

HOUSE RESEARCH

Bill Summary

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Overview

This bill would establish the “Environmental Justice Act” which would establish a state commitment to ensuring that communities are treated fairly and provided meaningful involvement in decision making regardless of race, color, ethnicity, religion, income, or education level. It would establish an Environmental Task Force and allow communities subject to disproportionate adverse environmental health risks to file a petition with the task force. The task force would be required to select from these communities and develop an action plan designed to reduce existing environmental burdens and avoid or reduce additional ones. It would require relevant state agencies to implement these plans to the fullest extent practicable. The bill would also establish an Environmental Justice Advisory Council.

Section

- 1** **Short title.** States that the act shall be called the “Environmental Justice Act.”
- 2** **Definitions.** Adds § 116B.14. Defines terms for purposes of the act.
- 3** **Implementation of environmental justice policies.** Adds § 116B.15.

Subd. 1. Policies and review. States that the state is committed to ensuring that communities are afforded fair treatment and meaningful involvement in decision making regardless of race, color, ethnicity, religion, income, or education level. Requires all state agencies and other state bodies involved in decisions affecting environmental quality to adopt and implement environmental justice policies

Section

designed to meet this commitment. Requires the Environmental Quality Board (EQB) to periodically review all state programs and policies designed to protect the environment to ensure that they meet the needs of low-income and minority communities and that the programs seek to address disproportionate exposure to environmental hazards.

Subd. 2. Pollution impact. Requires the EQB to use available environmental and public health data to identify existing and proposed industrial and commercial facilities, and areas in communities that will be targeted.

4 Environmental Justice Task Force. Adds § 116B.16.

Subd. 1. Purpose. Requires the commissioners of the Pollution Control Agency and the Department of Health to convene an Environmental Task Force that includes senior management designees from the Public Utilities Commission and the departments of human services, employment and economic development, health, agriculture, transportation, and education. States that the task force is an advisory body with a purpose to make recommendations to address environmental justice issues. Requires the task force to consult with and expand its membership to other state agencies as needed.

Subd. 2. Community petitions. Allows a community to file a petition with the task force asserting that residents and workers within the community are subject to disproportionate adverse exposure to environmental health risks or disproportionate adverse effects resulting from the implementation of laws affecting public health or the environment. Requires the task force to select, from these petitions, a set of communities based upon selection criteria it develops. Requires the task force to meet directly with the communities selected.

Subd. 3. Community action plans. Requires the task force to develop an action plan for the selected communities. Requires the action plan to delineate the steps that will be taken to reduce existing environmental burdens and avoid or reduce additional ones. Requires the action plan to be developed in consultation with the Environmental Justice Advisory Council (established in section 5), and specify community deliverables, a time frame for implementation, and the justification and availability of financial and other resources to implement the action plan. Requires the task force to present the action plan to relevant state agencies. Requires the task force to monitor the implementation of each action plan and make recommendations as necessary. Requires agencies to implement the strategy to the fullest extent practicable.

5 Advisory Council. Adds § 116B.17. Requires the EQB to create an Environmental Justice Advisory Council to advise the EQB, the Pollution Control Agency, and the task force on environmental justice issues and establishes the membership and administrative requirements of the council.

6 Effective date. States that sections 1 to 5 are effective July 1, 2007, and requires the task force and council to be established and operating by October 1, 2007.