
228.10 kill and possess escaped farmed Cervidae in a lawful manner and is not liable to the owner  
228.11 for the loss of the animal.

228.12 (e) Escaped farmed Cervidae killed by a hunter or destroyed by the commissioner of  
228.13 natural resources must be tested for chronic wasting disease at the owner's expense.

228.14 **EFFECTIVE DATE.** This section is effective September 1, 2021.

228.15 Sec. 2. Minnesota Statutes 2020, section 35.155, subdivision 4, is amended to read:

228.16 Subd. 4. **Fencing.** Farmed Cervidae must be confined in a manner designed to prevent  
228.17 escape. Except as provided in subdivision 4a, all perimeter fences for farmed Cervidae must  
228.18 be at least 96 inches in height and be constructed and maintained in a way that prevents the  
228.19 escape of farmed Cervidae or entry into the premises by free-roaming Cervidae, or physical  
228.20 contact between farmed Cervidae and free-roaming Cervidae. After July 1, 2019, All new  
228.21 fencing installed and all fencing used to repair deficiencies must be high tensile. By  
228.22 December 1, 2019, All entry areas for farmed Cervidae enclosure areas must have two  
228.23 redundant gates, which must be maintained to prevent the escape of animals through an  
228.24 open gate. If a fence deficiency allows entry or exit by farmed or wild Cervidae, the owner  
228.25 must repair the deficiency within a reasonable time, as determined by the Board of Animal  
228.26 Health, not to exceed 45 days. If a fence deficiency is detected during an inspection, the  
228.27 facility must be reinspected at least once in the subsequent three months. The farmed  
228.28 Cervidae owner must pay a reinspection fee equal to one-half the applicable annual inspection  
228.29 fee under subdivision 7a for each reinspection related to a fence violation. If the facility  
228.30 experiences more than one escape incident in any six-month period or fails to correct a  
228.31 deficiency found during an inspection, the board may revoke the facility's registration and  
228.32 order the owner to remove or destroy the animals as directed by the board. If the board  
228.33 revokes a facility's registration, the commissioner of natural resources may seize and destroy  
228.34 animals at the facility.

229.1 **EFFECTIVE DATE.** This section is effective September 1, 2022.

229.2 Sec. 3. Minnesota Statutes 2020, section 35.155, is amended by adding a subdivision to  
229.3 read:

229.4 Subd. 4a. **Fencing; commercial herds.** In addition to the requirements in subdivision  
229.5 4, commercially farmed white-tailed deer must be confined by two or more perimeter fences,  
229.6 with each perimeter fence at least 120 inches in height.

229.7 **EFFECTIVE DATE.** This section is effective September 1, 2022.

229.8 Sec. 4. Minnesota Statutes 2020, section 35.155, subdivision 6, is amended to read:

229.9 Subd. 6. **Identification.** (a) Farmed Cervidae must be identified by means approved by  
229.10 the Board of Animal Health. The identification must include a distinct number that has not  
229.11 been used during the previous three years and must be visible to the naked eye during  
229.12 daylight under normal conditions at a distance of 50 yards. The identification for white-tailed  
229.13 deer must also include contact information with a phone number or address that enables the  
229.14 reader to readily identify the owner of escaped deer. This contact information does not need  
229.15 to be visible from a distance of 50 yards. White-tailed deer must be identified before October  
229.16 31 of the year in which the animal is born, at the time of weaning, or before movement from  
229.17 the premises, whichever occurs first. Elk and other cervids must be identified by December  
229.18 31 of the year in which the animal is born or before movement from the premises, whichever

229.19 occurs first. As coordinated by the board, the commissioner of natural resources may destroy  
229.20 any animal that is not identified as required under this subdivision.

229.21 (b) The Board of Animal Health shall register farmed Cervidae. The owner must submit  
229.22 the registration request on forms provided by the board. The forms must include sales  
229.23 receipts or other documentation of the origin of the Cervidae. The board must provide copies  
229.24 of the registration information to the commissioner of natural resources upon request. The  
229.25 owner must keep written records of the acquisition and disposition of registered farmed  
229.26 Cervidae.

229.27 **EFFECTIVE DATE.** This section is effective September 1, 2022.

229.28 Sec. 5. Minnesota Statutes 2020, section 35.155, subdivision 7, is amended to read:

229.29 Subd. 7. **Inspection.** (a) The Board of Animal Health must annually inspect farmed  
229.30 Cervidae, farmed Cervidae facilities, and farmed Cervidae records. As coordinated by the  
229.31 board, the commissioner of agriculture and an enforcement officer as defined under section  
229.32 97A.015, subdivision 18, may participate in the annual inspection.

230.1 (b) The annual inspection must include a physical inspection of all perimeter fencing  
230.2 around the facility and a viewing to verify that all animals are tagged. The owner of a farmed  
230.3 Cervidae facility must present to the inspectors an accurate inventory of the owner's farmed  
230.4 Cervidae and other records for review. During an annual inspection, the owner must present  
230.5 individual animals in a herd for a physical inventory, if required by the board.

230.6 (c) The commissioner of natural resources may inspect farmed Cervidae, farmed Cervidae  
230.7 facilities, and farmed Cervidae records with reasonable suspicion that laws protecting native  
230.8 wild animals have been violated and must notify the owner in writing at the time of the  
230.9 inspection of the reason for the inspection and must inform the owner in writing after the  
230.10 inspection of whether (1) the cause of the inspection was unfounded; or (2) there will be an  
230.11 ongoing investigation or continuing evaluation.

230.12 (d) An inspection conducted by the Board of Animal Health of a premises where chronic  
230.13 wasting disease has been detected or has been identified through an epidemiological  
230.14 investigation as a source or trace-out herd from an infected farm must include conservation  
230.15 officers as provided by the Department of Natural Resources.

230.16 Sec. 6. Minnesota Statutes 2020, section 35.155, subdivision 10, is amended to read:

230.17 Subd. 10. **Mandatory registration.** (a) A person may not possess live Cervidae in  
230.18 Minnesota unless the person is registered with the Board of Animal Health and meets all  
230.19 the requirements for farmed Cervidae under this section. Cervidae possessed in violation  
230.20 of this subdivision may be seized and destroyed by the commissioner of natural resources.

230.21 (b) A person whose registration is revoked by the board is ineligible for future registration  
230.22 under this section unless the board determines that the person has undertaken measures that  
230.23 make future escapes extremely unlikely.

- 230.24 (c) The board must not allow new registrations under this section for possessing  
230.25 white-tailed deer.
- 230.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.
- 230.27 Sec. 7. Minnesota Statutes 2020, section 35.155, subdivision 11, is amended to read:
- 230.28 Subd. 11. **Mandatory surveillance for chronic wasting disease; depopulation.** (a)  
230.29 An inventory for each farmed Cervidae herd must be verified by an accredited veterinarian  
230.30 and filed with the Board of Animal Health every 12 months.
- 230.31 (b) Movement of farmed Cervidae from any premises to another location must be reported  
230.32 to the Board of Animal Health within 14 days of the movement on forms approved by the  
231.1 Board of Animal Health. A person must not move farmed white-tailed deer from any premises  
231.2 to another location.
- 231.3 (c) All animals from farmed Cervidae herds that are over 12 months of age that die or  
231.4 are slaughtered must be tested for chronic wasting disease.
- 231.5 (d) The owner of a premises where chronic wasting disease is detected must:
- 231.6 (1) allow and cooperate with inspections of the premises as determined by the Board of  
231.7 Animal Health and Department of Natural Resources conservation officers and wildlife  
231.8 managers;
- 231.9 ~~(1)~~ (2) depopulate the premises of Cervidae after the appraisal process for federal  
231.10 indemnification has been completed or, if an indemnification application is not submitted,  
231.11 within a reasonable time determined by the board in consultation with the commissioner of  
231.12 natural resources;
- 231.13 ~~(2)~~ (3) maintain the fencing required under ~~subdivision~~ subdivisions 4 and 4a on the  
231.14 premises for ~~five~~ ten years after the date of detection; ~~and~~
- 231.15 ~~(3)~~ (4) post the fencing on the premises with biohazard signs as directed by the board;  
231.16 and
- 231.17 (5) not raise farmed Cervidae on the premises for at least ten years.
- 231.18 Sec. 8. **TRANSFER OF DUTIES; FARMED CERVIDAE.**
- 231.19 (a) Except as provided in paragraph (b), the responsibilities for administering and  
231.20 enforcing the statutes and rules listed in clauses (1) and (2) are transferred pursuant to  
231.21 Minnesota Statutes, section 15.039, from the Board of Animal Health to the commissioner  
231.22 of natural resources:
- 231.23 (1) Minnesota Statutes, sections 35.153 and 35.155; and
- 231.24 (2) Minnesota Rules, parts 1721.0370 to 1721.0420.

231.25 (b) Notwithstanding Minnesota Statutes, section 15.039, subdivision 7, the transfer of  
231.26 personnel will not take place. The commissioner of natural resources must contract with  
231.27 the Board of Animal Health for any veterinary services required to administer this program.

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

232.1 Sec. 9. **REVISOR INSTRUCTION.**

232.2 The revisor of statutes must recodify the relevant sections in Minnesota Statutes, chapter  
232.3 35, and Minnesota Rules, chapter 1721, as necessary to conform with section 7. The revisor  
232.4 must also change the responsible agency and make necessary cross-reference changes  
232.5 consistent with section 7 and the renumbering.

232.6 **ARTICLE 8**

232.7 **DRIVING UNDER THE INFLUENCE UNIFORMITY**

232.8 Section 1. **[84.765] OPERATING OFF-ROAD RECREATIONAL VEHICLES**  
232.9 **WHILE IMPAIRED.**

232.10 Subdivision 1. **Definitions.** As used in this section, "controlled substance," "intoxicating  
232.11 substance," and "off-road recreational vehicle" have the meanings given in section 169A.03.

232.12 Subd. 2. **Acts prohibited.** (a) An owner or other person having charge or control of an  
232.13 off-road recreational vehicle must not authorize or allow an individual the person knows  
232.14 or has reason to believe is under the influence of alcohol, a controlled substance, or an  
232.15 intoxicating substance to operate the off-road recreational vehicle anywhere in the state or  
232.16 on the ice of a boundary water of the state.

232.17 (b) A person who operates or is in physical control of an off-road recreational vehicle  
232.18 anywhere in the state or on the ice of a boundary water of the state is subject to chapter  
232.19 169A.

232.20 (c) The provisions of chapters 169A, 171, and 609 relating to revoking, suspending, or  
232.21 canceling a driver's license, an instruction permit, or a nonresident operating privilege for  
232.22 alcohol, controlled substance, or intoxicating substance violations apply to operators of  
232.23 off-road recreational vehicles and operating privileges for off-road recreational vehicles.

232.24 (d) The commissioner of public safety must notify a person of the period during which  
232.25 the person is prohibited from operating an off-road recreational vehicle under section  
232.26 169A.52, 169A.54, or 171.177.

232.27 (e) The court must promptly forward to the commissioner of public safety copies of all  
232.28 convictions and criminal and civil sanctions imposed under chapter 169A and section  
232.29 171.177.

232.30 (f) If the person operating or in physical control of an off-road recreational vehicle is a  
232.31 program participant in the ignition interlock device program described in section 171.306,  
232.32 the off-road recreational vehicle may be operated only if it is equipped with an approved

- 233.1 ignition interlock device and all requirements of section 171.306 are satisfied. For purposes  
233.2 of this paragraph, "program participant" and "ignition interlock device" have the meanings  
233.3 given in section 171.306, subdivision 1.
- 233.4 Subd. 3. **Penalties.** (a) A person who violates subdivision 2, paragraph (a), or an  
233.5 ordinance conforming to subdivision 2, paragraph (a), is guilty of a misdemeanor.
- 233.6 (b) A person who operates an off-road recreational vehicle during the period the person  
233.7 is prohibited from operating an off-road recreational vehicle under subdivision 2, paragraph  
233.8 (d), is subject to the penalty provided in section 171.24.
- 233.9 Sec. 2. Minnesota Statutes 2020, section 84.795, subdivision 5, is amended to read:
- 233.10 Subd. 5. **Operating under influence of alcohol or controlled substance.** A person  
233.11 may not operate or be in control of an off-highway motorcycle anywhere in this state or on  
233.12 the ice of any boundary water of this state while under the influence of alcohol or a controlled  
233.13 substance, as provided in section 169A.20, and is subject to sections 169A.50 to 169A.53  
233.14 or 171.177. ~~A conservation officer of the Department of Natural Resources is a peace officer~~  
233.15 ~~for the purposes of sections 169A.20 and 169A.50 to 169A.53 or 171.177 as applied to the~~  
233.16 ~~operation of an off-highway motorcycle in a manner not subject to registration under chapter~~  
233.17 ~~168.~~
- 233.18 Sec. 3. Minnesota Statutes 2020, section 84.83, subdivision 5, is amended to read:
- 233.19 Subd. 5. **Fines and forfeited bail.** ~~The disposition of Fines and forfeited bail collected~~  
233.20 ~~from prosecutions of violations of sections 84.81 to 84.91 84.90 or rules adopted thereunder;~~  
233.21 ~~and violations of section 169A.20 that involve off-road recreational vehicles, as defined in~~  
233.22 ~~section 169A.03, subdivision 16, are governed by section 97A.065; must be deposited in~~  
233.23 ~~the state treasury. Half the receipts must be credited to the general fund, and half the receipts~~  
233.24 ~~must be credited to the snowmobile trails and enforcement account in the natural resources~~  
233.25 ~~fund.~~
- 233.26 Sec. 4. **[86B.33] OPERATING WHILE IMPAIRED.**
- 233.27 Subdivision 1. **Definitions.** For purposes of this section, "controlled substance,"  
233.28 "intoxicating substance," and "motorboat in operation" have the meanings given under  
233.29 section 169A.03.
- 233.30 Subd. 2. **Acts prohibited.** (a) An owner or other person having charge or control of a  
233.31 motorboat must not authorize or allow an individual the person knows or has reason to  
234.1 believe is under the influence of alcohol, a controlled substance, or an intoxicating substance  
234.2 to operate the motorboat in operation on waters of the state.
- 234.3 (b) A person who operates or is in physical control of a motorboat on waters of the state  
234.4 is subject to chapter 169A.
- 234.5 (c) The provisions of chapters 169A, 171, and 609 relating to revoking, suspending, or  
234.6 canceling a driver's license, an instruction permit, or a nonresident operating privilege for

- 234.7 alcohol, controlled substance, or intoxicating substance violations apply to motorboat  
234.8 operators and to operating privileges for motorboats.
- 234.9 (d) The commissioner of public safety must notify a person of the period during which  
234.10 the person is prohibited from operating a motorboat under section 169A.52, 169A.54, or  
234.11 171.177.
- 234.12 (e) The court must promptly forward to the commissioner of public safety copies of all  
234.13 convictions and criminal and civil sanctions imposed under chapter 169A and section  
234.14 171.177.
- 234.15 (f) If the person operating or in physical control of a motorboat is a program participant  
234.16 in the ignition interlock device program described in section 171.306, the motorboat may  
234.17 be operated only if it is equipped with an approved ignition interlock device and all  
234.18 requirements of section 171.306 are satisfied. For purposes of this paragraph, "program  
234.19 participant" and "ignition interlock device" have the meanings given in section 171.306,  
234.20 subdivision 1.
- 234.21 Subd. 3. **Penalties.** (a) A person who violates subdivision 2, paragraph (a), or an  
234.22 ordinance conforming with subdivision 2, paragraph (a), is guilty of a misdemeanor.
- 234.23 (b) A person who operates a motorboat during the period the person is prohibited from  
234.24 operating a motorboat under subdivision 2, paragraph (d), is guilty of a misdemeanor.
- 234.25 Sec. 5. Minnesota Statutes 2020, section 86B.705, subdivision 2, is amended to read:
- 234.26 Subd. 2. **Fines and bail money.** (a) All fines, installment payments, and forfeited bail  
234.27 money collected from persons convicted of ~~violations of~~ violating this chapter or rules  
234.28 adopted thereunder, ~~or of a violation of section 169A.20 involving a motorboat,~~ shall ~~must~~  
234.29 be deposited in the state treasury.
- 234.30 (b) ~~One half of~~ Half the receipts ~~shall~~ must be credited to the general revenue fund. ~~The~~  
234.31 ~~other one half of,~~ and half the receipts shall ~~must~~ be transmitted to the commissioner of  
235.1 natural resources and credited to the water recreation account for the purpose of boat and  
235.2 water safety.
- 235.3 Sec. 6. Minnesota Statutes 2020, section 97A.065, subdivision 2, is amended to read:
- 235.4 Subd. 2. **Fines and forfeited bail.** (a) Fines and forfeited bail collected from prosecutions  
235.5 of violations of: the game and fish laws or rules adopted thereunder; sections 84.091 to  
235.6 84.15 or rules adopted thereunder; ~~sections 84.81 to 84.91 or rules adopted thereunder;~~  
235.7 ~~section 169A.20, when the violation involved an off-road recreational vehicle as defined~~  
235.8 ~~in section 169A.03, subdivision 16; chapter 348; and any other law relating to wild animals~~  
235.9 ~~or aquatic vegetation, must be paid to the treasurer of the county where the violation is~~  
235.10 ~~prosecuted. The county treasurer shall submit one half of~~ deposited in the state treasury.  
235.11 Half the receipts to the commissioner and credit the balance to the county general revenue  
235.12 fund except as provided in paragraphs (b) and (c). In a county in a judicial district under  
235.13 ~~section 480.181, subdivision 1, paragraph (b), the share that would otherwise go to the~~



235.14 ~~county under this paragraph must be submitted to the commissioner of management and~~  
235.15 ~~budget for deposit in the state treasury and credited to the general fund must be credited to~~  
235.16 ~~the general fund, and half the receipts must be credited to the game and fish fund under~~  
235.17 ~~section 97A.055.~~

235.18 ~~(b) The county treasurer shall submit one-half of the receipts collected under paragraph~~  
235.19 ~~(a) from prosecutions of violations of sections 84.81 to 84.91 or rules adopted thereunder,~~  
235.20 ~~and 169A.20, except receipts that are surcharges imposed under section 357.021, subdivision~~  
235.21 ~~6, to the commissioner and credit the balance to the county general fund. The commissioner~~  
235.22 ~~shall credit these receipts to the snowmobile trails and enforcement account in the natural~~  
235.23 ~~resources fund.~~

235.24 ~~(c) The county treasurer shall indicate the amount of the receipts that are surcharges~~  
235.25 ~~imposed under section 357.021, subdivision 6, and shall submit all of those receipts to the~~  
235.26 ~~commissioner of management and budget.~~

235.27 Sec. 7. Minnesota Statutes 2020, section 169A.20, subdivision 1, is amended to read:

235.28 Subdivision 1. **Driving while impaired crime; motor vehicle.** It is a crime for any  
235.29 person to drive, operate, or be in physical control of any motor vehicle, as defined in section  
235.30 169A.03, subdivision 15, ~~except for motorboats in operation and off-road recreational~~  
235.31 ~~vehicles,~~ within this state or on any boundary water of this state when:

235.32 (1) the person is under the influence of alcohol;

236.1 (2) the person is under the influence of a controlled substance;

236.2 (3) the person is under the influence of an intoxicating substance and the person knows  
236.3 or has reason to know that the substance has the capacity to cause impairment;

236.4 (4) the person is under the influence of a combination of any two or more of the elements  
236.5 named in clauses (1) to (3);

236.6 (5) the person's alcohol concentration at the time, or as measured within two hours of  
236.7 the time, of driving, operating, or being in physical control of the motor vehicle is 0.08 or  
236.8 more;

236.9 (6) the vehicle is a commercial motor vehicle and the person's alcohol concentration at  
236.10 the time, or as measured within two hours of the time, of driving, operating, or being in  
236.11 physical control of the commercial motor vehicle is 0.04 or more; or

236.12 (7) the person's body contains any amount of a controlled substance listed in Schedule  
236.13 I or II, or its metabolite, other than marijuana or tetrahydrocannabinols.

236.14 Sec. 8. Minnesota Statutes 2020, section 169A.52, is amended by adding a subdivision to  
236.15 read:

236.16 Subd. 9. **Off-road recreational vehicles and motorboats.** (a) The provisions of this  
236.17 section for revoking a driver's license, permit, or nonresident operating privilege also apply  
236.18 to the operating privilege for an off-road recreational vehicle and a motorboat.

236.19 (b) Upon certification by a peace officer under subdivision 3, paragraph (a), or subdivision  
236.20 4, paragraph (a) or (c), the commissioner must notify a person that the person is prohibited  
236.21 from operating off-road recreational vehicles and motorboats for the period provided in  
236.22 subdivision 3, paragraph (a), or subdivision 4, paragraph (a).

236.23 Sec. 9. Minnesota Statutes 2020, section 169A.54, is amended by adding a subdivision to  
236.24 read:

236.25 Subd. 12. **Off-road recreational vehicles and motorboats.** (a) The provisions of this  
236.26 section for revoking a driver's license or nonresident operating privilege also apply to the  
236.27 operating privilege for an off-road recreational vehicle and a motorboat.

236.28 (b) Upon conviction, the commissioner must notify a person that the person is prohibited  
236.29 from operating off-road recreational vehicles and motorboats for the same period that the  
236.30 person's driver's license or operating privilege is revoked or canceled under this section.

237.1 Sec. 10. **[171.188] DRIVING WHILE IMPAIRED REVOCATION AND**  
237.2 **PROHIBITION; OFF-ROAD RECREATIONAL VEHICLES AND MOTORBOATS.**

237.3 (a) The provisions of this chapter for revoking or canceling a driver's license or  
237.4 nonresident driving privilege for alcohol, controlled substance, or intoxicating substance  
237.5 violations also apply to the operating privileges for off-road recreational vehicles and  
237.6 motorboats.

237.7 (b) Upon conviction, the commissioner must notify a person that the person is prohibited  
237.8 from operating off-road recreational vehicles and motorboats for the same period that the  
237.9 person's driver's license or driving privilege is revoked or canceled for the alcohol, controlled  
237.10 substance, or intoxicating substance conviction.

237.11 Sec. 11. Minnesota Statutes 2020, section 171.306, is amended by adding a subdivision  
237.12 to read:

237.13 Subd. 3a. **Off-road recreational vehicles and motorboats.** A program participant in  
237.14 the ignition interlock device program may operate an off-road recreational vehicle or a  
237.15 motorboat only if it is equipped with an approved ignition interlock device as provided  
237.16 under this section and sections 84.765, subdivision 2, and 86B.33, subdivision 2.

237.17 Sec. 12. **REVISOR INSTRUCTION.**

237.18 The revisor of statutes shall make necessary changes to statutory cross-references to  
237.19 reflect the changes made in sections 1 to 11. If necessary, the revisor shall prepare a bill for

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65.9 Section 1. Minnesota Statutes 2020, section 84.787, subdivision 7, is amended to read:

65.10 Subd. 7. **Off-highway motorcycle.** (a) "Off-highway motorcycle" means a motorized,  
65.11 off-highway vehicle traveling on two wheels and having a seat or saddle designed to be  
65.12 straddled by the operator and handlebars for steering control, including a vehicle that is  
65.13 registered under chapter 168 for highway use if it is also used for off-highway operation on  
65.14 trails or unimproved terrain.

65.15 (b) Off-highway motorcycle does not include an electric-assisted bicycle as defined in  
65.16 section 169.011, subdivision 27.

65.17 **EFFECTIVE DATE.** This section is effective August 1, 2021.

65.18 Sec. 2. Minnesota Statutes 2020, section 84.797, subdivision 7, is amended to read:

65.19 Subd. 7. **Off-road vehicle.** (a) "Off-road vehicle" or "vehicle" means a motor-driven  
65.20 recreational vehicle capable of cross-country travel on natural terrain without benefit of a  
65.21 road or trail.

65.22 (b) Off-road vehicle does not include a snowmobile; an all-terrain vehicle; a motorcycle;  
65.23 an electric-assisted bicycle as defined in section 169.011, subdivision 27; a watercraft; a  
65.24 farm vehicle being used for farming; a vehicle used for military, fire, emergency, or law  
65.25 enforcement purposes; a construction or logging vehicle used in the performance of its  
65.26 common function; a motor vehicle owned by or operated under contract with a utility,  
65.27 whether publicly or privately owned, when used for work on utilities; a commercial vehicle  
65.28 being used for its intended purpose; snow-grooming equipment when used for its intended  
65.29 purpose; or an aircraft.

65.30 **EFFECTIVE DATE.** This section is effective August 1, 2021.

66.1 Sec. 3. Minnesota Statutes 2020, section 84.92, subdivision 8, is amended to read:

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

237.20 introduction in the 2022 legislative session to make other necessary conforming changes  
237.21 that are beyond the scope of the revisor's authority to make editorial changes under this  
237.22 section or other law.

237.23 Sec. 13. **REPEALER.**

237.24 Minnesota Statutes 2020, sections 84.91, subdivision 1; 86B.331, subdivision 1; and  
237.25 169A.20, subdivisions 1a, 1b, and 1c, are repealed.

237.26 **ARTICLE 9**

237.27 **ELECTRIC-ASSISTED BICYCLES**

237.28 Section 1. Minnesota Statutes 2020, section 84.787, subdivision 7, is amended to read:

237.29 Subd. 7. **Off-highway motorcycle.** (a) "Off-highway motorcycle" means a motorized,  
237.30 off-highway vehicle traveling on two wheels and having a seat or saddle designed to be  
238.1 straddled by the operator and handlebars for steering control, including a vehicle that is  
238.2 registered under chapter 168 for highway use if it is also used for off-highway operation on  
238.3 trails or unimproved terrain.

238.4 (b) Off-highway motorcycle does not include an electric-assisted bicycle as defined in  
238.5 section 169.011, subdivision 27.

238.6 Sec. 2. Minnesota Statutes 2020, section 84.797, subdivision 7, is amended to read:

238.7 Subd. 7. **Off-road vehicle.** (a) "Off-road vehicle" or "vehicle" means a motor-driven  
238.8 recreational vehicle capable of cross-country travel on natural terrain without benefit of a  
238.9 road or trail.

238.10 (b) Off-road vehicle does not include a snowmobile; an all-terrain vehicle; a motorcycle;  
238.11 an electric-assisted bicycle as defined in section 169.011, subdivision 27; a watercraft; a  
238.12 farm vehicle being used for farming; a vehicle used for military, fire, emergency, or law  
238.13 enforcement purposes; a construction or logging vehicle used in the performance of its  
238.14 common function; a motor vehicle owned by or operated under contract with a utility,  
238.15 whether publicly or privately owned, when used for work on utilities; a commercial vehicle  
238.16 being used for its intended purpose; snow-grooming equipment when used for its intended  
238.17 purpose; or an aircraft.

238.18 Sec. 3. Minnesota Statutes 2020, section 84.92, subdivision 8, is amended to read:

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

66.5 from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle  
66.6 includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

66.7 (b) All-terrain vehicle does not include a an electric-assisted bicycle as defined in section  
66.8 169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed  
66.9 and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

66.10 **EFFECTIVE DATE.** This section is effective August 1, 2021.

66.11 Sec. 4. Minnesota Statutes 2020, section 168.002, subdivision 18, is amended to read:

66.12 Subd. 18. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed  
66.13 and originally manufactured to operate primarily on highways, and not operated exclusively  
66.14 upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle  
66.15 and includes vehicles known as trackless trolleys that are propelled by electric power obtained  
66.16 from overhead trolley wires but not operated upon rails. ~~It does not include snowmobiles,~~  
66.17 ~~manufactured homes, or park trailers.~~

66.18 (b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has  
66.19 at least four wheels, (2) is owned and operated by a physically disabled person, and (3)  
66.20 displays both disability plates and a physically disabled certificate issued under section  
66.21 169.345.

66.22 (c) "Motor vehicle" does not include an all-terrain vehicle except (1) an all-terrain vehicle  
66.23 described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before  
66.24 August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause  
66.25 (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is  
66.26 destroyed, or fails to comply with the registration and licensing requirements of this chapter.

66.27 (d) "Motor vehicle" does not include a snowmobile; a manufactured home; a park trailer;  
66.28 an electric personal assistive mobility device as defined in section 169.011, subdivision 26;

66.29 ~~(e) "Motor vehicle" does not include a motorized foot scooter as defined in section~~  
66.30 ~~169.011, subdivision 46; or an electric-assisted bicycle as defined in section 169.011,~~  
66.31 ~~subdivision 27.~~

66.71 ~~(c)~~ (c) "Motor vehicle" includes an off-highway motorcycle modified to meet the  
66.72 requirements of chapter 169 according to section 84.788, subdivision 12.

66.73 **EFFECTIVE DATE.** This section is effective August 1, 2021.

82.1 Sec. 27. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision  
82.2 to read:

82.3 Subd. 15a. **Class 1 electric-assisted bicycle.** "Class 1 electric-assisted bicycle" means  
82.4 an electric-assisted bicycle equipped with an electric motor that provides assistance only

238.22 from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain vehicle  
238.23 includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

238.24 (b) All-terrain vehicle does not include a an electric-assisted bicycle as defined in section  
238.25 169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed  
238.26 and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

238.27 Sec. 4. Minnesota Statutes 2020, section 168.002, subdivision 18, is amended to read:

238.28 Subd. 18. **Motor vehicle.** (a) "Motor vehicle" means any self-propelled vehicle designed  
238.29 and originally manufactured to operate primarily on highways, and not operated exclusively  
238.30 upon railroad tracks. It includes any vehicle propelled or drawn by a self-propelled vehicle  
238.31 and includes vehicles known as trackless trolleys that are propelled by electric power obtained  
239.1 from overhead trolley wires but not operated upon rails. ~~It does not include snowmobiles,~~  
239.2 ~~manufactured homes, or park trailers.~~

239.3 (b) "Motor vehicle" includes an all-terrain vehicle only if the all-terrain vehicle (1) has  
239.4 at least four wheels, (2) is owned and operated by a physically disabled person, and (3)  
239.5 displays both disability plates and a physically disabled certificate issued under section  
239.6 169.345.

239.7 (c) "Motor vehicle" does not include an all-terrain vehicle except (1) an all-terrain vehicle  
239.8 described in paragraph (b), or (2) an all-terrain vehicle licensed as a motor vehicle before  
239.9 August 1, 1985. The owner may continue to license an all-terrain vehicle described in clause  
239.10 (2) as a motor vehicle until it is conveyed or otherwise transferred to another owner, is  
239.11 destroyed, or fails to comply with the registration and licensing requirements of this chapter.

239.12 (d) "Motor vehicle" does not include a snowmobile; a manufactured home; a park trailer;  
239.13 an electric personal assistive mobility device as defined in section 169.011, subdivision 26;

239.14 ~~(e) "Motor vehicle" does not include a motorized foot scooter as defined in section~~  
239.15 ~~169.011, subdivision 46; or an electric-assisted bicycle as defined in section 169.011,~~  
239.16 ~~subdivision 27.~~

239.17 ~~(c)~~ (c) "Motor vehicle" includes an off-highway motorcycle modified to meet the  
239.18 requirements of chapter 169 according to section 84.788, subdivision 12.

239.19 Sec. 5. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision to  
239.20 read:

239.21 Subd. 15a. **Class 1 electric-assisted bicycle.** "Class 1 electric-assisted bicycle" means  
239.22 an electric-assisted bicycle equipped with an electric motor that provides assistance only

82.5 when the rider is pedaling and ceases to provide assistance when the bicycle reaches the  
82.6 speed of 20 miles per hour.

82.7 **EFFECTIVE DATE.** This section is effective August 1, 2021.

82.8 Sec. 28. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision  
82.9 to read:

82.10 Subd. 15b. **Class 2 electric-assisted bicycle.** "Class 2 electric-assisted bicycle" means  
82.11 an electric-assisted bicycle equipped with an electric motor that is capable of propelling the  
82.12 bicycle without the rider pedaling and ceases to provide assistance when the bicycle reaches  
82.13 the speed of 20 miles per hour.

82.14 **EFFECTIVE DATE.** This section is effective August 1, 2021.

82.15 Sec. 29. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision  
82.16 to read:

82.17 Subd. 15c. **Class 3 electric-assisted bicycle.** "Class 3 electric-assisted bicycle" means  
82.18 an electric-assisted bicycle equipped with an electric motor that provides assistance only  
82.19 when the rider is pedaling and ceases to provide assistance when the bicycle reaches the  
82.20 speed of 28 miles per hour.

82.21 **EFFECTIVE DATE.** This section is effective August 1, 2021.

82.22 Sec. 30. Minnesota Statutes 2020, section 169.011, subdivision 27, is amended to read:

82.23 Subd. 27. **Electric-assisted bicycle.** "Electric-assisted bicycle" means a bicycle with  
82.24 two or three wheels that:

82.25 (1) has a saddle and fully operable pedals for human propulsion;

82.26 (2) meets the requirements:

82.27 ~~(i) of federal motor vehicle safety standards for a motor-driven cycle in Code of Federal~~  
82.28 ~~Regulations, title 49, sections 571.1 et seq.; or~~

82.29 ~~(ii) for bicycles under Code of Federal Regulations, title 16, part 1512, or successor~~  
82.30 ~~requirements; and~~

83.1 (3) ~~has is equipped with an electric motor that (i) has a power output of not more than~~  
83.2 ~~1,000 750 watts; (ii) is incapable of propelling the vehicle at a speed of more than 20 miles~~  
83.3 ~~per hour; (iii) is incapable of further increasing the speed of the device when human power~~  
83.4 ~~alone is used to propel the vehicle at a speed of more than 20 miles per hour; and (iv)~~  
83.5 ~~disengages or ceases to function when the vehicle's brakes are applied; and~~

83.6 (4) meets the requirements of a class 1, class 2, or class 3 electric-assisted bicycle.

83.7 **EFFECTIVE DATE.** This section is effective August 1, 2021.

239.23 when the rider is pedaling and ceases to provide assistance when the bicycle reaches the  
239.24 speed of 20 miles per hour.

239.25 Sec. 6. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision to  
239.26 read:

239.27 Subd. 15b. **Class 2 electric-assisted bicycle.** "Class 2 electric-assisted bicycle" means  
239.28 an electric-assisted bicycle equipped with an electric motor that is capable of propelling the  
239.29 bicycle without the rider pedaling and ceases to provide assistance when the bicycle reaches  
239.30 the speed of 20 miles per hour.

240.1 Sec. 7. Minnesota Statutes 2020, section 169.011, is amended by adding a subdivision to  
240.2 read:

240.3 Subd. 15c. **Class 3 electric-assisted bicycle.** "Class 3 electric-assisted bicycle" means  
240.4 an electric-assisted bicycle equipped with an electric motor that provides assistance only  
240.5 when the rider is pedaling and ceases to provide assistance when the bicycle reaches the  
240.6 speed of 28 miles per hour.

240.7 Sec. 8. Minnesota Statutes 2020, section 169.011, subdivision 27, is amended to read:

240.8 Subd. 27. **Electric-assisted bicycle.** "Electric-assisted bicycle" means a bicycle with  
240.9 two or three wheels that:

240.10 (1) has a saddle and fully operable pedals for human propulsion;

240.11 (2) meets the requirements:

240.12 ~~(i) of federal motor vehicle safety standards for a motor-driven cycle in Code of Federal~~  
240.13 ~~Regulations, title 49, sections 571.1 et seq.; or~~

240.14 ~~(ii) for bicycles under Code of Federal Regulations, title 16, part 1512, or successor~~  
240.15 ~~requirements; and~~

240.16 (3) ~~has is equipped with an electric motor that (i) has a power output of not more than~~  
240.17 ~~1,000 750 watts; (ii) is incapable of propelling the vehicle at a speed of more than 20 miles~~  
240.18 ~~per hour; (iii) is incapable of further increasing the speed of the device when human power~~  
240.19 ~~alone is used to propel the vehicle at a speed of more than 20 miles per hour; and (iv)~~  
240.20 ~~disengages or ceases to function when the vehicle's brakes are applied; and~~

240.21 (4) meets the requirements of a class 1, class 2, or class 3 electric-assisted bicycle.

83.8 Sec. 31. Minnesota Statutes 2020, section 169.011, subdivision 42, is amended to read:

83.9 Subd. 42. **Motor vehicle.** (a) "Motor vehicle" means every vehicle which is self-propelled  
83.10 and every vehicle which is propelled by electric power obtained from overhead trolley wires.

83.11 (b) Motor vehicle does not include an electric-assisted bicycle; an electric personal  
83.12 assistive mobility device; or a vehicle moved solely by human power.

83.13 **EFFECTIVE DATE.** This section is effective August 1, 2021.

87.4 Sec. 37. Minnesota Statutes 2020, section 169.222, subdivision 4, is amended to read:

87.5 Subd. 4. **Riding rules.** (a) Every person operating a bicycle upon a roadway shall ride  
87.6 as close as practicable to the right-hand curb or edge of the roadway except under any of  
87.7 the following situations:

87.8 (1) when overtaking and passing another vehicle proceeding in the same direction;

87.9 (2) when preparing for a left turn at an intersection or into a private road or driveway;

87.10 (3) when reasonably necessary to avoid conditions, including fixed or moving objects,  
87.11 vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe  
87.12 to continue along the right-hand curb or edge; or

87.13 (4) when operating on the shoulder of a roadway or in a bicycle lane.

87.14 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle shall travel in the  
87.15 same direction as adjacent vehicular traffic.

87.16 (c) Persons riding bicycles upon a roadway or shoulder shall not ride more than two  
87.17 abreast and shall not impede the normal and reasonable movement of traffic and, on a laned  
87.18 roadway, shall ride within a single lane.

87.19 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a  
87.20 crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal  
87.21 when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle  
87.22 upon a sidewalk within a business district unless permitted by local authorities. Local  
87.23 authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their  
87.24 jurisdiction.

87.25 (e) An individual operating a bicycle or other vehicle on a bikeway shall leave a safe  
87.26 distance when overtaking a bicycle or individual proceeding in the same direction on the  
87.27 bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

87.28 (f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder  
87.29 on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same  
87.30 circumstances.

88.1 ~~(g) A person may operate an electric-assisted bicycle on the shoulder of a roadway, on~~  
88.2 ~~a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015, subdivision~~

240.22 Sec. 9. Minnesota Statutes 2020, section 169.011, subdivision 42, is amended to read:

240.23 Subd. 42. **Motor vehicle.** (a) "Motor vehicle" means every vehicle which is self-propelled  
240.24 and every vehicle which is propelled by electric power obtained from overhead trolley wires.

240.25 (b) Motor vehicle does not include an electric-assisted bicycle; an electric personal  
240.26 assistive mobility device; or a vehicle moved solely by human power.

240.27 Sec. 10. Minnesota Statutes 2020, section 169.222, subdivision 4, is amended to read:

240.28 Subd. 4. **Riding rules.** (a) Every person operating a bicycle upon a roadway shall ride  
240.29 as close as practicable to the right-hand curb or edge of the roadway except under any of  
240.30 the following situations:

241.1 (1) when overtaking and passing another vehicle proceeding in the same direction;

241.2 (2) when preparing for a left turn at an intersection or into a private road or driveway;

241.3 (3) when reasonably necessary to avoid conditions, including fixed or moving objects,  
241.4 vehicles, pedestrians, animals, surface hazards, or narrow width lanes, that make it unsafe  
241.5 to continue along the right-hand curb or edge; or

241.6 (4) when operating on the shoulder of a roadway or in a bicycle lane.

241.7 (b) If a bicycle is traveling on a shoulder of a roadway, the bicycle shall travel in the  
241.8 same direction as adjacent vehicular traffic.

241.9 (c) Persons riding bicycles upon a roadway or shoulder shall not ride more than two  
241.10 abreast and shall not impede the normal and reasonable movement of traffic and, on a laned  
241.11 roadway, shall ride within a single lane.

241.12 (d) A person operating a bicycle upon a sidewalk, or across a roadway or shoulder on a  
241.13 crosswalk, shall yield the right-of-way to any pedestrian and shall give an audible signal  
241.14 when necessary before overtaking and passing any pedestrian. No person shall ride a bicycle  
241.15 upon a sidewalk within a business district unless permitted by local authorities. Local  
241.16 authorities may prohibit the operation of bicycles on any sidewalk or crosswalk under their  
241.17 jurisdiction.

241.18 (e) An individual operating a bicycle or other vehicle on a bikeway shall leave a safe  
241.19 distance when overtaking a bicycle or individual proceeding in the same direction on the  
241.20 bikeway, and shall maintain clearance until safely past the overtaken bicycle or individual.

241.21 (f) A person lawfully operating a bicycle on a sidewalk, or across a roadway or shoulder  
241.22 on a crosswalk, shall have all the rights and duties applicable to a pedestrian under the same  
241.23 circumstances.

241.24 ~~(g) A person may operate an electric-assisted bicycle on the shoulder of a roadway, on~~  
241.25 ~~a bikeway, or on a bicycle trail if not otherwise prohibited under section 85.015, subdivision~~

88.3 ~~1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph (b), as~~  
88.4 ~~applicable.~~

88.5 **EFFECTIVE DATE.** This section is effective August 1, 2021.

88.6 Sec. 38. Minnesota Statutes 2020, section 169.222, subdivision 6a, is amended to read:

88.7 Subd. 6a. ~~Operator age Electric-assisted bicycle; riding rules.~~ (a) A person may  
88.8 operate an electric-assisted bicycle in the same manner as provided for operation of other  
88.9 bicycles, including but not limited to operation on the shoulder of a roadway, a bicycle lane,  
88.10 and a bicycle route, and operation without the motor engaged on a bikeway or bicycle trail.

88.11 (b) A person may operate a class 1 or class 2 electric-assisted bicycle with the motor  
88.12 engaged on a bicycle path, bicycle trail, or shared use path unless prohibited under section  
88.13 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2,  
88.14 paragraph (b), as applicable.

88.15 (c) A person may operate a class 3 electric-assisted bicycle with the motor engaged on  
88.16 a bicycle path, bicycle trail, or shared use path unless the local authority or state agency  
88.17 having jurisdiction over the bicycle path or trail prohibits the operation.

88.18 (d) The local authority or state agency having jurisdiction over a trail that is designated  
88.19 as nonmotorized and that has a natural surface tread made by clearing and grading the native  
88.20 soil with no added surfacing materials may regulate the operation of an electric-assisted  
88.21 bicycle.

88.22 (e) No person under the age of 15 shall operate an electric-assisted bicycle.

88.23 **EFFECTIVE DATE.** This section is effective August 1, 2021.

88.24 Sec. 39. Minnesota Statutes 2020, section 169.222, is amended by adding a subdivision  
88.25 to read:

88.26 Subd. 6b. **Electric-assisted bicycle; equipment.** (a) The manufacturer or distributor of  
88.27 an electric-assisted bicycle must apply a label to the bicycle that is permanently affixed in  
88.28 a prominent location. The label must contain the classification number, top assisted speed,  
88.29 and motor wattage of the electric-assisted bicycle, and must be printed in a legible font with  
88.30 at least 9-point type.

89.1 (b) A person must not modify an electric-assisted bicycle to change the motor-powered  
89.2 speed capability or motor engagement unless the person replaces the label required in  
89.3 paragraph (a) with revised information.

89.4 (c) An electric-assisted bicycle must operate in a manner so that the electric motor is  
89.5 disengaged or ceases to function when the rider stops pedaling or when the brakes are  
89.6 applied.

241.26 ~~1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2, paragraph (b), as~~  
241.27 ~~applicable.~~

241.28 Sec. 11. Minnesota Statutes 2020, section 169.222, subdivision 6a, is amended to read:

241.29 Subd. 6a. ~~Operator age Electric-assisted bicycle; riding rules.~~ (a) A person may  
241.30 operate an electric-assisted bicycle in the same manner as provided for operation of other  
241.31 bicycles, including but not limited to operation on the shoulder of a roadway, a bicycle lane,  
241.32 and a bicycle route, and operation without the motor engaged on a bikeway or bicycle trail.

242.1 (b) A person may operate a class 1 or class 2 electric-assisted bicycle with the motor  
242.2 engaged on a bicycle path, bicycle trail, or shared use path unless prohibited under section  
242.3 85.015, subdivision 1d; 85.018, subdivision 2, paragraph (d); or 160.263, subdivision 2,  
242.4 paragraph (b), as applicable.

242.5 (c) A person may operate a class 3 electric-assisted bicycle with the motor engaged on  
242.6 a bicycle path, bicycle trail, or shared use path unless the local authority or state agency  
242.7 having jurisdiction over the bicycle path or trail prohibits the operation.

242.8 (d) The local authority or state agency having jurisdiction over a trail that is designated  
242.9 as nonmotorized and that has a natural surface tread made by clearing and grading the  
242.10 native soil with no added surfacing materials, may regulate the operation of an  
242.11 electric-assisted bicycle.

242.12 (e) No person under the age of 15 shall operate an electric-assisted bicycle.

242.13 Sec. 12. Minnesota Statutes 2020, section 169.222, is amended by adding a subdivision  
242.14 to read:

242.15 Subd. 6b. **Electric-assisted bicycle; equipment.** (a) The manufacturer or distributor of  
242.16 an electric-assisted bicycle must apply a label to the bicycle that is permanently affixed in  
242.17 a prominent location. The label must contain the classification number, top assisted speed,  
242.18 and motor wattage of the electric-assisted bicycle, and must be printed in a legible font with  
242.19 at least 9-point type.

242.20 (b) A person must not modify an electric-assisted bicycle to change the motor-powered  
242.21 speed capability or motor engagement unless the person replaces the label required in  
242.22 paragraph (a) with revised information.

242.23 (c) An electric-assisted bicycle must operate in a manner so that the electric motor is  
242.24 disengaged or ceases to function when the rider stops pedaling or when the brakes are  
242.25 applied.

89.7 (d) A class 3 electric-assisted bicycle must be equipped with a speedometer that displays  
89.8 the speed at which the bicycle is traveling in miles per hour.

89.9 **EFFECTIVE DATE.** Paragraph (a) is effective January 1, 2022. Paragraphs (b) to (d)  
89.10 are effective August 1, 2021.

242.26 (d) A class 3 electric-assisted bicycle must be equipped with a speedometer that displays  
242.27 the speed at which the bicycle is traveling in miles per hour.

242.28 **EFFECTIVE DATE.** Paragraph (a) is effective January 1, 2022. Paragraphs (b) to (d)  
242.29 are effective August 1, 2021.