A bill for an act

relating to state government; appropriating money for environment and natural resources; modifying fees and surcharges; creating accounts and providing for disposition of certain receipts; modifying bough buyer provisions; modifying certain permit and reimbursement provisions; reestablishing citizen board of Pollution Control Agency; providing for carpet stewardship; modifying game and fish law; modifying forestry provisions; designating state bee; creating natural resource programs; modifying solid waste provisions; providing for voluntary certification of salt applicators; creating Minnesota Outdoor Recreation Office; modifying certain consumer protection provisions; amending Minnesota Statutes 2018, sections 16A.151, subdivision 2; 16A.152, subdivision 2; 17.035, subdivision 1; 84.0895, by adding a subdivision; 84.788, subdivision 2; 84D.15; 85.012, subdivision 49; 85.42; 85.47; 86B.415, subdivisions 1, 1a, 2, 3, 4, 5, 7; 88.642, subdivisions 1, 3; 88.6435; 89.37, subdivision 3; 90.01, by adding a subdivision; 90.195; 97A.055, subdivision 4; 97A.065, subdivision 6; 97A.075, subdivision 1; 97A.126, subdivision 2; 97A.405, by adding a subdivision; 97A.475, subdivisions 3a, 4, 41; 97C.605, subdivisions 1, 2c, 3; 103G.301, subdivision 2; 115A.142; 115A.51; 115B.421; 116.02; 116.03, subdivisions 1, 2a; 116.155, subdivisions 1, 3, by adding a subdivision; 127A.353, subdivision 1; 325F.071; Laws 2016, chapter 189, article 3, section 6, as amended; Laws 2017, chapter 93, article 1, section 9; proposing coding for new law in Minnesota Statutes, chapters 1; 84; 89; 97B; 103F; 115A; 115B; 116; 116U; repealing Minnesota Statutes 2018, section 97C.605, subdivisions 2, 2a, 2b, 5; Laws 2015, First Special Session chapter 4, article 4, section 149; Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, 8.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS

Section 1. ENVIRONMENT AND NATURAL RESOURCES APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose.
The figures "2020" and "2021" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2020, or June 30, 2021, respectively.

"The first year" is fiscal year 2020. "The second year" is fiscal year 2021. "The biennium" is fiscal years 2020 and 2021. Appropriations for the fiscal year ending June 30, 2019, are effective the day following final enactment.

### APPROPRIATIONS

#### Available for the Year

#### Ending June 30

<table>
<thead>
<tr>
<th>Year</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sec. 2. POLLUTION CONTROL AGENCY</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Subdivision 1. Total Appropriation

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>7,956,000</td>
<td>6,740,000</td>
</tr>
<tr>
<td>State Government</td>
<td>75,000</td>
<td>75,000</td>
</tr>
<tr>
<td>Special Revenue</td>
<td>81,110,000</td>
<td>82,440,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>14,110,000</td>
<td>14,110,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>-0-</td>
<td>1,622,000</td>
</tr>
<tr>
<td>Closed Landfill</td>
<td>1,622,000</td>
<td>-0-</td>
</tr>
</tbody>
</table>

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

#### Subd. 2. Environmental Analysis and Outcomes

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>596,000</td>
<td>346,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>12,671,000</td>
<td>12,761,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>201,000</td>
<td>201,000</td>
</tr>
</tbody>
</table>

(a) $89,000 the first year and $89,000 the second year are for:

1. a municipal liaison to assist municipalities in implementing and participating in the rulemaking process for water quality standards
(2) enhanced economic analysis in the rulemaking process for water quality standards, including more-specific analysis and identification of cost-effective permitting;

(3) developing statewide economic analyses and templates to reduce the amount of information and time required for municipalities to apply for variances from water quality standards; and

(4) coordinating with the Public Facilities Authority to identify and advocate for the resources needed for municipalities to achieve permit requirements.

(b) $205,000 the first year and $205,000 the second year are from the environmental fund for a monitoring program under Minnesota Statutes, section 116.454.

(c) $115,000 the first year and $115,000 the second year are for monitoring water quality and operating assistance programs.

(d) $347,000 the first year and $347,000 the second year are from the environmental fund for monitoring ambient air for hazardous pollutants.

(e) $90,000 the first year and $90,000 the second year are from the environmental fund for duties related to harmful chemicals in products under Minnesota Statutes, sections 116.9401 to 116.9407. Of this amount, $57,000 each year is transferred to the commissioner of health.
(f) $109,000 the first year and $109,000 the second year are from the environmental fund for registering wastewater laboratories.

(g) $926,000 the first year and $926,000 the second year are from the environmental fund to continue perfluorochemical biomonitoring in eastern metropolitan communities, as recommended by the Environmental Health Tracking and Biomonitoring Advisory Panel, and to address other environmental health risks, including air quality. The communities must include Hmong and other immigrant farming communities. Of this amount, up to $689,000 the first year and $689,000 the second year are for transfer to the Department of Health.

(h) $51,000 the first year and $51,000 the second year are from the environmental fund for the listing procedures for impaired waters required under this act.

(i) $141,000 the first year and $141,000 the second year are to implement and enforce Minnesota Statutes, section 325F.071. Of this amount, up to $65,000 each year may be transferred to the commissioner of health.

(j) $250,000 the first year is for transfer to the commissioner of health for enhanced blood lead testing, lead poisoning prevention efforts, and asthma education as recommended by the Northern Metals Consent Decree Advisory Committee. This is a onetime appropriation.

(k) The base for the general fund in fiscal year 2022 and later is $345,000.

Subd. 3. Industrial

<table>
<thead>
<tr>
<th>Amount</th>
<th>General Fund</th>
<th>Special Revenue Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>15,473,000</td>
<td>15,606,000</td>
<td></td>
</tr>
</tbody>
</table>
5.1 Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>Environmental</td>
<td>14,472,000</td>
<td>14,605,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>1,001,000</td>
<td>1,001,000</td>
</tr>
</tbody>
</table>

5.2 (a) $1,001,000 the first year and $1,001,000 the second year are from the remediation fund for the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks and for the petroleum remediation program for vapor assessment and remediation. These same annual amounts are transferred from the petroleum tank fund to the remediation fund.

5.3 (b) $393,000 the first year and $393,000 the second year are from the environmental fund to further evaluate the use and reduction of trichloroethylene around Minnesota and identify its potential health impacts on communities. Of this amount, up to $121,000 each year may be transferred to the commissioner of health. This is a one-time appropriation.

5.4 Subd. 4. Municipal

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>164,000</td>
<td>164,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>8,068,000</td>
<td>7,695,000</td>
</tr>
</tbody>
</table>

5.5 (a) $164,000 the first year and $164,000 the second year are for:

5.6 (1) a municipal liaison to assist municipalities in implementing and participating in the rulemaking process for water quality standards.
and navigating the NPDES/SDS permitting
process;

(2) enhanced economic analysis in the
rulemaking process for water quality
standards, including more-specific analysis
and identification of cost-effective permitting;

(3) developing statewide economic analyses
and templates to reduce the amount of
information and time required for
municipalities to apply for variances from
water quality standards; and

(4) coordinating with the Public Facilities
Authority to identify and advocate for the
resources needed for municipalities to achieve
permit requirements.

(b) $50,000 the first year and $50,000 the
second year are from the environmental fund
for transfer to the Office of Administrative
Hearings to establish sanitary districts.

(c) $671,000 the first year and $671,000 the
second year are from the environmental fund
for subsurface sewage treatment system
(SSTS) program administration and
community technical assistance and education,
including grants and technical assistance to
communities for water-quality protection. Of
this amount, $129,000 each year is for
assistance to counties through grants for SSTS
program administration. A county receiving
a grant from this appropriation must submit
the results achieved with the grant to the
commissioner as part of its annual SSTS
report. Any unexpended balance in the first
(d) $784,000 the first year and $784,000 the second year are from the environmental fund to address the need for continued increased activity in new technology review, technical assistance for local governments, and enforcement under Minnesota Statutes, sections 115.55 to 115.58, and to complete the requirements of Laws 2003, chapter 128, article 1, section 165.

(e) $373,000 the first year is from the environmental fund to meet the increased demand for technical assistance and review of municipal water infrastructure projects that will be generated by increased grant funding through the Public Facilities Authority. This is a onetime appropriation and is available until June 30, 2021.

(f) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2021, as grants or contracts for subsurface sewage treatment systems, surface water and groundwater assessments, storm water, and water-quality protection in this subdivision are available until June 30, 2024.

**Subd. 5. Operations**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>2,490,000</td>
<td>2,490,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>4,208,000</td>
<td>5,019,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>828,000</td>
<td>828,000</td>
</tr>
</tbody>
</table>

7,526,000 8,337,000
(a) $180,000 the first year and $180,000 the second year are from the remediation fund for the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks and for the petroleum remediation program for vapor assessment and remediation. These same annual amounts are transferred from the petroleum tank fund to the remediation fund.

(b) $2,490,000 the first year and $2,490,000 the second year are to support agency information technology services provided at the enterprise and agency level.

(c) $800,000 the second year is from the environmental fund to develop and maintain systems to support permitting and regulatory business processes and agency data.

Subd. 6. Remediation

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>216,000</td>
<td>-0-</td>
</tr>
<tr>
<td>Environmental</td>
<td>832,000</td>
<td>1,099,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>11,846,000</td>
<td>11,846,000</td>
</tr>
<tr>
<td>Closed Landfill</td>
<td>1,622,000</td>
<td>-0-</td>
</tr>
</tbody>
</table>

(a) All money for environmental response, remediation fund not otherwise appropriated is appropriated to the commissioners of the Pollution Control Agency and agriculture for purposes of Minnesota Statutes, section 115B.20, subdivision 2, clauses (1), (2), (3), (6), and (7). At the beginning of each fiscal year, the two commissioners must jointly
submit to the commissioner of management
and budget an annual spending plan that
maximizes resource use and appropriately
allocates the money between the two
departments. This appropriation is available
until June 30, 2021.

(b) $216,000 the first year from the general
fund is a onetime appropriation and $217,000
the first year and $484,000 the second year
are from the environmental fund to manage
contaminated sediment projects at multiple
sites identified in the St. Louis River remedial
action plan to restore water quality in the St.
Louis River Area of Concern. The base for
the environmental fund in fiscal year 2022 and
later is $363,000.

(c) $3,961,000 the first year and $3,961,000
the second year are from the remediation fund
for the leaking underground storage tank
program to investigate, clean up, and prevent
future releases from underground petroleum
storage tanks and for the petroleum
remediation program for vapor assessment
and remediation. These same annual amounts
are transferred from the petroleum tank fund
to the remediation fund.

(d) $257,000 the first year and $257,000 the
second year are from the remediation fund for
transfer to the commissioner of health for
private water-supply monitoring and health
assessment costs in areas contaminated by
unpermitted mixed municipal solid waste
disposal facilities and drinking water
advisories and public information activities
for areas contaminated by hazardous releases.
(e) Notwithstanding Minnesota Statutes, section 115B.421, $1,622,000 the first year is from the closed landfill investment fund for settling obligations with the federal government, remedial investigations, feasibility studies, engineering, and cleanup-related activities for purposes of environmental response actions at a priority qualified facility under Minnesota Statutes, sections 115B.406 and 115B.407. This is a onetime appropriation and is available until June 30, 2021.

Subd. 7. Resource Management and Assistance

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>950,000</td>
<td>700,000</td>
</tr>
<tr>
<td>State Government</td>
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<td></td>
</tr>
<tr>
<td>Special Revenue</td>
<td>75,000</td>
<td>75,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>33,524,000</td>
<td>33,926,000</td>
</tr>
</tbody>
</table>

(a) Up to $150,000 the first year and $150,000 the second year may be transferred from the environmental fund to the small business environmental improvement loan account under Minnesota Statutes, section 116.993.

(b) $1,000,000 the first year and $1,000,000 the second year are for competitive recycling grants under Minnesota Statutes, section 115A.565. Of this amount, $700,000 each year is from the general fund and $300,000 is from the environmental fund. This appropriation is available until June 30, 2023. Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year.
(c) $694,000 the first year and $694,000 the second year are from the environmental fund for emission-reduction activities and grants to small businesses and other nonpoint-emission-reduction efforts. Of this amount, $100,000 the first year and $100,000 the second year are to continue work with Clean Air Minnesota, and the commissioner may enter into an agreement with Environmental Initiative to support this effort. Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year.

(d) $17,250,000 the first year and $17,250,000 the second year are from the environmental fund for SCORE block grants to counties. Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year.

(e) $119,000 the first year and $119,000 the second year are from the environmental fund for environmental assistance grants or loans under Minnesota Statutes, section 115A.0716. Any unencumbered grant and loan balances in the first year do not cancel but are available for grants and loans in the second year.

(f) $112,000 the first year and $112,000 the second year are from the environmental fund for subsurface sewage treatment system (SSTS) program administration and community technical assistance and education, including grants and technical assistance to communities for water-quality protection.

(g) $169,000 the first year and $169,000 the second year are from the environmental fund
to address the need for continued increased activity in new technology review, technical assistance for local governments, and enforcement under Minnesota Statutes, sections 115.55 to 115.58, and to complete the requirements of Laws 2003, chapter 128, article 1, section 165.

(h) $250,000 the first year is for public engagement and outreach that supports developing and implementing policies to address climate change. This is a onetime appropriation. Public meetings held as part of efforts under this appropriation must be distributed evenly among the following three areas: Minneapolis and St. Paul; cities in the seven-county metropolitan area, but not including Minneapolis and St. Paul; and areas outside the seven-county metropolitan area.

(i) $400,000 the second year is from the environmental fund for grants to develop and expand recycling markets for Minnesota businesses.

(j) $30,000 the first year and $30,000 the second year are from the environmental fund for reviewing financial qualifications of waste tire facility permit applicants under Minnesota Statutes, section 115A.903.

(k) $244,000 the first year and $222,000 the second year are from the environmental fund for the voluntary certification program for commercial deicer applicators under Minnesota Statutes, section 116.2025.

(l) All money deposited in the environmental fund for the metropolitan solid waste landfill
fee in accordance with Minnesota Statutes, section 473.843, and not otherwise appropriated, is appropriated for the purposes of Minnesota Statutes, section 473.844.

(m) Notwithstanding Minnesota Statutes, section 16A.28, the appropriations encumbered on or before June 30, 2021, as contracts or grants for environmental assistance awarded under Minnesota Statutes, section 115A.0716; technical and research assistance under Minnesota Statutes, section 115A.152; technical assistance under Minnesota Statutes, section 115A.52; and pollution prevention assistance under Minnesota Statutes, section 115D.04, are available until June 30, 2023.

Subd. 8. **Watershed**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>2,109,000</td>
<td>1,959,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>7,142,000</td>
<td>7,142,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>234,000</td>
<td>234,000</td>
</tr>
</tbody>
</table>

(a) $1,959,000 the first year and $1,959,000 the second year are for grants to delegated counties to administer the county feedlot program under Minnesota Statutes, section 116.0711, subdivisions 2 and 3. Money remaining after the first year is available for the second year.

(b) $208,000 the first year and $208,000 the second year are from the environmental fund for the costs of implementing general operating permits for feedlots over 1,000 animal units.
(c) $122,000 the first year and $122,000 the second year are from the remediation fund for the leaking underground storage tank program to investigate, clean up, and prevent future releases from underground petroleum storage tanks and for the petroleum remediation program for vapor assessment and remediation. These same annual amounts are transferred from the petroleum tank fund to the remediation fund.

(d) $150,000 the first year is for a grant to the Minnesota Association of County Feedlot Officers to develop, in coordination with the Pollution Control Agency and the University of Minnesota Extension program, an online training curriculum related to animal feedlot requirements under Minnesota Rules, chapter 7020. The curriculum must be developed to:

(1) provide base-level knowledge to new and existing county feedlot pollution control officers on feedlot registration, permitting, compliance, enforcement, and program administration;

(2) provide assistance to new and existing county feedlot pollution control officers for working efficiently and effectively with producers; and

(3) reduce the incidence of manure or nutrients entering surface water or groundwater.

Subd. 9. **Environmental Quality Board**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>1,431,000</td>
<td>1,081,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>193,000</td>
<td>193,000</td>
</tr>
</tbody>
</table>
$350,000 the first year is for a grant to the Board of Regents of the University of Minnesota, Water Resources Center, for a comprehensive study of the economic benefits of managed aquifer recharge and to make recommendations to enhance and replenish Minnesota's groundwater resources. This is a onetime appropriation. The study must include but is not limited to:

1. examining the potential benefits of enhancing groundwater recharge in water-stressed areas;
2. assessing the relationship to changing seasonality and intensity of precipitation on groundwater recharge rates;
3. reviewing the approaches to manage recharge in geologically appropriate areas;
4. identifying policy options, costs, and barriers to recharging groundwater; and
5. assessing the economic returns of options for groundwater recharge.

In conducting the study, the Water Resources Center must convene a stakeholder group and provide for public participation. By January 15, 2021, the Water Resources Center must present its findings and recommendations in a report submitted to the chairs of the legislative committees and divisions with jurisdiction over environment and natural resources policy.

Subd. 10. Transfers

(a) The commissioner must transfer up to $44,000,000 from the environmental fund to
the remediation fund for purposes of the remediation fund under Minnesota Statutes, section 116.155, subdivision 2.

(b) $1,800,000 the first year is transferred from the remediation fund to the dry cleaner environmental response and reimbursement account for purposes of Minnesota Statutes, section 115B.49. By January 15, 2020, the commissioner of the Pollution Control Agency must submit a report to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources finance that includes an assessment of the possibility of recovering environmental response costs from insurance held by dry cleaning facilities.

Subd. 11. Cancellations

(a) The unencumbered amount of the environmental fund appropriation in Laws 2016, chapter 189, article 3, section 2, subdivision 2, for technical assistance and review of municipal wastewater infrastructure projects, estimated to be $373,000, is canceled on June 30, 2019.

(b) The unencumbered amount of the closed landfill investment fund appropriation in Laws 2017, chapter 93, article 1, section 2, subdivision 6, for settling obligations, remedial investigations, feasibility studies, engineering, and cleanup-related activities for purposes of environmental response actions at a priority qualified facility, estimated to be $1,622,000, is canceled on June 30, 2019.
EFFECTIVE DATE. Subdivision 11 is effective the day following final enactment.

Sec. 3. NATURAL RESOURCES

Subdivision 1. Total Appropriation

$ 318,083,000 $ 318,624,000

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>94,866,000</td>
<td>95,220,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>112,214,000</td>
<td>110,031,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>110,382,000</td>
<td>112,746,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>106,000</td>
<td>109,000</td>
</tr>
<tr>
<td>Permanent School</td>
<td>515,000</td>
<td>518,000</td>
</tr>
</tbody>
</table>

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

Subd. 2. Land and Mineral Resources Management

6,324,000 6,406,000

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>1,825,000</td>
<td>1,846,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>3,940,000</td>
<td>3,998,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>344,000</td>
<td>344,000</td>
</tr>
<tr>
<td>Permanent School</td>
<td>215,000</td>
<td>218,000</td>
</tr>
</tbody>
</table>

(a) $319,000 the first year and $319,000 the second year are for environmental research relating to mine permitting, of which $200,000 each year is from the minerals management account and $119,000 each year is from the general fund.

(b) $3,032,000 the first year and $3,083,000 the second year are from the minerals management account in the natural resources fund for use as provided under Minnesota Statutes, section 93.2236, paragraph (c), for mineral resource management, projects to enhance future mineral income, and projects.
to promote new mineral-resource opportunities.

(c) $215,000 the first year and $218,000 the second year are from the state forest suspense account in the permanent school fund to secure maximum long-term economic return from the school trust lands consistent with fiduciary responsibilities and sound natural resources conservation and management principles.

Subd. 3. Ecological and Water Resources

Appropriations by Fund

<table>
<thead>
<tr>
<th>Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>18,718,000</td>
<td>18,922,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>15,414,000</td>
<td>15,586,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>5,411,000</td>
<td>5,524,000</td>
</tr>
</tbody>
</table>

(a) $5,493,000 the first year and $5,542,000 the second year are from the invasive species account in the natural resources fund and $3,206,000 the first year and $3,206,000 the second year are from the general fund for management, public awareness, assessment and monitoring research, and water access inspection to prevent the spread of invasive species; management of invasive plants in public waters; and management of terrestrial invasive species on state-administered lands.

(b) $500,000 the first year and $500,000 the second year are from the invasive species account in the natural resources fund for grants to lake associations to manage aquatic invasive plant species.

(c) $1,000,000 the first year and $1,000,000 the second year are from the invasive species research account in the natural resources fund.
for grants for the Minnesota Aquatic Invasive Species Research Center.

(d) $5,476,000 the first year and $5,556,000 the second year are from the water management account in the natural resources fund for only the purposes specified in Minnesota Statutes, section 103G.27, subdivision 2.

(e) $124,000 the first year and $124,000 the second year are for a grant to the Mississippi Headwaters Board for up to 50 percent of the cost of implementing the comprehensive plan for the upper Mississippi within areas under the board's jurisdiction.

(f) $10,000 the first year and $10,000 the second year are for payment to the Leech Lake Band of Chippewa Indians to implement the band's portion of the comprehensive plan for the upper Mississippi River.

(g) $264,000 the first year and $264,000 the second year are for grants for up to 50 percent of the cost of implementing the Red River mediation agreement.

(h) $2,259,000 the first year and $2,298,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified in Minnesota Statutes, section 297A.94, paragraph (h), clause (1).

(i) $971,000 the first year and $985,000 the second year are from the nongame wildlife management account in the natural resources fund for nongame wildlife management. Notwithstanding Minnesota Statutes, section
20.1 290.431, $100,000 the first year and $100,000
20.2 the second year may be used for nongame
20.3 wildlife information, education, and
20.4 promotion.

20.5 (j) Notwithstanding Minnesota Statutes, section 84.943, $13,000 the first year and
20.6 $13,000 the second year from the critical
20.7 habitat private sector matching account may
20.8 be used to publicize the critical habitat license
20.9 plate match program.

20.10 (k) $6,000,000 the first year and $6,000,000
20.11 the second year are for the following activities:

20.12 (1) financial reimbursement and technical
20.13 support to soil and water conservation districts
20.14 or other local units of government for
20.15 groundwater-level monitoring;

20.16 (2) surface water monitoring and analysis,
20.17 including installing monitoring gauges;

20.18 (3) groundwater analysis to assist with
20.19 water-appropriation permitting decisions;

20.20 (4) permit application review incorporating
20.21 surface water and groundwater technical
20.22 analysis;

20.23 (5) precipitation data and analysis to improve
20.24 irrigation use;

20.25 (6) information technology, including
20.26 electronic permitting and integrated data
20.27 systems; and

20.28 (7) compliance and monitoring.

20.29 (l) $410,000 the first year and $410,000 the
20.30 second year are from the heritage enhancement
20.31 account in the game and fish fund for grants
20.32 to the Minnesota Aquatic Invasive Species
Research Center at the University of Minnesota to prioritize, support, and develop research-based solutions that can reduce the effects of aquatic invasive species in Minnesota by preventing spread, controlling populations, and managing ecosystems and to advance knowledge to inspire actions by others.

(m) $50,000 the first year is for grants to local units of government for removing storm debris from Roberds Lake. This is a onetime appropriation.

Subd. 4. Forest Management

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>34,451,000</td>
<td>34,800,000</td>
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<tr>
<td>Natural Resources</td>
<td>16,119,000</td>
<td>16,386,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>1,398,000</td>
<td>1,417,000</td>
</tr>
</tbody>
</table>

(a) $7,521,000 the first year and $7,521,000 the second year are for prevention, presuppression, and suppression costs of emergency firefighting and other costs incurred under Minnesota Statutes, section 88.12. The amount necessary to pay for presuppression and suppression costs during the biennium is appropriated from the general fund. By January 15 of each year, the commissioner of natural resources must submit a report to the chairs and ranking minority members of the house and senate committees and divisions having jurisdiction over environment and natural resources finance that identifies all firefighting costs incurred and reimbursements received in the prior fiscal year. These appropriations may not be
transferred. Any reimbursement of firefighting
expenditures made to the commissioner from
any source other than federal mobilizations
must be deposited into the general fund.

(b) $15,119,000 the first year and $15,386,000
the second year are from the forest
management investment account in the natural
resources fund for only the purposes specified
in Minnesota Statutes, section 89.039,
subdivision 2.

c) $1,398,000 the first year and $1,417,000
the second year are from the heritage
enhancement account in the game and fish
fund to advance ecological classification
systems (ECS) scientific management tools
for forest and invasive species management.

d) $836,000 the first year and $847,000 the
second year are for the Forest Resources
Council to implement the Sustainable Forest
Resources Act.

(e) $1,131,000 the first year and $1,131,000
the second year are for the Next Generation
Core Forestry data system.

(f) $500,000 the first year and $500,000 the
second year are from the forest management
investment account in the natural resources
fund for forest road maintenance on state
forest roads.

(g) $500,000 the first year and $500,000 the
second year are for forest road maintenance
on county forest roads.

(h) $500,000 the first year and $500,000 the
second year are for grants to local units of
government to develop community ash

Article 1 Sec. 3.
management plans; to identify and convert ash stands to more diverse, climate-adapted species; and to replace removed ash trees.

(i) $500,000 the first year and $500,000 the second year are from the forest management investment account in the natural resources fund to identify and convert ash forests on state lands to climate-adapted species.

(j) $1,000,000 the first year and $1,000,000 the second year are for grants to remove and dispose of ash trees within counties quarantined for emerald ash borer. The base for this appropriation in fiscal year 2022 and later is $655,000.

(k) Grants awarded under paragraphs (h) and (j) may cover up to 75 percent of eligible costs and may not exceed $500,000. Matching grants provided through these appropriations are available to cities, counties, regional authorities, joint powers boards, towns, and parks and recreation boards in cities of the first class. The commissioner, in consultation with the commissioner of agriculture, must establish appropriate criteria for determining funding priorities between submitted requests and to determine activities and expenses that qualify to meet local match requirements. Money appropriated for grants under paragraphs (h) and (j) may be used to pay reasonable costs incurred by the commissioner of natural resources to administer paragraphs (h) and (j).

Subd. 5. **Parks and Trails Management** 92,085,000 89,486,000

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Section</td>
<td>Description</td>
<td>First Year</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------------------------------------------------------</td>
<td>------------</td>
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<tr>
<td>24.1</td>
<td>General</td>
<td>27,143,000</td>
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<tr>
<td>24.2</td>
<td>Natural Resources</td>
<td>62,650,000</td>
</tr>
<tr>
<td>24.3</td>
<td>Game and Fish</td>
<td>2,292,000</td>
</tr>
</tbody>
</table>

(a) $1,075,000 the first year and $1,075,000 the second year are from the water recreation account in the natural resources fund for enhancing public water-access facilities.

(b) $6,344,000 the first year and $6,435,000 the second year are from the natural resources fund for state trail, park, and recreation area operations. This appropriation is from revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (h), clause (2).

(c) $18,552,000 the first year and $18,828,000 the second year are from the state parks account in the natural resources fund to operate and maintain state parks and state recreation areas.

(d) $890,000 the first year and $890,000 the second year are from the natural resources fund for park and trail grants to local units of government on land to be maintained for at least 20 years for parks or trails. This appropriation is from revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (h), clause (4). Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(e) $9,624,000 the first year and $9,624,000 the second year are from the snowmobile trails and enforcement account in the natural resources fund for the snowmobile grants-in-aid program. Any unencumbered
balance does not cancel at the end of the first year and is available for the second year.

(f) $2,135,000 the first year and $2,135,000 the second year are from the natural resources fund for the off-highway vehicle grants-in-aid program. Of this amount, $1,660,000 each year is from the all-terrain vehicle account; $150,000 each year is from the off-highway motorcycle account; and $325,000 each year is from the off-road vehicle account. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(g) $116,000 the first year and $117,000 the second year are from the cross-country-ski account in the natural resources fund for grooming and maintaining cross-country-ski trails in state parks, trails, and recreation areas.

(h) $266,000 the first year and $269,000 the second year are from the state land and water conservation account in the natural resources fund for priorities established by the commissioner for eligible state projects and administrative and planning activities consistent with Minnesota Statutes, section 84.0264, and the federal Land and Water Conservation Fund Act. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(i) $250,000 the first year and $250,000 the second year are for matching grants for local parks and outdoor recreation areas under Minnesota Statutes, section 85.019, subdivision 2.
(j) $250,000 the first year and $250,000 the second year are for matching grants for local trail connections under Minnesota Statutes, section 85.019, subdivision 4c.

(k) $600,000 the first year is from the all-terrain vehicle account in the natural resources fund for grants to St. Louis County. Of this amount, $100,000 is for a grant to St. Louis County for an environmental assessment worksheet for the overall construction of the Voyageur Country ATV Trail system and connections, and $500,000 is for a grant to St. Louis County to design, plan, permit, acquire right-of-way for, and construct Voyageur Country ATV Trail from Buyck to Holmes Logging Road and to Shuster Road toward Cook. This is a onetime appropriation.

(l) $2,400,000 the first year is from the all-terrain vehicle account in the natural resources fund. Of this amount, $1,300,000 is for a grant to Lake County to match other funding sources to develop the Prospector Loop Trail system and $1,100,000 is for acquisition, design, environmental review, permitting, and construction for all-terrain vehicle use on the Taconite State Trail between Ely and Purvis Forest Management Road.

(m) $950,000 the first year and $950,000 the second year are from the all-terrain vehicle account in the natural resources fund for grants to St. Louis County for the Quad Cities ATV Club trail construction program for planning, design, environmental permitting, right-of-way acquisition, and construction of up to 24 miles.
of trail connecting the cities of Mountain Iron, Virginia, Eveleth, and Gilbert to the Laurentian Divide, County Road 303, the Taconite State Trail, and Biwabik and from Pfeiffer Lake Forest Road to County Road 361. This is a onetime appropriation.

(n) $250,000 the first year and $250,000 the second year are for grants for natural-resource-based education and recreation programs under Minnesota Statutes, section 84.976. This is a onetime appropriation.

(o) $50,000 the first year is from the state parks account in the natural resources fund for signs and other activities necessary to rename St. Croix State Park to Walter F. Mondale State Park.

(p) $260,000 the first year is from the state parks account in the natural resources fund for the operation of Hill-Annex Mine State Park in fiscal years 2020 to 2023. In fiscal years 2020 to 2023, the commissioner must operate the park to at least the level of service and hours of operation as in fiscal year 2019, including care and maintenance of park facilities consistent with the purposes for which the park was originally established. This is a onetime appropriation, is in addition to funds budgeted by or otherwise available to the commissioner for this park, and is available until June 30, 2023.

(q) $150,000 the first year is from the all-terrain vehicle account in the natural resources fund for a grant to Crow Wing County to plan and design a multipurpose

Article 1 Sec. 3.
28.1 bridge on the Mississippi River Northwoods
28.2 Trail across Sand Creek located five miles
28.3 northeast of Brainerd along the Mississippi River.
28.4 (r) $75,000 the first year is from the
28.5 off-highway motorcycle account in the natural
28.6 resources fund to complete a master plan for
28.7 off-highway motorcycle trail planning and
28.8 development.
28.10 Subd. 6. Fish and Wildlife Management 78,236,000 79,070,000
28.11 Appropriations by Fund
28.12
28.13 General 2,060,000 1,460,000
28.14 Natural Resources 1,954,000 1,982,000
28.15 Game and Fish 74,222,000 75,628,000
28.16 (a) $8,539,000 the first year and $8,658,000
28.17 the second year are from the heritage
28.18 enhancement account in the game and fish
28.19 fund only for activities specified under
28.20 Minnesota Statutes, section 297A.94,
28.21 paragraph (h), clause (1). Notwithstanding
28.22 Minnesota Statutes, section 297A.94, five
28.23 percent of this appropriation may be used for
28.24 expanding hunter and angler recruitment and
28.25 retention.
28.26 (b) $2,060,000 the first year and $1,460,000
28.27 the second year are for planning for and
28.28 emergency response to disease outbreaks in
28.29 wildlife. Of this amount, $50,000 the first year
28.30 is to establish a chronic wasting disease
28.31 adopt-a-dumpster program; $50,000 the first
28.32 year is to develop guidelines for handling,
28.33 transporting, processing, and disposing of deer
28.34 carcasses as required in this act; and $500,000
28.35 the first year is for a grant to the Board of
Regents of the University of Minnesota for the Chronic Wasting Disease Response, Research, and Policy Program. The commissioner and board must each submit quarterly reports on the activities funded under this paragraph to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources and agriculture. Base funding for this activity is $1,100,000 in fiscal year 2022 and thereafter.

(c) $8,546,000 the first year and $8,546,000 the second year are from the deer management account for the purposes identified in Minnesota Statutes, section 97A.075, subdivision 1.

(d) $250,000 the first year and $250,000 the second year are from the game and fish fund for the walk-in access program under Minnesota Statutes, section 97A.126.

(e) Notwithstanding Minnesota Statutes, section 297A.94, $100,000 the first year and $100,000 the second year are from the heritage enhancement account in the game and fish fund for shooting sports facility grants under Minnesota Statutes, section 87A.10, including grants for archery facilities. Grants must be matched with a nonstate match, which may include in-kind contributions. This is a onetime appropriation.

(f) Notwithstanding Minnesota Statutes, section 297A.94, $10,000 the first year is from the heritage enhancement account in the game and fish fund for implementing nontoxic shot
requirements under Minnesota Statutes, section 97B.673.

Subd. 7. **Enforcement**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
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</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>7,632,000</td>
<td>8,175,000</td>
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<tr>
<td>Natural Resources</td>
<td>11,757,000</td>
<td>11,993,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>26,715,000</td>
<td>27,533,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>106,000</td>
<td>109,000</td>
</tr>
</tbody>
</table>

(a) $1,718,000 the first year and $1,718,000 the second year are from the general fund for enforcement efforts to prevent the spread of aquatic invasive species.

(b) $1,580,000 the first year and $1,580,000 the second year are from the heritage enhancement account in the game and fish fund for only the purposes specified under Minnesota Statutes, section 297A.94, paragraph (h), clause (1).

(c) $1,182,000 the first year and $1,182,000 the second year are from the water recreation account in the natural resources fund for grants to counties for boat and water safety. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(d) $315,000 the first year and $315,000 the second year are from the snowmobile trails and enforcement account in the natural resources fund for grants to local law enforcement agencies for snowmobile enforcement activities. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.
(e) $250,000 the first year and $250,000 the second year are from the all-terrain vehicle account in the natural resources fund for grants to qualifying organizations to assist in safety and environmental education and monitoring trails on public lands under Minnesota Statutes, section 84.9011. Grants issued under this paragraph must be issued through a formal agreement with the organization. By December 15 each year, an organization receiving a grant under this paragraph must report to the commissioner with details on expenditures and outcomes from the grant. Of this appropriation, $25,000 each year is for administering these grants. Any unencumbered balance does not cancel at the end of the first year and is available for the second year.

(f) $510,000 the first year and $510,000 the second year are from the natural resources fund for grants to county law enforcement agencies for off-highway vehicle enforcement and public education activities based on off-highway vehicle use in the county. Of this amount, $498,000 each year is from the all-terrain vehicle account, $11,000 each year is from the off-highway motorcycle account, and $1,000 each year is from the off-road vehicle account. The county enforcement agencies may use money received under this appropriation to make grants to other local enforcement agencies within the county that have a high concentration of off-highway vehicle use. Of this appropriation, $25,000 each year is for administering these grants. Any unencumbered balance does not cancel.
at the end of the first year and is available for
the second year.

(g) $176,000 the first year and $176,000 the
second year are from the game and fish fund
for an ice safety program.

(h) $60,000 the first year and $4,000 the
second year are from the game and fish fund
to provide outreach and education, in
coordination with interested organizations, to
communities concerned about cultural artifacts
regarding the new requirements established
under Minnesota Statutes, section 84.0896.

(i) The base for fiscal year 2022 and thereafter
is $7,553,000 from the general fund,
$27,955,000 from the game and fish fund,
$12,080,000 from the natural resources fund,
and $111,000 from the remediation fund.
These base level adjustments include pension
costs as provided in Laws 2018, chapter 211,
article 21, section 1, paragraph (a).

Subd. 8. Operations Support

(a) $2,000,000 the first year and $1,500,000
the second year are available for legal costs.
Of this amount, up to $500,000 the first year
and $375,000 the second year may be
transferred to the Minnesota Pollution Control
Agency. This is a onetime appropriation and
is available until June 30, 2023.

(b) $850,000 the first year and $850,000 the
second year are available for protecting the
department's business systems and associated
infrastructure.
Subd. 9. Pass Through Funds

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
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<tbody>
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<td>General</td>
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<tr>
<td>Natural Resources</td>
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<tr>
<td>Permanent School</td>
<td>300,000</td>
<td>300,000</td>
</tr>
</tbody>
</table>

(a) $380,000 the first year and $380,000 the second year are from the natural resources fund for grants to be divided equally between the city of St. Paul for the Como Park Zoo and Conservatory and the city of Duluth for the Lake Superior Zoo. This appropriation is from revenue deposited to the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (h), clause (5).

(b) $187,000 the first year and $187,000 the second year are for the Office of School Trust Lands.

(c) $300,000 the first year and $300,000 the second year are from the forestry suspense account in the permanent school fund for the Office of School Trust Lands.

Subd. 11. Cancellation

The unencumbered amount of the general fund appropriation in Laws 2016, chapter 189, article 3, section 3, subdivision 8, for legal costs, estimated to be $500,000, is canceled on June 30, 2019.

EFFECTIVE DATE. Subdivision 11 is effective the day following final enactment.

Sec. 4. BOARD OF WATER AND SOIL RESOURCES

$  19,963,000  $  18,931,000

(a) $3,423,000 the first year and $3,423,000 the second year are for natural resources block grants to local governments to implement the

Article 1 Sec. 4.
Wetland Conservation Act and shoreland management under Minnesota Statutes, chapter 103F, and local water management under Minnesota Statutes, chapter 103B. The board may reduce the amount of the natural resources block grant to a county by an amount equal to any reduction in the county's general services allocation to a soil and water conservation district from the county's previous year allocation when the board determines that the reduction was disproportionate.

(b) $3,116,000 the first year and $3,116,000 the second year are for grants to soil and water conservation districts for the purposes of Minnesota Statutes, sections 103C.321 and 103C.331, and for general purposes, nonpoint engineering, and implementation and stewardship of the reinvest in Minnesota reserve program. Expenditures may be made from these appropriations for supplies and services benefiting soil and water conservation districts. Any district receiving a payment under this paragraph must maintain a web page that publishes, at a minimum, its annual report, annual audit, annual budget, and meeting notices.

(c) $761,000 the first year and $761,000 the second year are to implement, enforce, and provide oversight for the Wetland Conservation Act, including administering the wetland banking program and in-lieu fee mechanism.
(d) $1,560,000 the first year and $1,560,000 the second year are for the following cost-share programs:

(1) $260,000 each year is for the feedlot water quality cost-sharing program for feedlots under 500 animal units and nutrient and manure management projects in watersheds where there are impaired waters;

(2) $1,200,000 each year is for cost-sharing programs of soil and water conservation districts for perennially vegetated riparian buffers, erosion control, water retention and treatment, and other high-priority conservation practices; and

(3) $100,000 each year is for county cooperative weed management programs and to restore native plants in selected invasive species management sites.

(e) $166,000 the first year and $166,000 the second year are to provide technical assistance to local drainage management officials and for the costs of the Drainage Work Group. The board must coordinate with the Drainage Work Group according to Minnesota Statutes, section 103B.101, subdivision 13.

(f) $100,000 the first year and $100,000 the second year are for a grant to the Red River Basin Commission for water quality and floodplain management, including administration of programs. This appropriation must be matched by nonstate funds.

(g) $140,000 the first year and $140,000 the second year are for grants to Area II
Minnesota River Basin Projects for floodplain management.

(h) $125,000 the first year and $125,000 the second year are for conservation easement stewardship.

(i) $269,000 the first year and $259,000 the second year are for critical information technology upgrades, development, and security improvements.

(j) $240,000 the first year and $240,000 the second year are for a grant to the Lower Minnesota River Watershed District to defray the annual cost of operating and maintaining sites for dredge spoil to sustain the state, national, and international commercial and recreational navigation on the lower Minnesota River.

(k) $3,500,000 the first year and $3,500,000 the second year are for payments to soil and water conservation districts for the purposes of Minnesota Statutes, sections 103C.321 and 103C.331. This is a onetime appropriation.

(l) $150,000 the first year is for:

(1) identifying and listing ineligible materials under Minnesota Statutes, section 103F.49;

(2) assessing the viability of replacing plastic materials used in conservation and bioengineering projects with similarly designed organic materials; and

(3) by November 1, 2020, preparing and submitting a report to the chairs and ranking minority members of the committees and
divisions with jurisdiction over environment

and natural resources with:

(i) criteria to be used by the board for

identifying and listing materials under

Minnesota Statutes, section 103F.49;

(ii) recommendations for implementing

Minnesota Statutes, section 103F.49, including

a process for reviewing and updating the list;

and

(iii) results of the assessment under clause (2)

and any related recommendations.

The board must consult with the United States

Department of Agriculture and the

commissioners of natural resources,

transportation, and the Pollution Control

Agency and may contract with the University

of Minnesota as necessary for the purposes of

this appropriation. This is a onetime

appropriation and is available until June 30,

2022.

(m) $400,000 the first year is to provide

ontime state incentive payments to enrollees

in the federal Conservation Reserve Program

(CRP) and its derivative programs available

in Minnesota. The board may establish

payment rates based on land valuation and on

environmental benefit criteria, including but

not limited to reducing nutrients in surface

water or groundwater, protecting drinking

water, enhancing soil health, and enhancing

pollinator and wildlife habitat. The board may

use state funds to implement the program and

to provide technical assistance to landowners

or their agents to fulfill enrollment and
contract provisions. This is a onetime appropriation and is available until June 30, 2023.

(n) $387,000 the first year and $250,000 the second year are to provide grants or payments to plant residential lawns with native vegetation and pollinator-friendly forbs and legumes. The board must establish criteria for grants or payments awarded under this section. Grants or payments awarded under this section may be made for up to 75 percent of the costs of the project, except that in areas identified by the United States Fish and Wildlife Service as areas where there is a high potential for rusty patched bumble bees to be present, grants may be awarded for up to 90 percent of the costs of the project. This is a onetime appropriation.

(o) $150,000 the first year is to prepare a statewide action plan for soil health in cooperation with the University of Minnesota Water Resources Center and in consultation with the commissioners of agriculture, natural resources, and the Pollution Control Agency. The plan must include recommendations for protecting and improving the state's soil health for agricultural and water quality purposes, including recommendations for research and outreach. By February 15, 2020, the plan must be submitted to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over agriculture and environment and natural resources policy. This is a onetime appropriation.
(p) $5,745,000 the first year and $5,550,000 the second year are for agency administration and operation of the Board of Water and Soil Resources. The base for agency administration is $5,351,000 in fiscal year 2022 and thereafter.

(q) Notwithstanding Minnesota Statutes, section 103C.501, the board may shift money in this section and may adjust the technical and administrative assistance portion of the funds to leverage federal or other nonstate funds or to address accountability, oversight, local government performance, or high-priority needs identified in local water management plans or comprehensive water management plans.

(r) The appropriations for grants in this section are available until June 30, 2023. Returned grant funds must be regranted consistent with the purposes of this section. If an appropriation for grants in either year is insufficient, the appropriation in the other year is available for it.

(s) Notwithstanding Minnesota Statutes, section 16B.97, the appropriations for grants in this section are exempt from the Department of Administration, Office of Grants Management Policy 08-10 Grant Monitoring.

Sec. 5. METROPOLITAN COUNCIL Appropriations by Fund

<table>
<thead>
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<th>2020</th>
<th>2021</th>
</tr>
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<tbody>
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<tr>
<td>Natural Resources</td>
<td>6,600,000</td>
<td>6,600,000</td>
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</tbody>
</table>
(a) \$2,540,000 the first year and \$2,540,000 the second year are for metropolitan-area regional parks operation and maintenance according to Minnesota Statutes, section 473.351.

(b) \$6,600,000 the first year and \$6,600,000 the second year are from the natural resources fund for metropolitan-area regional parks and trails maintenance and operations. This appropriation is from revenue deposited in the natural resources fund under Minnesota Statutes, section 297A.94, paragraph (h), clause (3).

Sec. 6. CONSERVATION CORPS MINNESOTA

Appropriations by Fund

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</tr>
<tr>
<td>Natural Resources</td>
<td>490,000</td>
<td>490,000</td>
</tr>
</tbody>
</table>

Conservation Corps Minnesota may receive money appropriated from the natural resources fund under this section only as provided in an agreement with the commissioner of natural resources.

Sec. 7. ZOOLOGICAL BOARD

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>10,204,000</td>
<td>9,809,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>190,000</td>
<td>190,000</td>
</tr>
</tbody>
</table>

(a) \$190,000 the first year and \$190,000 the second year are from the natural resources fund from revenue deposited under Minnesota Statutes, section 297A.94, paragraph (h), clause (5).
(b) $499,000 the first year is to upgrade critical communication and security technology infrastructure. This is a onetime appropriation.

c) $40,000 the first year is for the prairie butterfly conservation program. This is a onetime appropriation.

Sec. 8. SCIENCE MUSEUM $ 1,079,000 $ 1,079,000

Sec. 9. EXPLORE MINNESOTA TOURISM $ 14,394,000 $ 14,594,000

$500,000 the first year and $500,000 the second year must be matched from nonstate sources to develop maximum private sector involvement in tourism. Each $1 of state incentive must be matched with $6 of private sector money. "Matched" means revenue to the state or documented cash expenditures directly expended to support Explore Minnesota Tourism programs. Up to one-half of the private sector contribution may be in-kind or soft match. The incentive in fiscal year 2020 is based on fiscal year 2019 private sector contributions. The incentive in fiscal year 2021 is based on fiscal year 2020 private sector contributions. This incentive is ongoing. Money for marketing grants is available either year of the biennium. Unexpended grant money from the first year is available in the second year.

$100,000 each year is for a grant to the Northern Lights International Music Festival.

$50,000 the first year and $250,000 the second year are for the Minnesota Outdoor Recreation Office under Minnesota Statutes, section 116U.60.

Sec. 10. CONTINGENT APPROPRIATIONS
Subdivision 1. **Motor Fuels Tax**

(a) The following appropriations are available only if new revenue is raised from increases in the motor fuels tax rates under Minnesota Statutes, sections 296A.07 and 296A.08, enacted during the 2019 session:

1. $300,000 the first year and $300,000 the second year are appropriated to the commissioner of natural resources from the water recreation account in the natural resources fund for grants to counties for boat and water safety. Any unencumbered balance does not cancel at the end of the first year and is available for the second year;

2. $3,350,000 the first year and $3,350,000 the second year are appropriated to the commissioner of natural resources from the water recreation account in the natural resources fund for activities of the Division of Parks and Trails under Minnesota Statutes, section 86B.706, subdivision 3; and

3. $500,000 the first year and $500,000 the second year are appropriated to the commissioner of natural resources from the all-terrain vehicle account in the natural resources fund for all-terrain vehicle trail management.

(b) In the appropriations specified under paragraph (a), the amounts appropriated are reduced proportionally, as necessary, if the legislation enacted in the 2019 legislative session does not provide sufficient revenue to the accounts.
Subd. 2. Solid Waste Tax

(a) The following appropriations are available only if new revenue is available in the environmental fund from increases in solid waste management tax rates under Minnesota Statutes, chapter 297H, enacted during the 2019 session:

(1) $400,000 the first year and $400,000 the second year are appropriated from the environmental fund to the commissioner of the Pollution Control Agency for competitive recycling grants under Minnesota Statutes, section 115A.565. This appropriation is available until June 30, 2023. Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year;

(2) $750,000 the first year and $750,000 the second year are appropriated from the environmental fund to the commissioner of the Pollution Control Agency for reducing and diverting food waste, redirecting edible food for consumption, and removing barriers to collecting and recovering organic waste. Of this amount, $500,000 each year is for grants to increase food rescue and waste prevention. This appropriation is available until June 30, 2023. Any unencumbered grant balances in the first year do not cancel but are available for grants in the second year;

(3) $3,000,000 the first year and $3,000,000 the second year are appropriated from the environmental fund to the commissioner of the Pollution Control Agency for grants to counties to collect, transport, and process
wood waste into usable biomass fuel for the
St. Paul district heating and cooling system
cogeneration facility or a waste wood and
agricultural biomass-fueled combined heat
and power facility owned in partnership with
a governmental entity located in the state; and

(4) $2,900,000 the first year and $3,500,000
the second year are appropriated from the
environmental fund to the commissioner of
the Pollution Control Agency for additional
SCORE block grants to counties.

(b) In the appropriations specified under
paragraph (a), the amounts appropriated are
reduced proportionally, as necessary, if the
legislation enacted in the 2019 legislative
session does not provide sufficient revenue to
the fund.

Sec. 11. Laws 2016, chapter 189, article 3, section 6, as amended by Laws 2017, chapter
93, article 1, section 12, is amended to read:

Sec. 6. ADMINISTRATION $250,000 $250,000

$250,000 the first year is from the state forest
suspense account in the permanent school fund
for the school trust lands director to initiate
real estate development projects on and
complete a 25-year framework for managing
school trust lands as determined by the school
trust lands director described in Minnesota
Statutes, section 127A.353, subdivision 4,
paragraph (a), clause (11). This is a onetime
appropriation and is available until June 30,
2019 2021.

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 12. Laws 2017, chapter 93, article 1, section 9, is amended to read:

Sec. 9. ADMINISTRATION

(a) $300,000 the first year and $300,000 the second year are from the state forest suspense account in the permanent school fund for the school trust lands director. This appropriation is to be used for securing long-term economic return from the school trust lands consistent with fiduciary responsibilities and sound natural resources conservation and management principles.

(b) $500,000 the first year is from the state forest suspense account in the permanent school fund for the school trust lands director to initiate the private sale of surplus school trust lands identified according to Minnesota Statutes, section 92.82, paragraph (d) Boundary Waters Canoe Area Wilderness private forest land alternative with the United States Department of Agriculture Forest Service and a nonprofit partner. The school trust lands director may use these funds for project costs, including but not limited to environmental assessments, valuation expenses, legal fees, closing costs, and transactional staff costs. This is a onetime appropriation and is available until June 30, 2019 2021.

EFFECTIVE DATE. This section is effective the day following final enactment.
Section 1. [1.1465] STATE BEE.

Subdivision 1. Rusty patched bumble bee. The rusty patched bumble bee, *Bombus affinis*, is the official bee of the state of Minnesota.

Subd. 2. Photograph. A photograph of the rusty patched bumble bee must be preserved in the Office of the Secretary of State.

Sec. 2. Minnesota Statutes 2018, section 16A.151, subdivision 2, is amended to read:

Subd. 2. Exceptions. (a) If a state official litigates or settles a matter on behalf of specific injured persons or entities, this section does not prohibit distribution of money to the specific injured persons or entities on whose behalf the litigation or settlement efforts were initiated. If money recovered on behalf of injured persons or entities cannot reasonably be distributed to those persons or entities because they cannot readily be located or identified or because the cost of distributing the money would outweigh the benefit to the persons or entities, the money must be paid into the general fund.

(b) Money recovered on behalf of a fund in the state treasury other than the general fund may be deposited in that fund.

(c) This section does not prohibit a state official from distributing money to a person or entity other than the state in litigation or potential litigation in which the state is a defendant or potential defendant.

(d) State agencies may accept funds as directed by a federal court for any restitution or monetary penalty under United States Code, title 18, section 3663(a)(3) or United States Code, title 18, section 3663A(a)(3). Funds received must be deposited in a special revenue account and are appropriated to the commissioner of the agency for the purpose as directed by the federal court.

(e) Tobacco settlement revenues as defined in section 16A.98, subdivision 1, paragraph (t), may be deposited as provided in section 16A.98, subdivision 12.

(f) If the Minnesota Pollution Control Agency recovers $250,000 or more in litigation or in settlement of a matter that could have resulted in litigation for a civil penalty from violations of a permit issued by the Minnesota Pollution Control Agency, then 40 percent of the money recovered must be distributed to the community health board where the permitted facility is located. The commissioner of the Minnesota Pollution Control Agency
must notify the commissioner of health and the community health board within 30 days of a final court order in the litigation or the effective date of the settlement agreement that the litigation has concluded or a settlement has been reached. The commissioner must collect and distribute the money to the commissioner of health. The commissioner of health must distribute the money to the community health board. The community health board must meet directly with the population potentially affected by the pollution that was the subject of the litigation or settlement to understand the population's concerns and incorporate those concerns into a project that benefits that population. The project must be implemented by the community health board and funded as directed in this paragraph. This paragraph does not apply to money recovered in litigation or settlement of a matter that could have resulted in litigation with subdivisions of the state. This paragraph is for the distribution of money only and does not create a right of intervention in the litigation or settlement of the enforcement action for any person or entity.

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

Sec. 3. Minnesota Statutes 2018, section 16A.152, subdivision 2, is amended to read:

**Subd. 2. Additional revenues; priority.** (a) If on the basis of a forecast of general fund revenues and expenditures, the commissioner of management and budget determines that there will be a positive unrestricted budgetary general fund balance at the close of the biennium, the commissioner of management and budget must allocate money to the following accounts and purposes in priority order:

1. the cash flow account established in subdivision 1 until that account reaches $350,000,000;
2. the budget reserve account established in subdivision 1a until that account reaches $1,596,522,000;
3. the amount necessary to increase the aid payment schedule for school district aids and credits payments in section 127A.45 to not more than 90 percent rounded to the nearest tenth of a percent without exceeding the amount available and with any remaining funds deposited in the budget reserve;
4. the amount necessary to restore all or a portion of the net aid reductions under section 127A.441 and to reduce the property tax revenue recognition shift under section 123B.75, subdivision 5, by the same amount; and
(5) the clean water fund established in section 114D.50 until $22,000,000 has been transferred into the fund metropolitan landfill contingency action trust account established in section 473.845 until $13,905,000 has been transferred into the account.

(b) The amounts necessary to meet the requirements of this section are appropriated from the general fund within two weeks after the forecast is released or, in the case of transfers under paragraph (a), clauses (3) and (4), as necessary to meet the appropriations schedules otherwise established in statute.

(c) The commissioner of management and budget shall must certify the total dollar amount of the reductions under paragraph (a), clauses (3) and (4), to the commissioner of education. The commissioner of education shall must increase the aid payment percentage and reduce the property tax shift percentage by these amounts and apply those reductions to the current fiscal year and thereafter.

(d) Paragraph (a), clause (5), expires after the entire amount of the transfer has been made.

Sec. 4. Minnesota Statutes 2018, section 17.035, subdivision 1, is amended to read:

Subdivision 1. Reimbursement. A meat processor holding a license under chapter 28A may apply to the commissioner of agriculture for full reimbursement of $70 towards the processor's reasonable and documented cost of processing donated deer, as determined by the commissioner within the limits of available funding. The meat processor shall deliver the deer, processed into cuts or ground meat, to a charitable organization that is registered under chapter 309 and with the commissioner of agriculture and that operates a food assistance program. To request reimbursement, the processor shall submit an application, on a form prescribed by the commissioner of agriculture, the tag number under which the deer was taken, and a receipt for the deer from the charitable organization.

Sec. 5. Minnesota Statutes 2018, section 84.0895, is amended by adding a subdivision to read:

Subd. 10. Rusty patched bumble bee. The rusty patched bumble bee, Bombus affinis, is designated as an endangered species under this section, is the state bee under section 1.1465, has been listed as an endangered species under the federal Endangered Species Act, and is a species that is of most concern to the state in order to prevent extinction. The Environmental Quality Board must coordinate efforts to protect the rusty patched bumble bee in the state.
Sec. 6. [84.0896] TRADE IN PROHIBITED ANIMAL PARTS PROHIBITED.

Subdivision 1. Definitions. (a) The definitions in this subdivision apply to this section.

(b) "Antique" means an item that:

(1) contains no more than 200 grams of prohibited animal part as a fixed component of
an item that is not made wholly or partially from a prohibited animal part; and

(2) is documented to be at least 100 years old.

(c) "Prohibited animal part" means any of the following:

(1) a tooth or tusk from any species of elephant, hippopotamus, mammoth, mastodon,
walrus, whale, or narwhal, or any piece thereof, whether raw or worked;

(2) a product containing any of the materials described in clause (1);

(3) a horn; piece of horn; or derivative of a horn, such as a powder, of any species of
rhinoceros; and

(4) a product containing any of the materials described in clause (3).

(d) "Sell" or "sale" means an exchange for consideration and includes barter and
possession with intent to sell. The term does not include a transfer of ownership by gift,
donation, or bequest.

Subd. 2. Prohibition. A person shall not purchase or sell any item that the person knows
or should know is a prohibited animal part.

Subd. 3. Exceptions. (a) Subdivision 2 does not prohibit the sale or purchase of a
prohibited animal part if the sale or purchase is:

(1) undertaken as part of law enforcement activities;

(2) expressly authorized by federal law;

(3) of an antique;

(4) of a musical instrument containing a lawfully acquired fixed component made of no
more than 200 grams of prohibited animal part; or

(5) of a prohibited animal part by a bona fide educational or scientific institution that is
a nonprofit corporation, as defined in section 501(c)(3) of the Internal Revenue Code.

(b) Subdivision 2 does not prohibit possession of a cultural artifact containing a prohibited
animal part.
Subd. 4. **Disposition of seized prohibited animal parts.** Notwithstanding any other provision of law, a prohibited animal part seized under this section must, upon a conviction, be forfeited to the state and either destroyed or given to a nonprofit corporation, as defined in section 501(c)(3) of the Internal Revenue Code, for an educational or scientific purpose.

**EFFECTIVE DATE.** This section is effective January 1, 2020, and applies to crimes committed on or after that date.

Sec. 7. Minnesota Statutes 2018, section 84.788, subdivision 2, is amended to read:

Subd. 2. **Exemptions.** Registration is not required for off-highway motorcycles:

(1) owned and used by the United States, an Indian tribal government, the state, another state, or a political subdivision;

(2) registered in another state or country that have not been within this state for more than 30 consecutive days;

(3) registered under chapter 168, when operated on forest roads to gain access to a state forest campground;

(4) used exclusively in organized track-racing events;

(5) operated on state or grant-in-aid trails by a nonresident possessing a nonresident off-highway motorcycle state trail pass;

(6) operated by a person participating in an event for which the commissioner has issued a special use permit; or

(7) operated on boundary trails and registered in another state or country providing equal reciprocal registration or licensing exemptions for registrants of this state.

Sec. 8. **[84.976] NO CHILD LEFT INSIDE GRANT PROGRAM.**

Subdivision 1. **Establishment.** The commissioner of natural resources must establish and administer a program to provide grants for outdoor environmental, ecological, and other natural-resource-based education and recreation programs serving youth.

Subd. 2. **Eligibility.** The commissioner may award grants under this section to public entities or private nonprofit organizations.

Subd. 3. **Priorities.** In awarding grants under this section, the commissioner must give priority to programs that:
Provide students with opportunities to directly experience and understand nature and the natural world;

(2) use a research-based, effective environmental, ecological, agricultural, or other natural-resource-based educational curriculum;

(3) maximize the number of participants that can be served;

(4) serve children with limited opportunities to participate in natural-resource-based outdoor activities;

(5) use public park and other natural resource venues and personnel as a resource; and

(6) commit matching funds or in-kind resources.

Sec. 9. Minnesota Statutes 2018, section 84D.15, is amended to read:

84D.15 INVASIVE SPECIES ACCOUNTS.

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

Subd. 2. Receipts. (a) Money received from surcharges on watercraft licenses under section 86B.415, subdivision 7; civil penalties under section 84D.13; and service provider permits under section 84D.108, shall be deposited in the invasive species account. Each year, the commissioner of management and budget shall transfer from the game and fish fund to the invasive species account, the annual surcharge collected on nonresident fishing licenses under section 97A.475, subdivision 7, paragraph (b). Each fiscal year, the commissioner of management and budget shall transfer $750,000 from the water recreation account under section 86B.706 to the invasive species account.

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

(1) $16 from each surcharge must be deposited in the invasive species account; and

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

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

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

Sec. 10. Minnesota Statutes 2018, section 85.012, subdivision 49, is amended to read:


Sec. 11. Minnesota Statutes 2018, section 85.42, is amended to read:

85.42 USER FEE; VALIDITY.

(a) The fee for an annual cross-country-ski pass is $19 $24 for an individual age 16 and
over. The fee for a three-year pass is $54 $69 for an individual age 16 and over. This fee
shall must be collected at the time the pass is purchased. Three-year passes are valid for
three years beginning the previous July 1. Annual passes are valid for one year beginning
the previous July 1.

(b) The cost for a daily cross-country skier pass is $5 $9 for an individual age 16 and
over. This fee shall must be collected at the time the pass is purchased. The daily pass is
valid only for the date designated on the pass form.

(c) A pass must be signed by the skier across the front of the pass to be valid and becomes
is nontransferable on signing when signed.

(d) The commissioner and agents shall must issue a duplicate pass to a person whose
pass is lost or destroyed, using the process established under section 97A.405, subdivision
3, and rules adopted thereunder. The fee for a duplicate cross-country-ski pass is $2.

Sec. 12. Minnesota Statutes 2018, section 85.47, is amended to read:

85.47 SPECIAL USE PERMITS; FEES.

Fees collected for special use permits to use state trails not on state forest, state park, or
state recreation area lands and for use of state water access sites must be deposited in the
natural resources fund and are appropriated to the commissioner of natural resources for
operating and maintaining state trails and water access sites.
Sec. 13. Minnesota Statutes 2018, section 86B.415, subdivision 1, is amended to read:

Subdivision 1. Watercraft 19 feet or less. (a) Except as provided in paragraph (b) and subdivisions 1a and 4, the fee for a watercraft license for watercraft 19 feet or less in length is $39.25.

(b) The watercraft license fees for the specified watercraft are as follows:

1. for watercraft, other than personal watercraft, 19 feet in length or less that is offered for rent or lease, the fee is $11.25;

2. for a sailboat, 19 feet in length or less, the fee is $15.25;

3. for a watercraft 19 feet in length or less used by a nonprofit corporation for teaching boat and water safety, the fee is as provided in subdivision 4;

4. for a watercraft owned by a dealer under a dealer's license, the fee is as provided in subdivision 5;

5. for a personal watercraft, the fee is $54.50, except for a personal watercraft that is offered for rent or lease according to section 86B.313, subdivision 4, $47; and

6. for a watercraft less than 17 feet in length, other than a watercraft listed in clauses (1) to (5), the fee is $26.

Sec. 14. Minnesota Statutes 2018, section 86B.415, subdivision 1a, is amended to read:

Subd. 1a. Canoes, kayaks, sailboards, paddleboards, paddleboats, or rowing shells. Except as provided under subdivision 4, the fee for a watercraft license for a canoe, kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet in length is $15.25.

Sec. 15. Minnesota Statutes 2018, section 86B.415, subdivision 2, is amended to read:

Subd. 2. Watercraft over 19 feet. Except as provided in subdivisions 1a, 3, 4, and 5, the watercraft license fee:

1. for a watercraft more than 19 feet but less than 26 feet in length is $65.25;

2. for a watercraft 26 feet but less than 40 feet in length is $98;

3. for a watercraft 40 feet in length or longer is $130.50.
Sec. 16. Minnesota Statutes 2018, section 86B.415, subdivision 3, is amended to read:

Subd. 3. **Watercraft over 19 feet for hire.** Except as provided under subdivision 4, the license fee for a watercraft more than 19 feet in length for hire with an operator is $75. $108.75 each.

Sec. 17. Minnesota Statutes 2018, section 86B.415, subdivision 4, is amended to read:

Subd. 4. **Watercraft used by nonprofit corporation for teaching organization or homestead resort.** (a) The watercraft license fee for a watercraft used by a nonprofit organization for teaching boat and water safety is $4.50 each.

(b) The following fees apply to watercraft owned and used by a homestead resort, as defined under section 273.13, subdivision 22, paragraph (c), that contains ten rental units or less, when the watercraft remains on a single water body:

1. for a watercraft 40 feet in length or longer, $90;
2. for a watercraft 26 feet but less than 40 feet in length, $67.50;
3. for a watercraft more than 19 feet but less than 26 feet in length, $45;
4. for a watercraft more than 19 feet in length for hire with an operator, $75;
5. for a watercraft 17 to 19 feet in length, $27, except as provided in clauses (6) to (10);
6. for a watercraft, other than personal watercraft, 19 feet in length or less that is offered for rent or lease, $9;
7. for a sailboat 19 feet in length or less, $10.50;
8. for a personal watercraft, $37.50;
9. for a canoe, kayak, sailboard, paddleboard, paddleboat, or rowing shell over ten feet in length, $10.50; and
10. for a watercraft less than 17 feet in length, other than a watercraft listed in clauses (6) to (9), $18.

Sec. 18. Minnesota Statutes 2018, section 86B.415, subdivision 5, is amended to read:

Subd. 5. **Dealer's license.** There is no separate fee for watercraft owned by a dealer under a dealer's license. The fee for a dealer's license is $67.50 $98.
Sec. 19. Minnesota Statutes 2018, section 86B.415, subdivision 7, is amended to read:

Subd. 7. Watercraft surcharge. A $20 surcharge is placed on each watercraft licensed under subdivisions 1 to 3 and a $5 surcharge is placed on each watercraft licensed under subdivision 4 for control, public awareness, law enforcement, monitoring, and research of aquatic invasive species such as zebra mussel, purple loosestrife, and Eurasian watermilfoil in public waters and public wetlands.

Sec. 20. Minnesota Statutes 2018, section 88.642, subdivision 1, is amended to read:

Subdivision 1. Written consent. No person shall cut, harvest, remove, transport, or possess for decorative purposes or for sale more than three decorative trees, more than 100 pounds of decorative boughs, more than 50 spruce stems or branches greater than six inches in length, more than 50 birch stems or branches greater than one-inch large-end diameter, or more than 100 pounds of any other decorative materials without the written consent of the owner or authorized agent of the private or public land on which the decorative materials were cut or harvested. The written consent shall be on a form furnished or otherwise approved by the commissioner of natural resources and shall contain the legal description of the land where the decorative materials were cut or harvested, as well as the name of the legal owner of the land or the owner's authorized agent. The written consent must be carried by every person cutting, harvesting, removing, possessing, or transporting any decorative materials, or in any way aiding therein, and must be exhibited to any officer at the officer's request at any time.

Sec. 21. Minnesota Statutes 2018, section 88.642, subdivision 3, is amended to read:

Subd. 3. Transportation requirements. No person, common carrier, bough decorative materials buyer, or authorized agent shall purchase or otherwise receive for shipment or transportation any decorative materials without recording the seller's or consignor's name and address and the written consent on a form furnished or otherwise approved by the commissioner of natural resources.

Sec. 22. Minnesota Statutes 2018, section 88.6435, is amended to read:

88.6435 BOUGH DECORATIVE MATERIALS BUYERS.

Subdivision 1. Permits. A person may not buy more than 100 pounds of decorative boughs in any calendar year without a bough buyer's permit issued by the commissioner of natural resources. The annual fee for a permit for a resident or nonresident to buy decorative boughs is $25.
Subd. 1a. License. (a) A person must have a buyer's license for decorative materials to:

(1) buy more than 100 pounds of decorative boughs in any calendar year;

(2) buy more than 50 spruce stems or branches greater than six inches in length in any calendar year; or

(3) buy more than 50 birch stems or branches greater than one-inch large-end diameter in any calendar year.

(b) The annual fee for a buyer's license for decorative materials for a resident or nonresident is $25.

Subd. 2. Record requirements. (a) When buying or otherwise receiving decorative boughs materials, a person permitted licensed under this section must record:

(1) the seller's name and address;

(2) the form of written consent; and

(3) the government permit number or legal description or property tax identification number of the land from which the boughs decorative materials were obtained.

(b) The information under paragraph (a) must be provided recorded on a form furnished or otherwise approved by the commissioner of natural resources in consultation with the balsam bough industry groups and must be exhibited to an officer upon request.

(b) Boughs may not be purchased if the seller fails to exhibit the written consent required under section 88.642, subdivision 1, or if the boughs do not conform to the standards specified on the consent. Decorative boughs cut from public lands materials must conform to standards specified in the written consent.

(c) (d) Records shall must be maintained from July 1 until June 30 of the following calendar year and shall must be open to inspection to an officer during reasonable hours.

(d) (e) Customer name and address records created and maintained by permittees licensees under this section are classified as private or nonpublic government data.

Subd. 3. Revocation of permits Penalties. (a) The commissioner may deny, modify, suspend, or revoke a permit license issued under this section for cause, including falsification of for falsifying records required under this section or violation of any other provision of for violating sections 88.641 to 88.648.
(b) A person convicted of two or more violations of sections 88.641 to 88.648 within three years may not obtain a buyer's permit license for decorative materials for three years from after the date of the last conviction.

Subd. 4. Forest bough special forest products account; disposition of fees. (a) The forest bough special forest products account is established in the state treasury within the natural resources fund.

(b) Fees for permits licenses issued under this section must be deposited in the state treasury and credited to the forest bough special forest products account and, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, are annually appropriated to the commissioner of natural resources for costs associated with special forest product information and education programs for harvesters and buyers.

Sec. 23. Minnesota Statutes 2018, section 89.37, subdivision 3, is amended to read:

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

Sec. 24. [89.435] FOREST CARBON SEQUESTRATION GOAL.

It is the goal of the state to plant an additional 1,000,000 trees each year in fiscal years 2020, 2021, 2022, and 2023, to provide additional carbon sequestration and improve forest health.

Sec. 25. Minnesota Statutes 2018, section 90.01, is amended by adding a subdivision to read:

Subd. 13. Special forest products. "Special forest products" means woody and herbaceous plants, plant parts, seeds, fungus, soil, gravel, and forest substrate for consumption, decoration, or medicine or for any other specialty use.
Sec. 26. Minnesota Statutes 2018, section 90.195, is amended to read:

90.195 SPECIAL USE AND PRODUCT PERMIT.

(a) The commissioner may issue a fuelwood permit to salvage or cut not to exceed 12 cords of fuelwood per year for personal use from either or both of the following sources:

(1) dead, down, and damaged trees; or

(2) other trees that are of negative value under good forest management practices.

(b) The fuelwood permits under paragraph (a) may be issued for a period not to exceed one year. The commissioner shall charge a fee for the permit as provided under section 90.041, subdivision 10. The fee shall not exceed the current market value of fuelwood of similar species, grade, and volume that is being sold in the area where the salvage or cutting is authorized under the permit.

(c) The commissioner may issue a special product permit under section 89.42 for commercial use, which may include a permit for harvesting or collecting incidental volumes of boughs, gravel, hay, biomass, and other products derived from forest management activities. The value of the products is the current market value of the products that are being sold in the area. The permit may be issued for a period not to exceed one year, and the commissioner shall charge a fee for the permit as provided under section 90.041, subdivision 10.

(d) The commissioner may issue a special use permit for incidental volumes of timber from approved right-of-way road clearing across state land for the purpose of accessing a state timber permit. The permit shall include the volume and value of timber to be cleared and may be issued for a period not to exceed one year. A presale conference as required under section 90.151, subdivision 6, must be completed before the start of any activities under the permit.

Sec. 27. Minnesota Statutes 2018, section 97A.055, subdivision 4, is amended to read:

Subd. 4. Game and fish annual reports. (a) By December 15 each year, the commissioner shall submit to the legislative committees having jurisdiction over appropriations and the environment and natural resources reports on each of the following:

(1) the amount of revenue from the following and purposes for which expenditures were made:

(i) the small-game license surcharge under section 97A.475, subdivision 4;
(ii) the Minnesota migratory-waterfowl stamp under section 97A.475, subdivision 5, clause (1);

(iii) the trout-and-salmon stamp under section 97A.475, subdivision 10;

(iv) the pheasant stamp under section 97A.475, subdivision 5, clause (2);

(v) the wild-turkey management account under section 97A.075, subdivision 5;

(vi) the deer license donations and surcharges under section 97A.475, subdivisions 3, paragraph (b), and 3a; and

(vii) the walleye stamp under section 97A.475, subdivision 10a;

(2) the amounts available under section 97A.075, subdivision 1, paragraphs (b) and (c), and the purposes for which these amounts were spent;

(3) money credited to the game and fish fund under this section and purposes for which expenditures were made from the fund;

(4) outcome goals for the expenditures from the game and fish fund; and

(5) summary and comments of citizen oversight committee reviews under subdivision 4b.

(b) The report must include the commissioner's recommendations, if any, for changes in the laws relating to the stamps and surcharge referenced in paragraph (a).

Sec. 28. Minnesota Statutes 2018, section 97A.065, subdivision 6, is amended to read:

Subd. 6. **Deer license donations and surcharges.** (a) The surcharges collected under section 97A.475, subdivision 3a, paragraph (b), shall must be deposited in an account in the special revenue fund and are appropriated to the commissioner for deer management, including for grants or payments to agencies, organizations, or individuals for assisting with the cost of processing deer taken for population management purposes for venison donation programs. None of the additional license fees shall be transferred to any other agency for administration of programs other than venison donation. If any money transferred by the commissioner is not used for a venison donation program, it shall be returned to the commissioner.

(b) The surcharges and donations under section 97A.475, subdivisions subdivision 3, paragraph (b), 3a, paragraph (a), and 4, paragraph (b), shall must be deposited in an account in the special revenue fund and are appropriated to the commissioner for the walk-in access program.
Sec. 29. Minnesota Statutes 2018, section 97A.075, subdivision 1, is amended to read:

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

(b) $2 from each annual deer license and $2 annually from the lifetime fish and wildlife trust fund, established in section 97A.4742, for each license issued under section 97A.473, subdivision 4, shall be credited to the deer management account and is appropriated to the commissioner for deer habitat improvement or deer management programs.

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

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

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

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

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

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

Sec. 30. Minnesota Statutes 2018, section 97A.126, subdivision 2, is amended to read:

Subd. 2. Use of enrolled lands. (a) From September 1 to May 31, a person must have a walk-in access hunter validation in possession to may hunt on private lands, including agricultural lands, that are posted as being enrolled in the walk-in access program.

(b) Hunting on private lands that are posted as enrolled in the walk-in access program is allowed from one-half hour before sunrise to one-half hour after sunset.

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

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

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

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

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

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

Sec. 31. Minnesota Statutes 2018, section 97A.405, is amended by adding a subdivision to read:

Subd. 6. Application deadline. When an application deadline is specified, including an application deadline for determining the fee based on age for a lifetime license, an application must be received no later than 4:30 p.m. on the day of the deadline or, if mailed, an application must be postmarked on or before the deadline date.
Sec. 32. Minnesota Statutes 2018, section 97A.475, subdivision 3a, is amended to read:

Subd. 3a. **Deer license donation and surcharge.** (a) A person may agree to add a donation of $1, $3, or $5 to the fees for annual resident and nonresident licenses to take deer by firearms or archery established under subdivisions 2, clauses (5), (6), (7), (13), (14), and (15), and 3, paragraph (a), clauses (2), (3), (4), (10), (11), and (12).

(b) Beginning March 1, 2008, fees for bonus licenses to take deer by firearms or archery established under section 97B.301, subdivision 4, must be increased by a surcharge of $1.

(c) An additional commission may not be assessed on the donation or surcharge.

Sec. 33. Minnesota Statutes 2018, section 97A.475, subdivision 4, is amended to read:

Subd. 4. **Small-game surcharge and donation.** (a) Fees for annual licenses to take small game must be increased by a surcharge of $6.50, except licenses under subdivisions 2, clauses (18) and (19); and 3, paragraph (a), clause (14). An additional commission may not be assessed on the surcharge and the following statement must be included in the annual small-game-hunting regulations: "This $6.50 surcharge is being paid by hunters for the acquisition and development of wildlife lands."

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

Sec. 34. Minnesota Statutes 2018, section 97A.475, subdivision 41, is amended to read:

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

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

(c) The fee for a turtle seller's apprentice license is $100.
Sec. 35. [97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME IN CERTAIN AREAS.

Subdivision 1. Nontoxic shot on wildlife management areas in agricultural zone. After July 1, 2020, a person may not take small game, rails, or common snipe on any wildlife management area within the farmland zone with shot other than:

(1) steel shot;
(2) copper-plated, nickel-plated, or zinc-plated steel shot; or
(3) shot made of other nontoxic material approved by the director of the United States Fish and Wildlife Service.

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

Sec. 36. Minnesota Statutes 2018, section 97C.605, subdivision 1, is amended to read:

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

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

Sec. 37. Minnesota Statutes 2018, section 97C.605, subdivision 2c, is amended to read:

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

(1) when buying turtles for resale at a retail outlet;
(2) if the person is a nonresident buying a turtle from a licensed turtle seller for export out of state. Shipping documents provided by the turtle seller must accompany each shipment exported out of state by a nonresident. Shipping documents must include: name, address, city, state, and zip code of the buyer; number of each species of turtle; and name and license number of the turtle seller; or
(4) (2) to take, possess, and rent or sell up to 25 turtles greater than four inches in length
for the purpose of providing the turtles to participants at a nonprofit turtle race, if the person
is a resident under age 18. The person is responsible for the well-being of the turtles.

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

Sec. 38. Minnesota Statutes 2018, section 97C.605, subdivision 3, is amended to read:

Subd. 3. Taking; methods prohibited. (a) A person may take turtles in any manner,
except by the use of:

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

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

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

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

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

(1) has one or more openings above the water surface that measure at least ten inches
by four inches; and

(2) has a mesh size of not less than one-half inch, bar measure.

Sec. 39. [103F.49] CONSERVATION MATERIALS CONTAINING PLASTICS.

Subdivision 1. Identifying and listing. By January 1, 2021, the Board of Water and
Soil Resources must:

(1) identify materials used in conservation and bioengineering projects that contain
plastic that are used or are likely to be used in state-funded streambank stabilization projects;

(2) determine whether feasible alternatives for the materials identified are available that
do not contain plastic; and

(3) post a list of the materials with feasible alternatives on the board's website stating
that the materials are ineligible for state funding beginning January 1, 2022.

Subd. 2. Prohibition. Beginning January 1, 2022, a person may not:
(1) purchase a material listed under subdivision 1, in whole or in part, with state funds;

or

(2) use a material listed under subdivision 1 as part of a project funded in whole or in part with state funds.

Sec. 40. Minnesota Statutes 2018, section 103G.301, subdivision 2, is amended to read:

Subd. 2. Permit application and notification fees. (a) A fee to defray the costs of receiving, recording, and processing must be paid for a permit application authorized under this chapter, except for a general permit application, for each request to amend or transfer an existing permit, and for a notification to request authorization to conduct a project under a general permit. Fees established under this subdivision, unless specified in paragraph (c), shall be compliant with section 16A.1285.

(b) Proposed projects that require water in excess of 100 million gallons per year must be assessed fees to recover the costs incurred to evaluate the project and the costs incurred for environmental review. Fees collected under this paragraph must be credited to an account in the natural resources fund and are appropriated to the commissioner.

(c) The fee to apply for a permit to appropriate water, in addition to any fee under paragraph (b), and for a permit to construct or repair a dam that is subject to dam safety inspection is $150. The application fee for a permit to construct or repair a dam that is subject to a dam safety inspection, to work in public waters, or to divert waters for mining must be at least $150 $300, but not more than $1,000 $3,000. The fee for a notification to request authorization to conduct a project under a general permit is $100.

Sec. 41. [115A.141] CARPET PRODUCTS; STEWARDSHIP PROGRAM; STEWARDSHIP PLAN.

Subdivision 1. Definitions. For purposes of this section, the following terms have the meanings given:

(1) "blended carpet" means carpet with a nonuniform face fiber, which is manufactured with multiple polymer types, fiber types, or both, in the face of the constructed material;

(2) "brand" means a name, symbol, word, or mark that identifies carpet, rather than its components, and attributes the carpet to the owner or licensee of the brand as the producer;

(3) "carpet" means a manufactured article that is affixed or placed on the floor or building walking surface or used as a decorative or functional building interior or exterior feature, and is primarily constructed of a top visible surface of synthetic face fibers or yarns or tufts.
attached to a backing system derived from synthetic or natural materials. Carpet includes, but is not limited to, blended carpet, nylon carpet, PET carpet, polypropylene carpet, PTT carpet, wool carpet, commercial or residential broadloom carpet, modular carpet tiles, and artificial turf. Carpet includes a pad or underlayment used in conjunction with a carpet. Carpet does not include handmade rugs, area rugs, or mats;

(4) "discarded carpet" means carpet that is no longer used for its manufactured purpose, and may include carpet that is being evaluated for reuse and directed to reuse, as defined in this section;

(5) "distributor" means a person who buys or otherwise acquires carpet from another source and sells or offers to sell that carpet to retailers and installers in this state;

(6) "nylon carpet" means carpet made with a uniform face fiber made with either nylon or nylon 6,6;

(7) "PET carpet" means carpet made from polyethylene terephthalate;

(8) "producer" means a person that:

(i) has legal ownership of the brand, brand name, or cobrand of carpet sold in the state;

(ii) imports carpet branded by a producer that meets the specifications of item (i) when the producer has no physical presence in the United States;

(iii) if items (i) and (ii) do not apply, makes unbranded carpet that is sold in the state; or

(iv) sells carpet at wholesale or retail, does not have legal ownership of the brand, and elects to fulfill the responsibilities of the producer for the carpet;

(9) "polypropylene carpet" means carpet made from polypropylene;

(10) "program year" means a calendar year;

(11) "PTT carpet" means carpet made from polytrimethylene terephthalate;

(12) "recycling" means the process by which discarded carpet is collected and processed into raw materials or products. Recycling includes only discarded carpet that is an output of a recycling facility destined for an end market or reuse and does not include all discarded carpet accepted by a recycling facility. Recycling does not include:

(i) energy recovery or energy generation by means of combusting discarded carpet; and

(ii) any disposal or use of discarded carpet within the permitted boundaries of a disposal facility;
(13) "recycling rate" means the percentage of discarded carpet that is managed through recycling or reuse, as defined in this section, and is calculated by dividing the amount of discarded carpet that is collected and recycled or reused by the total amount of discarded carpet generated over a program year. To determine the annual recycling rates required by this section, the amount of discarded carpet generated must be calculated using a standard recognized methodology based on annual sales, replacement rate, and the average weight of carpet and must be approved by the agency;

(14) "retailer" means any person who sells or offers carpet for sale at retail in the state that generates sales tax revenue;

(15) "reuse" means donating or selling discarded carpet back into the market for its original intended use, when the carpet retains its original purpose and performance characteristics;

(16) "sale" or "sell" means the transfer of title of carpet for consideration, including:

(i) a remote sale conducted through a sales outlet, catalog, website, or similar electronic means; or

(ii) a lease through which carpet is provided to a consumer by a producer or retailer;

(17) "stewardship assessment" means the amount added to the purchase price of carpet sold in the state that is necessary to cover the cost of collecting, transporting, processing, and marketing discarded carpet by the stewardship organization operating under a product stewardship plan;

(18) "stewardship organization" means a single organization exempt from taxation under Section 501(c)(3) of the federal Internal Revenue Code of 1986 (United States Code, title 21, section 501(c)(3)) that is established by producers in accordance with this section to develop, implement, and administer a product stewardship program under this section;

(19) "stewardship plan" means a detailed plan describing the manner in which a product stewardship program under subdivision 2 will be implemented; and

(20) "wool carpet" means carpet made from wool.

Subd. 2. Product stewardship program. A producer of carpet sold in the state must participate in the stewardship organization to implement and finance a statewide product stewardship program operated under an agency-approved product stewardship plan that manages carpet by reducing carpet's waste generation, promoting its reuse and recycling, and providing for negotiation and execution of agreements to collect, transport, and process carpet for recycling and reuse.
Subd. 3. **Requirement for sale.** On and after January 1, 2022, no producer, distributor, or retailer may sell carpet or offer carpet for sale in the state unless the carpet's producer participates in the product stewardship organization to implement and finance a statewide product stewardship program operated under a stewardship plan approved by the agency.

Subd. 4. **Requirements for stewardship plan.**

(a) On or before January 1, 2021, initially and on or before each July 1 in a year when the stewardship plan is required to be updated under paragraph (b), the stewardship organization must submit a stewardship plan to the agency and receive agency approval of the plan. A stewardship plan must include all elements required under subdivision 5.

(b) At least every three years, the stewardship organization operating a product stewardship program must update the stewardship plan and submit the updated plan to the agency for review and approval.

(c) It is the responsibility of the stewardship organization to notify the agency within 30 days of any significant changes or modifications to the plan or its implementation. Within 30 days of the notification, a written plan revision must be submitted to the agency for review and approval.

(d) Upon agency approval of the stewardship plan, the stewardship organization must comply with and implement the contents of the approved plan.

Subd. 5. **Stewardship plan content.** The stewardship plan must contain:

(1) certification that the product stewardship program will accept all discarded carpet regardless of which producer produced the carpet and its individual components;

(2) contact information for the individual and the entity submitting the plan and for all producers participating in the product stewardship program;

(3) a description of the methods by which discarded carpet will be collected in all areas in the state without relying on end-of-life fees, including an explanation of how the collection system will be convenient and adequate to serve the needs of small businesses and residents.

The stewardship program must include an operating collection site located in each county of the state by January 1, 2023. Subject to approval by the agency, the stewardship program may propose an alternative to a collection site location in each county that is convenient and adequate to collect discarded carpet generated in each county;

(4) a description of how the adequacy of the collection program will be monitored and maintained;
(5) the names and locations of collectors, transporters, and recycling facilities that will manage discarded carpet;

(6) a description of how the discarded carpet and the carpet's components will be safely and securely transported, tracked, and handled from collection through final recycling and processing;

(7) a description of the method that will be used to reuse, deconstruct, or recycle the discarded carpet to ensure that the product's components, to the extent feasible, are transformed or remanufactured into raw materials or finished products for use;

(8) a description of the promotion and outreach activities that will be used to encourage participation in the collection and recycling programs and how the activities' effectiveness will be evaluated and the program modified, if necessary;

(9) evidence of adequate insurance and financial assurance that may be required for collection, handling, and disposal operations;

(10) performance goals, including an estimate of the percentage of discarded carpet that will be collected, reused, recycled, and disposed during each of the three years of each stewardship plan. The program must achieve at a minimum, a 15 percent recycling rate in program year 2023 and must include and meet escalating performance goals for each subsequent year. The performance goals must be based on:

(i) the most recent collection data available for the state;

(ii) the amount of carpet disposed of annually;

(iii) the weight of the carpet that is expected to be available for collection annually; and

(iv) actual collection data from other existing stewardship programs.

A stewardship plan must state the methodology used to determine these goals. The agency must review and may adjust the recycling rate and performance goals, based on information included in the stewardship plan and annual reports, other information provided by the stewardship organization, and economic and any other relevant information;

(11) a discussion of the status of statewide collection infrastructure, processor capacity, and end markets for discarded carpet and what, if any, additional statewide collection infrastructure, processor capacity, and end markets are needed to improve the functioning of the program and meet increasing performance goals;

(12) carpet design changes that will be considered to reduce toxicity, water use, or energy use or to increase recycled content, recyclability, or carpet longevity;
(13) a discussion of market development opportunities to expand the use of recovered
carpet, with consideration of expanding processing activity near areas of collection;

(14) a financial plan that demonstrates sufficient funding to carry out the stewardship
plan, including the administrative, operational, and capital costs of the plan, and payment
of incentive payments to carpet collectors, processors, and end use markets to assist with
the implementation of this section;

(15) annual budgets showing revenue and expenditure projections for the current program
year and for the next three years of the program;

(16) a process by which the financial activities of the stewardship organization related
to the implementation of the plan are subject to an annual independent audit, which shall
be reviewed by the agency;

(17) baseline information, for the most recent three-year period for which data is available,
on the number of square feet and pounds of carpet sold in this state, by type of carpet pursuant
to subdivision 1, clause (3);

(18) a discussion of the feasibility, cost, and effectiveness of labeling the backside of
new carpet with the polymer type or nonpolymer material used to manufacture the carpet
to assist processors in more easily identifying the type of discarded carpet collected for
processing;

(19) a description of a mandatory program to train carpet installers on properly managing
discarded carpet so that it can be reused or recycled under this section; and

(20) a summary of the consultation process that identifies the consulted stakeholders,
the stakeholder comments raised in the consultation process, and the stewardship
organization's responses to those comments as required under subdivision 7.

Subd. 6. Stewardship assessment. (a) On and after July 1, 2021, a producer must add
a stewardship assessment fee of four cents per square foot to the purchase price of nylon
carpet, polypropylene carpet, and wool carpet, and six cents per square foot to the purchase
price of PET carpet, PTT carpet, blended carpet, and any other types of carpet sold by the
producer in this state. The assessment added under this section must be remitted by the
producer on a quarterly basis to the stewardship organization.

(b) The assessment must be added by the producer to the purchase price of all carpet
sold by producers to a Minnesota retailer or distributor or otherwise sold for use in this
state. The assessment must be clearly visible on all invoices or functionally equivalent
71.1 billing documents as a separate line item and must be accompanied by a brief description
of the assessment.

71.3 (c) If the amount of the assessment is too low to properly fund the stewardship program,
the stewardship organization must submit a plan update to the agency to increase the
assessment, subject to agency review and approval in accordance with this section before
the assessment is increased.

71.7 (d) On and after January 1, 2025, if a fund balance greater than one-half of the program's
annual operating cost is reached, the stewardship organization must submit a plan update
to the agency to reduce the assessment, subject to agency review and approval in accordance
with this section before the assessment is reduced.

71.11 (e) The assessment fee must be deposited by the stewardship organization into a Federal
Deposit Insurance Corporation (FDIC) insured financial institution, and, if for any reason
this section is repealed, the entire assessment fund balance must be transferred by the
stewardship organization to the state to be deposited into the environmental fund.

71.15 (f) A stewardship assessment must not be used to pay for any penalties assessed under
this section or for the final disposal or incineration of discarded carpet.

71.17 Subd. 7. Consultation required. (a) The stewardship organization must consult with
stakeholders, including retailers, installers, collectors, recyclers, local government, customers,
and citizens, during development of the stewardship plan; solicit stakeholder comments;
and incorporate stakeholder comments regarding the plan to the extent feasible before
submitting a plan to the agency for review.

71.22 (b) The stewardship organization must invite comments from local governments,
communities, and citizens to report their satisfaction with services, including education and
outreach, provided by the product stewardship program. The information must be submitted
to the agency and used by the agency in reviewing proposed updates or changes to the
stewardship plan.

71.27 Subd. 8. Agency review and approval. (a) Within 90 days after receiving a proposed
stewardship plan, the agency must determine whether the plan complies with subdivision
5 and is sufficient to achieve the goals and requirements of this section. If the agency
approves a plan, the agency must notify the applicant of the plan approval in writing. If the
agency rejects a plan, the agency must notify the applicant in writing of the reasons for
rejecting the plan. An applicant whose plan is rejected by the agency must submit a revised
plan to the agency within 60 days after receiving notice of rejection.
(b) Any proposed changes to a stewardship plan must be approved by the agency in writing.

Subd. 9. Plan availability. All draft stewardship plans must be placed on the agency's website for at least 30 days before agency approval and made available at the agency's headquarters for public review and comment. All approved stewardship plans must be placed on the agency's website while the plan is in effect.

Subd. 10. Conduct authorized. The stewardship organization that organizes collection, transport, and processing of carpet under this section is immune from liability for the conduct under state laws relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce only to the extent that the conduct is necessary to plan and implement the organization's chosen organized collection or recycling system.

Subd. 11. Education materials. (a) Producers of carpet or the stewardship organization must provide retailers, installers, and consumers with educational materials regarding the stewardship assessment and product stewardship program. The materials must include, but are not limited to, information regarding available end-of-life management options for carpet offered through the product stewardship program and information that notifies consumers that a charge for operating the product stewardship program is included in the purchase price of carpet sold in the state.

(b) Each distributor or retailer must provide the educational materials referenced in this subdivision to carpet installation contractors and consumers at the time of purchase or delivery or both.

Subd. 12. Retailer and distributor responsibilities. (a) On and after January 1, 2022, no carpet may be sold in the state unless the carpet's producer is participating in an approved stewardship plan.

(b) Any retailer or distributor may participate, on a voluntary basis, as a designated collection point pursuant to a product stewardship program under this section and in accordance with applicable law.

(c) No retailer or distributor shall be found to be in violation of this section if, on the date the carpet was ordered from the producer or its agent, the producer was listed as compliant on the agency's website, as provided in subdivision 15.

(d) Nothing in this section prohibits a retailer or distributor from selling their inventory of carpet existing prior to January 1, 2022.
Subd. 13. **Stewardship reports.** Beginning March 31, 2023, and each March 31 thereafter, the stewardship organization must submit an annual report to the agency describing the product stewardship program. At a minimum, the report must contain:

1. a description of the methods used to collect, transport, and process carpet in all regions of the state;

2. the weight of all carpet collected in the seven-county metropolitan area and in the remainder of the state and a comparison to the performance goals, recycling rates, and collection infrastructure established in the stewardship plan and, if appropriate, an explanation stating the reason or reasons performance goals were not met;

3. the amount of discarded carpet collected in the state by method of disposition, including reuse, recycling, and other methods of processing, including the amount collected but not reused or recycled, and its methods of ultimate disposition;

4. identification of the facilities processing carpet and the weight processed by type of carpet listed in subdivision 1, clause (3), at each facility;

5. an evaluation of the program's funding mechanism and budget for each program year, including a copy of the independent audit;

6. samples of educational materials provided to consumers and an evaluation of the effectiveness of the materials and the methods used to disseminate the materials;

7. a description of progress made toward achieving carpet design changes in order to achieve the goals listed in subdivision 5, clause (12);

8. an assessment of how the stewardship organization is achieving the goals of this section and the goals established in the stewardship plan, including a discussion of each of the required elements of the stewardship plan under subdivision 5;

9. data necessary to determine whether the amount of the stewardship assessment will be sufficient to achieve the goals of this section and the goals established in the stewardship plan and will properly fund the stewardship program; and

10. other information that the agency may request for the purposes of determining compliance under this section.

Subd. 14. **Sales information.** Sales information provided to the commissioner under this section is classified as private or nonpublic data, as specified in section 115A.06, subdivision 13.
Subd. 15. **Agency responsibilities.** The agency must provide on its website a list of all compliant producers and brands participating in stewardship plans that the agency has approved and a list of all producers and brands the agency has identified as noncompliant with this section.

Subd. 16. **Local government responsibilities.** A city, county, or other public agency may voluntarily participate by serving as a designated collection point by providing education and outreach, or by using other strategies to assist in meeting product stewardship program recycling obligations. A city, county, or other public agency providing voluntary assistance must be reimbursed for all of its expenses by the stewardship organization.

Subd. 17. **Administrative fee.** (a) The stewardship organization submitting a stewardship plan must pay the agency an annual administrative fee. The agency must set the fee at an amount that is adequate to cover the agency's full costs of administering and enforcing this section.

(b) Fees collected under this subdivision are subject to section 16A.1285.

(c) The agency must identify the direct program development or regulatory costs it incurs under this section before the first stewardship plan is submitted and must establish a fee in an amount adequate to cover those costs, which must be paid by the stewardship organization.

(d) The stewardship organization must pay the agency's administrative fee under paragraph (a) on or before July 1, 2021, and annually thereafter, and the agency's onetime development fee under paragraph (c) on or before July 1, 2021. Each year after the initial payment, and notwithstanding paragraph (b), the annual administrative fee may not exceed five percent of the aggregate stewardship assessment collected under subdivision 6 for the preceding calendar year.

Subd. 18. **Account created.** A carpet stewardship account is created as an account in the special revenue fund. All fees collected by the agency from the stewardship organization under this section must be deposited in the account. Any earnings from assets of the account must be credited to the account. Money in the account is appropriated to the commissioner for the purposes of this section.

Subd. 19. **Duty to provide information.** Any producer, distributor, retailer, stewardship organization, or other person must furnish to the agency any information which that person may have or may reasonably obtain that the agency requests for the purposes of determining compliance under this section.
Sec. 42. Minnesota Statutes 2018, section 115A.142, is amended to read:

115A.142 REPORT TO LEGISLATURE AND GOVERNOR.

As part of the report required under section 115A.121, the commissioner of the Pollution Control Agency shall provide a report to the governor and the legislature on the implementation of sections 115A.141 and 115A.1415.

Sec. 43. Minnesota Statutes 2018, section 115A.51, is amended to read:

115A.51 APPLICATION REQUIREMENTS.

(a) Applications for assistance under the program shall demonstrate:

(1) that the project is conceptually and technically feasible;

(2) that affected political subdivisions are committed to implement the project, to provide necessary local financing, and to accept and exercise the government powers necessary to the project;

(3) that operating revenues from the project, considering the availability and security of sources of solid waste and of markets for recovered resources, together with any proposed federal, state, or local financial assistance, will be sufficient to pay all costs over the projected life of the project;

(4) that the applicant has evaluated the feasible and prudent alternatives to disposal, including using existing solid waste management facilities with reasonably available capacity sufficient to accomplish the goals of the proposed project, and has compared and evaluated the costs of the alternatives, including capital and operating costs, and the effects of the alternatives on the cost to generators;

(5) that the applicant has identified:

(i) waste management objectives in applicable county and regional solid waste management plans consistent with section 115A.46, subdivision 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

(ii) other solid waste facilities identified in the county and regional plans; and

(6) that the applicant has conducted a comparative analysis of the project against existing public and private solid waste facilities, including an analysis of potential displacement of those facilities, to determine whether the project is the most appropriate alternative to achieve the identified waste management objectives that considers:

(i) conformity with approved county or regional solid waste management plans;
(ii) consistency with the state's solid waste hierarchy and section 115A.46, subdivision 2, paragraphs (e) and (f), or 473.149, subdivision 1; and

(iii) environmental standards related to public health, air, surface water, and groundwater.

(b) The commissioner may require completion of a comprehensive solid waste management plan conforming to the requirements of section 115A.46, before accepting an application. Within five days of filing an application with the agency, the applicant must submit a copy of the application to each solid waste management facility mentioned in the portion of the application addressing the requirements of paragraph (a), clauses (5) and (6).

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

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Sec. 44. [115A.903] WASTE TIRE FACILITIES OPERATING OUTDOORS: FINANCIAL QUALIFICATIONS.

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

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

(c) "Financial qualification" means the ability of an applicant or permit holder to pay the costs to properly design, construct, operate, maintain, and close a waste tire facility.

(d) "Waste tire facility" means a permitted facility operated by a tire collector or tire processor at which waste tires are stored or processed outdoors.

Subd. 2. Application; financial qualification. (a) An applicant for a permit for a waste tire facility must submit in an application to the commissioner:

1. information demonstrating the applicant's financial qualification to design, construct, operate, maintain, and close a waste tire facility; and

2. cost estimates for:

   (i) site investigation;

   (ii) land acquisition costs, including financing terms and costs;

   (iii) project design;

   (iv) construction;

   (v) operations;

   (vi) maintenance; and

   (vii) facility closing.
As part of the financial qualification review, an applicant must:

1. provide a copy of its most recent audited or reviewed financial statements prepared by a certified public accountant according to generally accepted accounting principles, if the applicant is an operating business prior to application;
2. provide a copy of its owners' personal financial statements, if the applicant is not an operating business prior to application; and
3. demonstrate its financial viability through one or a combination of assets including cash, marketable securities or bonds, or letters of credit or loan commitments from a financial institution that is a member of the Federal Deposit Insurance Corporation (FDIC) or the National Credit Union Administration (NCUA) and is authorized to do business in the United States.

Any person whose assets are used as part of the financial qualification review must be designated as a joint permittee with the applicant on the permit for the facility.

Subd. 3. Financial qualification review. The commissioner may provide to the state auditor a copy of any filing that an applicant for a permit or a permit holder submits to the commissioner to meet the financial qualification requirement under this section. The state auditor must review the filing and provide the commissioner with a written opinion as to the adequacy of the filing to meet the purposes of this section, including any recommended changes.

Subd. 4. Changes affecting financial qualification. (a) To continue to hold a permit for a waste tire facility, a permit holder must maintain financial qualification and must provide any information requested by the commissioner to establish that the permit holder continues to maintain financial qualification. A permit holder must notify the commissioner within 30 days of any significant change in:

1. the identity of any person or structure of the business entity that holds the permit for the facility;
2. the identity of any person or structure of the business entity that owns or operates the facility; or
3. assets of the permit holder, owner, or operator of the facility.

(b) A change is significant under paragraph (a) if the change:

1. has the potential to affect the financial qualification of the permit holder, owner, or operator; or
(2) would result in a change in the identity of the permit holder, owner, or operator for purposes of financial qualification.

The commissioner may, after reviewing the changes, require the permit holder to reestablish financial qualification and may modify or revoke a permit or require issuance of a new permit.

Subd. 5. Application. (a) The financial qualification requirements of this section apply only in the first ten years of operation of a waste tire facility permitted in the state.

(b) This section does not apply to political subdivisions operating a waste tire facility.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to waste tire facilities issued a permit on or after that date.

Sec. 45. [115B.172] NATURAL RESOURCES DAMAGES ACCOUNT.

Subdivision 1. Establishment. The natural resources damages account is established as an account in the remediation fund.

Subd. 2. Revenues. The account consists of money from the following sources:

(1) revenue from actions taken to recover natural resources damages under section 115B.17, subdivision 7, or any other law, unless otherwise specified in the settlement agreement;

(2) appropriations and transfers to the account as provided by law;

(3) interest earned on the account; and

(4) money received by the commissioner of the Pollution Control Agency or the commissioner of natural resources for deposit in the account in the form of a gift or grant.

Subd. 3. Expenditures. (a) Money in the account is appropriated to the commissioner of natural resources for the purposes authorized in section 115B.20, subdivision 2, clause (4).

(b) The commissioner of management and budget must allocate the amounts available in any biennium to the commissioner of natural resources for the purposes of this section based upon work plans submitted by the commissioner of natural resources and may adjust those allocations if revised work plans are submitted. Copies of the work plans must be submitted to the chairs of the house of representatives and senate committees and divisions having jurisdiction over environment and natural resources finance.
Subd. 4. **Report.** By November 1 each year, the commissioner of natural resources must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources policy and finance on expenditures from the natural resources damages account during the previous fiscal year.

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

Sec. 46. Minnesota Statutes 2018, section 115B.421, is amended to read:

**115B.421 CLOSED LANDFILL INVESTMENT FUND.**

The closed landfill investment fund is established in the state treasury. The fund consists of money credited to the fund, and interest and other earnings on money in the fund. Beginning July 1, 2003, funds must be deposited as described in section 115B.445. The fund shall be managed to maximize long-term gain through the State Board of Investment. Money in the fund is appropriated to the commissioner and may be spent by the commissioner after fiscal year 2020 in accordance with sections 115B.39 to 115B.444.

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

Sec. 47. Minnesota Statutes 2018, section 116.02, is amended to read:

**116.02 POLLUTION CONTROL AGENCY; CREATION AND POWERS.**

Subdivision 1. **Creation.** A pollution control agency, designated as the Minnesota Pollution Control Agency, is hereby created. The agency consists of the commissioner and eight members appointed by the governor, by and with the advice and consent of the senate. One member must be a person knowledgeable in the field of agriculture, and one must be a representative of organized labor.

Subd. 2a. **Terms, compensation, removal, vacancies.** The membership terms, compensation, removal of members, and filling of vacancies on the agency is as provided in section 15.0575.

Subd. 3a. **Membership.** The membership of the Pollution Control Agency must be broadly representative of the skills and experience necessary to effectuate the policy of sections 116.01 to 116.075, except that no member other than the commissioner may be an officer or employee of the state or federal government. Only two members at one time may be officials or employees of a municipality or any governmental subdivision, but neither may be a member ex officio or otherwise on the management board of a municipal sanitary sewage disposal system.
Subd. 4a. **Chair.** The commissioner serves as chair of the agency. The agency elects other officers as the agency deems necessary.

Subd. 5. **Agency successor to commission.** The Pollution Control Agency is the successor of the Water Pollution Control Commission, and all powers and duties now vested in or imposed upon said commission by chapter 115, or any act amendatory thereof or supplementary thereto, are hereby transferred to, imposed upon, and vested in the commissioner of the Minnesota Pollution Control Agency.

Subd. 6a. **Required decisions.** The agency must make final decisions on the following matters:

1. a petition for preparing an environmental assessment worksheet, if the project proposer or a person commenting on the proposal requests that the decision be made by the agency and the agency requests that it make the decision under subdivision 8a;

2. the need for an environmental impact statement following preparation of an environmental assessment worksheet under applicable rules, if:
   i. the agency has received a request for an environmental impact statement;
   ii. the project proposer or a person commenting on the proposal requests that the declaration be made by the agency and the agency requests that it make the decision under subdivision 8a; or
   iii. the commissioner is recommending preparation of an environmental impact statement;

3. the scope and adequacy of environmental impact statements;

4. issuing, reissuing, modifying, or revoking a permit if:
   i. a variance is sought in the permit application or a contested case hearing request is pending; or
   ii. the permit applicant, the permittee, or a person commenting on the permit action requests that the decision be made by the agency and the agency requests that it make the decision under subdivision 8a;

5. final adoption or amendment of agency rules for which a public hearing is required under section 14.25 or for which the commissioner decides to proceed directly to a public hearing under section 14.14, subdivision 1;

6. approving or denying an application for a variance from an agency rule if:
(i) granting the variance request would change an air, soil, or water quality standard;

(ii) the commissioner determines that granting the variance would have a significant environmental impact; or

(iii) the applicant or a person commenting on the variance request requests that the decision be made by the agency and the agency requests that it make the decision under subdivision 8a; and

(7) whether to reopen, rescind, or reverse a decision of the agency.

Subd. 7a. Additional decisions. The commissioner may request that the agency make additional decisions or provide advice to the commissioner.

Subd. 8a. Other actions. (a) Any other action not specifically within the authority of the commissioner must be made by the agency if:

(1) before the commissioner's final decision on the action, one or more members of the agency notify the commissioner of their request that the decision be made by the agency; or

(2) any person submits a petition to the commissioner requesting that the decision be made by the agency and the commissioner grants the petition.

(b) If the commissioner denies a petition submitted under paragraph (a), clause (2), the commissioner must advise the agency and the petitioner of the reasons for the denial.

Subd. 9a. Informing public. The commissioner must inform interested persons as appropriate in public notices and other public documents of their right to request the agency to make decisions in specific matters according to subdivision 6a and the right of agency members to request that decisions be made by the agency according to subdivision 8a. The commissioner must regularly inform the agency of activities that have broad policy implications or potential environmental significance and of activities in which the public has exhibited substantial interest.

Subd. 11. Changing decisions. (a) The agency must not reopen, rescind, or reverse a decision of the agency except upon:

(1) the affirmative vote of two-thirds of the agency; or

(2) a finding that there was an irregularity in a hearing related to the decision, an error of law, or a newly discovered material issue of fact.

(b) The requirements in paragraph (a) are minimum requirements and do not limit the agency's authority under sections 14.06 and 116.07, subdivision 3, to adopt rules:
(1) applying the requirement in paragraph (a), clause (1) or (2), to certain decisions of
the agency; or

(2) establishing additional or more stringent requirements for reopening, rescinding, or
reversing decisions of the agency.

Sec. 48. Minnesota Statutes 2018, section 116.03, subdivision 1, is amended to read:

Subdivision 1. Office. (a) The Office of Commissioner of the Pollution Control Agency
is created and is under the supervision and control of the commissioner, who is appointed
by the governor under the provisions of section 15.06.

(b) The commissioner may appoint a deputy commissioner and assistant commissioners
who shall be in the unclassified service.

(c) The commissioner shall make all decisions on behalf of the agency that are not
required to be made by the agency under section 116.02.

Sec. 49. Minnesota Statutes 2018, section 116.03, subdivision 2a, is amended to read:

Subd. 2a. Mission; efficiency. It is part of the agency's mission that, within the agency's
resources, the commissioner and the members of the agency shall endeavor to:

(1) prevent the waste or unnecessary spending of public money;

(2) use innovative fiscal and human resource practices to manage the state's resources
and operate the agency as efficiently as possible;

(3) coordinate the agency's activities wherever appropriate with the activities of other
governmental agencies;

(4) use technology where appropriate to increase agency productivity, improve customer
service, increase public access to information about government, and increase public
participation in the business of government;

(5) utilize constructive and cooperative labor-management practices to the extent
otherwise required by chapters 43A and 179A;

(6) report to the legislature on the performance of agency operations and the
accomplishment of agency goals in the agency's biennial budget according to section 16A.10,
subdivision 1; and

(7) recommend to the legislature appropriate changes in law necessary to carry out the
mission and improve the performance of the agency.
Sec. 50. Minnesota Statutes 2018, section 116.155, subdivision 1, is amended to read:

Subdivision 1. **Creation.** The remediation fund is created as a special revenue fund in the state treasury to provide a reliable source of public money for response and corrective actions to address releases of hazardous substances, pollutants or contaminants, agricultural chemicals, and petroleum, and for environmental response actions at qualified landfill facilities for which the agency has assumed such responsibility, including perpetual care of such facilities. The specific purposes for which the general portion of the fund may be spent are provided in subdivision 2. In addition to the general portion of the fund, the fund contains **three** accounts described in subdivisions 4 to 5a **five**.

Sec. 51. Minnesota Statutes 2018, section 116.155, subdivision 3, is amended to read:

**Subd. 3. Revenues.** The following revenues shall be deposited in the general portion of the remediation fund:

1. *response costs and natural resource damages* related to releases of hazardous substances, or pollutants or contaminants, recovered under sections 115B.17, **subdivisions 6 and 7**, 115B.443, 115B.444, or any other law;

2. money paid to the agency or the Agriculture Department by voluntary parties who have received technical or other assistance under sections 115B.17, subdivision 14, 115B.175 to 115B.179, and 115C.03, subdivision 9;

3. money received in the form of gifts, grants, reimbursement, or appropriation from any source for any of the purposes provided in subdivision 2, except federal grants; and

4. interest accrued on the fund.

Sec. 52. Minnesota Statutes 2018, section 116.155, is amended by adding a subdivision to read:

**Subd. 5b. Natural resources damages account.** The natural resources damages account is as described in section 115B.172.

Sec. 53. [116.2025] **SALT APPLICATORS; VOLUNTARY CERTIFICATION PROGRAM.**

**Subdivision 1. Definitions.** For purposes of this section, the following terms have the meanings given:
(1) "certified commercial applicator" means an individual who applies deicer, completed training on snow and ice removal and deicer application approved by the commissioner, and passed an examination after completing the training;

(2) "commercial applicator" means an individual who applies deicer for hire, but does not include a municipal, state, or other government employee;

(3) "deicer" means any substance used to melt snow and ice, or used for its anti-icing effects, on privately owned surfaces traveled by pedestrians and vehicles; and

(4) "owner" means a person that owns or leases real estate and that enters into a written contract with a certified commercial applicator for snow and ice removal and deicer application.

Subd. 2. Voluntary certification program; best management practices. (a) The commissioner of the Pollution Control Agency must develop a training program that promotes best management practices for snow and ice removal and deicer application that protect water quality and allows commercial applicators to obtain certification as a water-friendly applicator. The commissioner must certify a commercial applicator as a water-friendly applicator if the applicator successfully completes the program and passes the examination.

(b) The commissioner, in consultation with the University of Minnesota, must provide additional training under this section for certified commercial applicators renewing certification after their initial training and certification.

(c) The commissioner, in consultation with the University of Minnesota, must provide the training and testing module at locations statewide and may make the recertification training available online.

(d) The commissioner, in consultation with the University of Minnesota, must annually post the best management practices and a list of certified commercial applicators on the agency's website.

(e) The commissioner may charge a fee of no more than $350 per certified commercial applicator for the training or recertification under this section. Fees collected under this subdivision must be deposited in the environmental fund.

Subd. 3. Liability. (a) A certified commercial applicator or an owner is not liable for damages arising from hazards resulting from the accumulation of snow and ice on any real estate maintained by the certified commercial applicator when the hazard is solely caused by snow or ice and the certified commercial applicator used the best management practices for snow and ice removal and deicing approved by the commissioner.
(b) Nothing in paragraph (a) prevents or limits the liability of a certified commercial applicator or owner if the certified commercial applicator or owner:

1. commits an act or omission that constitutes negligence or willful or wanton disregard for the safety of entrants onto real estate of the owner that is maintained by the certified commercial applicator and that act or omission proximately causes injury, damage, or death;

2. has actual knowledge or reasonably should have known of a dangerous condition on the real estate of the owner maintained by the certified commercial applicator;

3. intentionally injures an entrant on real estate of the owner that is maintained by the certified applicator; or

4. fails to comply with the best management practices for snow and ice removal and deicer application approved by the commissioner.

(c) The liability of a commercial applicator who applies deicer but is not certified under this section may not be determined under the standards provided in this subdivision.

Subd. 4. **Record keeping.** A certified commercial applicator must maintain the following records as part of the best management practices approved by the commissioner:

1. a copy of the applicator's certification approved by the commissioner and any recertification;

2. evidence of passing the examination approved by the commissioner;

3. copies of the winter maintenance assessment tool requirements developed by the commissioner;

4. a written record describing the road, parking lot, and property maintenance practices used. The written record must include the type and rate of application of deicer used, the dates of treatment, and the weather conditions for each event requiring deicing. The records must be kept for a minimum of six years; and

5. proof of compliance with the reporting requirements under subdivision 7.

Subd. 5. **Penalty.** The commissioner may revoke or decline to renew the certification of a commercial applicator who violates this section or rules adopted under this section.

Subd. 6. **Relation to other law.** Nothing in this section affects municipal liability under section 466.03.
Subd. 7. **Reporting required.** By July 1 each year, a certified commercial applicator must submit to the commissioner on a form prescribed by the commissioner the amounts and types of deicers used in the previous calendar year.

Subd. 8. **Expiration.** This section expires August 1, 2026.

**EFFECTIVE DATE.** This section is effective August 1, 2019, and applies to claims arising on or after that date.

Sec. 54. **[116U.60] MINNESOTA OUTDOOR RECREATION OFFICE.**

Subdivision 1. **Office established.** The Minnesota Outdoor Recreation Office is established as an office in Explore Minnesota Tourism. The governor, in consultation with the commissioners of natural resources and employment and economic development, must appoint the director of the Minnesota Outdoor Recreation Office.

Subd. 2. **Purpose.** The purpose of the Minnesota Outdoor Recreation Office is to promote and increase participation in outdoor recreation by all Minnesota citizens by:

1. supporting the outdoor recreation economy of Minnesota and working toward equitable and inclusive access to the outdoors;
2. creating and developing an inventory of existing public and private resources promoting outdoor recreation;
3. coordinating outdoor recreation policy and management among state and federal agencies and local government entities;
4. assisting in promoting and marketing opportunities and events for outdoor recreation;
5. assisting the Department of Employment and Economic Development in supporting outdoor recreation businesses and providing technical assistance with resources and opportunities for economic development;
6. developing strategies to recruit and grow outdoor recreation businesses and to enhance recreation-related employment in Minnesota;
7. promoting outdoor recreation opportunities for people with disabilities;
8. promoting education and use of outdoor recreation assets to enhance public health;
9. supporting outdoor recreation programs at Minnesota educational institutions;
10. collecting data on the impact of outdoor recreation in the state and the accessibility of natural resources for underserved populations; and
(11) recommending initiatives to increase access to outdoor recreational amenities and experiences.

Subd. 3. Account; donations. The director of the Minnesota Outdoor Recreation Office may accept gifts and grants for purposes related to the duties of the Minnesota Outdoor Recreation Office. Money received by the director from gifts and grants is deposited in an account in the special revenue fund and appropriated to the director for the purposes specified in the gift or grant.

Subd. 4. Strategic plan. By January 15, 2020, the director of the Minnesota Outdoor Recreation Office must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over Explore Minnesota Tourism and environment and natural resources policy and finance that contains a strategic plan for the Minnesota Outdoor Recreation Office. In developing the strategic plan, the director must consult with the Explore Minnesota Tourism Council; the commissioners of natural resources, health, transportation, and employment and economic development; and the chairs and ranking minority members or their designees of the house of representatives and senate committees and divisions with jurisdiction over Explore Minnesota Tourism and environment and natural resources policy and finance.

Subd. 5. Consultation and cooperation. (a) The director of the Minnesota Outdoor Recreation Office must consult with the Explore Minnesota Tourism Council in carrying out the purposes of the Minnesota Outdoor Recreation Office.

(b) Explore Minnesota Tourism and the commissioners of natural resources, health, transportation, and employment and economic development must cooperate with the director of the Minnesota Outdoor Recreation Office in fulfilling the duties of the Minnesota Outdoor Recreation Office as they relate to the purposes of the respective office or agencies.

Subd. 6. Report. By January 1, 2021, and each year thereafter, the director of the Minnesota Outdoor Recreation Office must submit an annual report to the legislature on the donations received, accomplishments, recommendations, and findings of the Minnesota Outdoor Recreation Office from the preceding fiscal year.

Subd. 7. Regulatory authority. Nothing contained in this section supplants or impacts the regulatory authority of other state agencies.

Sec. 55. Minnesota Statutes 2018, section 127A.353, subdivision 1, is amended to read:

Subdivision 1. Appointment. The school trust lands director shall be appointed by the governor. The commissioner of natural resources shall provide human resources, payroll,
accounting, procurement, and other similar administrative services to the school trust lands
director. The director's appointment is subject to the advice and consent of the senate.

Sec. 56. Minnesota Statutes 2018, section 325F.071, is amended to read:

**325F.071 FLAME-RETARDANT CHEMICALS; PROHIBITION.**

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

(b) "Child" means a person under 12 years of age.

(e) "Children's product" means a product primarily designed or intended by a
manufacturer to be used by or for a child, including any article used as a component of such
a product, but excluding a food, beverage, dietary supplement, pharmaceutical product or
biologic, children's toys that are subject to the most recent version of the American Society
medical device as defined in the Federal Food, Drug, and Cosmetic Act, United States Code,
title 21, section 321(h), products listed under section 116.9405, clauses (10) and (11), and
products listed under sections 325F.03 and 325F.04.

(d) "PFAS" means perfluoroalkyl and polyfluoroalkyl substances.

(e) "Residential or business textile" means a textile designed for use in the home,
businesses, or places of lodging as a covering on windows, walls, or floors. Residential or
business textile includes carpeting and carpet padding.

(f) "Upholstered residential furniture" means furniture with padding, coverings, and
cushions intended and sold for use in the home or places of lodging.

Subd. 2. Flame-retardant chemicals; prohibition. (a) On and after July 1, 2018, no
manufacturer or wholesaler may manufacture, sell, offer for sale, distribute for sale, or
distribute for use in this state a children's product or, upholstered residential furniture, a
residential or business textile, or a mattress containing, in amounts greater than 1,000 parts
per million in any product component, the following flame retardants: any halogenated,
phosphorus-based, nitrogen-based, and nanoscale flame retardants.

(1) TDCPP (tris(1, 3-dichloro-2-propyl)phosphate), Chemical Abstracts Service number
13674-87-8;

(2) decabromodiphenyl ether, Chemical Abstracts Service number 1163-19-5;

(3) hexabromocyclododecane, Chemical Abstracts Service number 25637-99-4; and
(4) TCEP (tris(2-chloroethyl)phosphate), Chemical Abstracts Service number 115-96-8.

(b) On and after July 1, 2019, no retailer may sell or offer for sale or use in this state a children's product or upholstered residential furniture, a residential or business textile, or a mattress containing in amounts greater than 1,000 parts per million in any product component the flame retardant chemicals listed in paragraph (a).

(c) The sale or offer for sale of any previously owned product containing a chemical restricted under this section is exempt from the provisions of this section.

Subd. 3. Flame-retardant chemicals; replacement chemicals. A manufacturer shall not replace a chemical whose use is prohibited under this section with a chemical identified on the basis of credible scientific evidence by a state, federal, or international agency as being known or suspected with a high degree of probability to:

1. harm the normal development of a fetus or child or cause other developmental toxicity;
2. cause cancer, genetic damage, or reproductive harm;
3. disrupt the endocrine or hormone system; or
4. damage the nervous system, immune system, or organs, or cause other systemic toxicity.

Subd. 4. Firefighting foam. Beginning July 1, 2020, a manufacturer or wholesaler may only manufacture, sell, offer for sale, distribute for sale, or distribute for use in this state class B firefighting foam that contains intentionally added PFAS to oil refineries, oil and petroleum terminals, and airports.

Subd. 5. Training exercises. Class B firefighting foam that contains intentionally added PFAS must not be used in training exercises, including at oil refineries, oil and petroleum terminals, and airports.

Subd. 6. Enforcement. The commissioner of the Pollution Control Agency must enforce compliance with this section under sections 115.071 and 116.072. The commissioner must coordinate with the commissioners of commerce and health in enforcing this section to aid in the law enforcement process or promote public health. Coordination includes but is not limited to investigation, enforcement and sharing related data among the agencies in the course of those processes, and using each agency's investigative and enforcement authorities, where they are applicable.
90.1 **EFFECTIVE DATE.** (a) The amendments to subdivision 2, paragraph (a), are effective July 1, 2020.

90.3 (b) The amendments to subdivision 2, paragraph (b), are effective July 1, 2021.

90.4 Sec. 57. **TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

90.5 The commissioner of natural resources must not renew or transfer a turtle seller's license after the effective date of this section.

90.6 Sec. 58. **CHRONIC WASTING DISEASE ADOPT-A-DUMPSTER PROGRAM; DEER CARCASS HANDLING GUIDELINES.**

90.9 (a) The commissioner of natural resources must establish a chronic wasting disease adopt-a-dumpster program to provide dumpsters dedicated to disposing of deer carcasses in areas where chronic wasting disease has been detected. The commissioner must work with solid waste haulers and other interested parties and encourage volunteer support to ensure the dumpsters are located at convenient locations with appropriate signage, lined, and maintained. The commissioner must ensure the carcasses collected are properly disposed of to minimize the spread of chronic wasting disease.

90.17 (b) The commissioner of natural resources, in consultation with the commissioners of health and the Pollution Control Agency, must develop guidelines to prevent the spread of chronic wasting disease and protect public health that take into consideration infectious waste as defined under Minnesota Statutes, section 116.76, subdivision 12:

90.21 (1) for hunters for handling deer in the field and transporting and disposing of carcasses;

90.23 (2) for solid waste facilities and solid waste haulers for proper handling, transportation, and disposal of deer carcasses; and

90.25 (3) for taxidermists and meat processors for proper handling, processing, and disposal of deer carcasses.

90.26 (c) By January 15, 2020, the commissioner of natural resources must submit a report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources with the results of the program developed under paragraph (a) and the guidelines developed under paragraph (b).
Sec. 59. **REVISOR INSTRUCTION.**

The revisor of statutes shall renumber Minnesota Statutes, section 85.012, subdivision 49, as subdivision 58a, and include the history of the current subdivision 49 under the new subdivision 58a.

Sec. 60. **REPEALER.**

(a) Minnesota Statutes 2018, section 97C.605, subdivisions 2, 2a, 2b, and 5, are repealed.

(b) Laws 2015, First Special Session chapter 4, article 4, section 149, is repealed.

(c) Minnesota Rules, part 6256.0500, subparts 2, 2a, 2b, 4, 5, 6, 7, and 8, are repealed.
Subd. 2. **Turtle seller's license.** (a) A person may not take, possess, buy, or transport turtles for sale; sell turtles; or take turtles for sale using commercial equipment without a turtle seller's license, except as provided in subdivision 2c.

(b) Except for renewals, no new turtle seller's licenses may be issued after August 1, 2002.

(c) A turtle seller's license is transferable by the turtle seller licensee by making application to the commissioner. A turtle seller's license may be transferred only once under this paragraph and the transfer must be to a child of the person holding the turtle seller's license.

Subd. 2a. **Recreational turtle license.** A person who does not possess a turtle seller's license must obtain a recreational turtle license to take turtles for personal use with commercial equipment.

Subd. 2b. **Turtle seller's apprentice license.** (a) A person with a turtle seller's license may list one person as an apprentice on the license. A person acting as an apprentice for a turtle seller licensee must have an apprentice license and may assist the turtle licensee in all licensed activities.

(b) The turtle seller licensee or turtle seller's apprentice licensee must be present at all turtle operations conducted under the turtle seller's license. Turtle operations include going to and from turtle harvest locations; setting, lifting, and removing commercial turtle equipment; taking turtles out of equipment; and transporting turtles from harvest locations.

(c) A turtle seller's apprentice license is transferable by the turtle seller licensee by making application to the commissioner. A person listed as an apprentice by a turtle seller licensee must not be listed as an apprentice by another turtle seller licensee nor may an apprentice possess a turtle seller's license or a recreational turtle license.

Subd. 5. **Interfering with commercial or recreational turtle operations.** A person may not:

(1) knowingly place or maintain an obstruction that will hinder, prevent, or interfere with a licensed turtle operation;

(2) remove turtles, other wild animals, or fish from a floating or submerged trap licensed under the game and fish laws; or

(3) knowingly damage, disturb, or interfere with a licensed turtle operation.
Sec. 149. REVISOR'S INSTRUCTION.

The revisor of statutes shall prepare draft legislation to amend statutes to conform with structural changes to the Minnesota Pollution Control Agency under sections 114 to 117 and 150. The revisor shall submit the proposed legislation to the chairs of the house of representatives and senate committees with jurisdiction over environment policy by January 1, 2016.
6256.0500 TAKING TURTLES.

Subp. 2. Equipment. Turtles may be taken by a person possessing a turtle seller's, turtle seller's apprentice, or recreational turtle license by means of floating or submerged turtle traps, turtle hooks, and other commercial fishing gear authorized by the commissioner. Traps must not exceed five feet in width, four feet in height, and eight feet in length.

Subp. 2a. Submerged turtle traps. Submerged traps must be constructed of either flexible webbing or wire. Flexible webbing traps must be of mesh size not less than 3-1/2 inches bar measure or seven inches stretch measure. Wire traps must be of mesh size not less than two inches by four inches bar measure and must have at least one square opening in the top panel measuring at least four inches on a side and two of the same dimension on each of the side panels near the top of the trap. A trap must be set in water shallow enough so that the top of the trap is at least level with the water surface.

Subp. 2b. Floating turtle traps. Floating traps must have: (1) one or more openings above the water surface that measure at least ten inches by four inches; and (2) a mesh size of not less than one-half inch bar measure.

Subp. 4. Operation of turtle trap. Each submerged trap must be checked and emptied at intervals not exceeding 48 hours and each floating trap must be checked and emptied at intervals not exceeding 120 hours. A turtle seller licensee or turtle seller's apprentice operating under a turtle seller's license may not operate more than 40 submerged turtle traps. A turtle seller's apprentice is not entitled to any traps in addition to those of the turtle seller. A recreational turtle licensee may not operate more than three turtle traps.

Subp. 5. Required marking of turtle traps.

A. When in use, each turtle trap must have affixed on it a tag of permanent material visible from above, legibly bearing the name, address, and license number of the operator. This information must be recorded in an indelible manner on the tag. The tag must be of dimensions not less than 2-1/2 inches in length by five-eighths inch in width.

B. The commissioner shall issue 40 submerged turtle trap identification tags to a turtle seller licensee and three recreational turtle trap identification tags to a recreational turtle licensee. Tags must be attached to submerged and recreational traps at all times. Lost tags must be reported within 48 hours to the local conservation officer or the commercial fisheries program consultant. The commissioner may reissue tags upon request.

Subp. 6. Turtles taken incidental to other operations. Turtles listed in subpart 1 that are taken incidental to other commercial fishing operations may be possessed, transported, and sold, provided the operator is a holder of a turtle seller's license.

Subp. 7. Required reporting by turtle seller; record keeping.

A. A holder of a turtle seller's license must submit reports, on forms provided by the commissioner, to the address identified on the form by the tenth day of each month for the preceding month for the months of March through November, whether or not any equipment was used to take turtles.

B. In the report required in item A, the licensee must record daily operations, including separate entries for each water body. The records must include water body location, equipment used, numbers and pounds of each species of turtles taken, numbers of each species of turtles released at that water body, and other information about the operation as specified on the form provided by the commissioner. The records must be kept current within 48 hours of the last daily operation.

C. A license shall not be renewed until all of the licensee's monthly reports for the previous calendar year are submitted and received at the address identified on the form.

Subp. 8. Report on buying turtles for resale. A licensee who buys turtles for resale or for processing and resale must keep a correct and complete book record of all transactions and activities covered in the license, not inconsistent with Minnesota Statutes, section 3R.
97A.425. Copies of the shipping documents for turtles being sent out of state must be part of and included with the monthly reports required under subpart 7.