## S.F. No. 196, 1st Engrossment - 87th Legislative Session (2011-2012) [S0196-1]

## SENATE STATE OF MINNESOTA EIGHTY-SEVENTH LEGISLATURE

S.F. No. 196

## (SENATE AUTHORS: PEDERSON and Ingebrigtsen)

DATE	D-PG	OFFICIAL STATUS
02/02/2011	158	Introduction and first reading
		Referred to Environment and Natural Resources
02/24/2011	282a	Comm report: To pass as amended and re-refer to State Government Innovation and Veterans
03/09/2011	440	Comm report: To pass and re-referred to Environment and Natural Resources
03/16/2011	525	Author stricken Saxhaug
		See HF1010, Art. 4, Sec. 48, 50 (modified)

1.1	A bill for an act
1.2	relating to environment; requiring a study on state and local water management.
1.3	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:
1.4	Section 1. WATER RULEMAKING MORATORIUM.
1.5	(a) For purposes of this section, "agency" means the Pollution Control Agency,
1.6	Department of Natural Resources, Board of Water and Soil Resources, Environmental
1.7	Quality Board, Department of Agriculture, and Department of Health.
1.8	(b) Unless required by federal law or rule, no agency shall adopt rules related to
1.9	water quality or water resource protection during the two-year period beginning July 1,
1.10	2011, and ending June 30, 2013.
1.11	Sec. 2. STUDY REQUIRED.
1.12	(a) The Department of Administration, in consultation with representatives from
1.13	the Department of Natural Resources, Pollution Control Agency, Board of Water and
1.14	Soil Resources, Environmental Quality Board, Department of Health, Department
1.15	of Agriculture, technical professionals with scientific expertise in water resources
1.16	management, and other interested parties, shall conduct a study as provided in paragraph
1.17	<u>(b).</u>
1.18	(b) The study must:
1.19	(1) identify current rules relating to surface and groundwater, including those related
1.20	to storm water, residential, industrial, and agricultural use, shorelands, floodplains, wild
1.21	and scenic rivers, wetlands, feedlots, and subsurface sewage treatment systems, and for
1.22	each rule specify:
1.23	(i) the statutory authority;

1

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2.1	(ii) intended outcomes;
2.2	(iii) the cost to state and local government and the private sector; and
2.3	(iv) the relationship of the rule to other local, state, and federal rules;
2.4	(2) assess the pros and cons of alternative approaches to implementing water-related
2.5	programs, policies, and permits, including local, state, and regional-based approaches;
2.6	(3) identify inconsistencies and redundancy between local, state, and federal rules;
2.7	(4) identify means to coordinate rulemaking and implementation so as to achieve
2.8	intended outcomes more effectively and efficiently;
2.9	(5) identify a rule assessment and evaluation process for determining whether each
2.10	identified rule should be continued or repealed;
2.11	(6) rely on scientific, peer-reviewed data, including the studies of the National
2.12	Academy of Sciences; and
2.13	(7) evaluate current responsibilities of the Pollution Control Agency, Department of
2.14	Natural Resources, Board of Water and Soil Resources, Environmental Quality Board,
2.15	Department of Agriculture, and Department of Health, for developing and implementing
2.16	water-related programs, policies, and permits and make recommendations for reallocating
2.17	responsibilities among the agencies.
2.18	(c) The commissioner of administration must submit the study results and make
2.19	recommendations to agencies listed under paragraph (a) and to the chairs and ranking
2.20	minority party members of the senate and house of representatives committees having
2.21	primary jurisdiction over environment and natural resources policy and finance no later
2.22	than January 15, 2012.