

HOUSE RESEARCH

Bill Summary

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Authors: Fabian

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Analyst: Janelle Taylor

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Overview

This bill eliminates the decision making authority of the Minnesota Pollution Control Agency (MPCA) Citizens' Board on a number of matters and establishes a new process that: allows individuals to petition the board for a public hearing on similar matters; and requires the board to compile and submit comments received by the board during those public hearings to the commissioner of the MPCA for review. It also modifies the membership of the board.

The MPCA Citizens' Board was originally established in 1967 and is currently made up of nine members consisting of the commissioner of the MPCA, who serves as the chair, and eight members appointed by the Governor and confirmed by the Senate.

Section

1 Pollution Control Agency, creation and powers. Amends § 116.02.

Subd. 1 – 4. Clarifies the establishment of the MPCA and the MPCA Citizens' Board. Modifies the membership of the board by: requiring a member with expertise in mining and a member with expertise in forestry; and prohibiting more than half of the members from residing in the metropolitan area.

Subd. 6. Duties of the board. Eliminates a number of decision making authorities of the MPCA Citizens' Board, including its final decision making authority on the need for an environmental impact statement (EIS) and the issuance of certain permits. Establishes a new duty for the board to conduct public meetings and prepare comments

Section

in response to petitions filed under the new petition process established in subdivision 11.

Subd. 7. Additional decisions. Removes a provision allowing the commissioner to request the MPCA Citizens' Board to make additional decisions or provide advice to the commissioner.

Subd. 8. Other actions. Removes a provision that states that other actions not specifically within the authority of the MPCA are to be made by the board under certain circumstances.

Subd. 9. Informing public. Conforming changes to accommodate the new petition process established in subdivision 11.

Subd. 10. Changing decisions. Removes a provision that prohibits the board from reopening, rescinding, or reversing decisions except under certain circumstances.

Subd. 11. Petition for public hearing. Allows a person to request that the MPCA Citizens' Board hold a public hearing on various matters, including the need for an EIS and the issuance of certain permits, by filing a petition with the board containing the signatures of at least 25 individuals. Requires the board to hold a public hearing within 30 days of receiving the petition and to compile and submit comments received during the hearing to the commissioner for review.

2 **Office.** Conforming change related to the removal of decision making authorities of the MPCA Citizens' Board.

3 **Repealer.** Repeals § 116.02, subdivisions 7, 8, and 10 (also stricken in section 1 of the bill).