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; modifying provisions for certain
grants for outdoor recreation; modifying game and fish law; providing for removal
of beavers and beaver dams causing damage; banning certain insecticides in wildlife
management areas; modifying school trust lands; extending citizen oversight
committees; modifying groundwater use permitting; requiring a model ordinance
pertaining to silica sand mines; requiring rulemaking; amending Minnesota Statutes
2018, sections 16A.151, subdivision 2; 16A.152, subdivision 2; 17.035, subdivision
1; 84.026, by adding a subdivision; 84.027, subdivision 18; 84.0895, by adding a
subdivision; 84.788, subdivision 2; 84.794, subdivision 2; 84.83, subdivision 3;
84D.15; 85.012, subdivision 49; 85.44; 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; 92.50, subdivision 1; 97A.015, subdivisions 25, 43;
97A.055, subdivisions 4, 4b; 97A.065, subdivision 6; 97A.075, subdivision 1;
97A.126; 97A.321, subdivision 1; 97A.405, by adding a subdivision; 97A.475,
subdivisions 3a, 4, 11; 97B.011; 97B.081, subdivision 3; 97B.205; 97B.655;
97B.665, by adding a subdivision; 97B.667, subdivisions 2, 3, 4, by adding a
subdivision; 97C.605, subdivisions 1, 2a, 3; 103G.241, subdivisions 1, 3; 103G.287,
subdivision 1; 103G.301, subdivision 2; 103G.311, subdivisions 2, 5; 103G.315,
subdivision 8; 103G.408; 103G.615, subdivision 3a; 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 2013, chapter 114, article
4, section 105, as amended; 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; 92; 97A; 97B; 103F; 115A; 115B;
116; 116U; repealing Minnesota Statutes 2018, sections 92.121; 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></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 $104,873,000 $103,365,000

Appropriations by Fund

<table>
<thead>
<tr>
<th></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>
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</tr>
<tr>
<td>Special Revenue</td>
<td>75,000</td>
<td>75,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>81,110,000</td>
<td>82,440,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>14,110,000</td>
<td>14,110,000</td>
</tr>
<tr>
<td>Closed Landfill</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Investment</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 13,468,000 13,308,000

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>596,000</td>
<td>346,000</td>
</tr>
</tbody>
</table>

Article 1 Sec. 2. 2
Environmental Remediation

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

(1) a municipal liaison to assist municipalities in implementing and participat

(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 one-time appropriation.

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

Subd. 3. **Industrial**

<table>
<thead>
<tr>
<th>Appropriations by Fund</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>

(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.

(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.

Subd. 4. **Municipal**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>8,232,000</td>
<td>7,859,000</td>
</tr>
</tbody>
</table>
6.1 General 164,000 164,000
6.2 Environmental 8,068,000 7,695,000
6.3 (a) $164,000 the first year and $164,000 the second year are for:
6.4 (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;
6.5 (2) enhanced economic analysis in the rulemaking process for water quality standards, including more-specific analysis and identification of cost-effective permitting;
6.6 (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
6.7 (4) coordinating with the Public Facilities Authority to identify and advocate for the resources needed for municipalities to achieve permit requirements.
6.8 (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.
6.9 (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

Article 1 Sec. 2.
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 year does not cancel but is available in the second year.

(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

7,526,000  8,337,000
Appropriations by Fund

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

(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>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>216,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>832,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>11,846,000</td>
</tr>
<tr>
<td>Closed Landfill Investment</td>
<td>1,622,000</td>
</tr>
</tbody>
</table>

(a) All money for environmental response, compensation, and compliance in the 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>
<td>75,000</td>
<td>75,000</td>
</tr>
<tr>
<td>Special Revenue</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

Appropriations by Fund

<table>
<thead>
<tr>
<th>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 and is available until June 30, 2021. 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**

<table>
<thead>
<tr>
<th>Appropriations by Fund</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>112,364,000</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**

<table>
<thead>
<tr>
<th>Appropriations by Fund</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

<table>
<thead>
<tr>
<th>Appropriations by 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.

(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 290.431, $100,000 the first year and $100,000 the second year may be used for nongame wildlife information, education, and promotion.

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

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

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

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

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

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

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

(6) information technology, including electronic permitting and integrated data systems; and
21.1 (7) compliance and monitoring.

21.2 (l) $410,000 the first year and $410,000 the second year are from the heritage enhancement account in the game and fish fund for grants 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.

21.14 (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.

21.18 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>
</tr>
<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>

21.24 (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 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

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>27,143,000</td>
<td>27,480,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>62,650,000</td>
<td>59,706,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>2,292,000</td>
<td>2,300,000</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 increased operations at Hill-Annex Mine State Park in fiscal years 2020 to 2023. 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 bridge on the Mississippi River Northwoods Trail across Sand Creek located five miles northeast of Brainerd along the Mississippi River.

(r) $75,000 the first year is from the off-highway motorcycle account in the natural resources fund to complete a master plan for off-highway motorcycle trail planning and development.

Subd. 6. Fish and Wildlife Management

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>2,060,000</td>
<td>1,460,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>1,954,000</td>
<td>1,982,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>74,222,000</td>
<td>75,628,000</td>
</tr>
</tbody>
</table>

(a) $8,539,000 the first year and $8,658,000 the second year are from the heritage enhancement account in the game and fish fund only for activities specified under Minnesota Statutes, section 297A.94, paragraph (h), clause (1). Notwithstanding Minnesota Statutes, section 297A.94, five percent of this appropriation may be used for expanding hunter and angler recruitment and retention.

(b) $2,060,000 the first year and $1,460,000 the second year are for planning for and emergency response to disease outbreaks in wildlife. Of this amount, $50,000 the first year is to establish a chronic wasting disease adopt-a-dumpster program; $50,000 the first year is to develop guidelines for handling, transporting, processing, and disposing of deer carcasses as required in this act; and $500,000
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>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>7,632,000</td>
<td>8,175,000</td>
</tr>
<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 3,000,000 2,350,000

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>2,850,000</td>
<td>2,350,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>150,000</td>
<td>-0-</td>
</tr>
</tbody>
</table>

(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.

(c) $150,000 the first year is from the water recreation account in the natural resources fund for programming costs required for the new watercraft licensing categories established in this act.

Subd. 9. **Pass Through Funds**

**Appropriations by Fund**

<table>
<thead>
<tr>
<th></th>
<th>2020</th>
<th>2021</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>187,000</td>
<td>187,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>380,000</td>
<td>380,000</td>
</tr>
<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. 10. **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 10 is effective the day following final enactment.

Sec. 4. BOARD OF WATER AND SOIL RESOURCES

(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 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
onetime 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  $  9,140,000  $  9,140,000
Appropriations by Fund

2020  2021
General  2,540,000  2,540,000
Natural Resources  6,600,000  6,600,000

(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

$  945,000  $  945,000

Appropriations by Fund

2020  2021
General  455,000  455,000
Natural Resources  490,000  490,000

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

$  10,394,000  $  9,999,000

Appropriations by Fund

2020  2021
General  10,204,000  9,809,000
Natural Resources  190,000  190,000
(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

Sec. 9. EXPLORE MINNESOTA TOURISM

$14,394,000

$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.
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 $ -0-

$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.
ARTICLE 2
ENVIRONMENT AND NATURAL RESOURCES

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
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
der was taken, and a receipt for the deer from the charitable organization.

Sec. 5. Minnesota Statutes 2018, section 84.026, is amended by adding a subdivision to
read:

Subd. 4. Paying grant-eligible expenditures. Notwithstanding section 16A.41, the
commissioner may make payments for otherwise eligible grant-program expenditures that
are made on or after the effective date of the appropriation that funds the payments for:

(1) grants-in-aid under sections 84.794, 84.803, 84.83, 84.927, and 85.44;

(2) local recreation grants under section 85.019; and

Article 2 Sec. 5.
Sec. 6. Minnesota Statutes 2018, section 84.027, subdivision 18, is amended to read:

Subd. 18. Permanent school fund authority; reporting. (a) The commissioner of natural resources has the authority and responsibility for the administration of school trust lands under sections 92.121, 92.122, and 127A.31. The commissioner shall biannually report to the Legislative Permanent School Fund Commission and the legislature on the management of the school trust lands that shows how the commissioner has and will continue to achieve the following goals:

1. manage the school trust lands efficiently and in a manner that reflects the undivided loyalty to the beneficiaries consistent with the commissioner’s fiduciary duties;
2. reduce the management expenditures of school trust lands and maximize the revenues deposited in the permanent school trust fund;
3. manage the sale, exchange, and commercial leasing of school trust lands, requiring returns of not less than fair market value, to maximize the revenues deposited in the permanent school trust fund and retain the value from the long-term appreciation of the school trust lands;
4. manage the school trust lands to maximize the long-term economic return for the permanent school trust fund while maintaining sound natural resource conservation and management principles;
5. optimize school trust land revenues and maximize the value of the trust consistent with the balancing of short-term and long-term interests, so that long-term benefits are not lost in an effort to maximize short-term gains; and
6. maintain the integrity of the trust and prevent the misapplication of its lands and its revenues.

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

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

(d) When future management practices, policies, or designations or policies by the
commissioner diminish or prohibit the long-term economic return on school trust land, the
conflict shall must be resolved by compensating the permanent school fund through an
exchange or purchase of the lands before designation or application of the policy as provided
in section 92.122.

Sec. 7. 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. 8. [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. 9. 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. 10. Minnesota Statutes 2018, section 84.794, subdivision 2, is amended to read:

Subd. 2. Purposes.
(a) Subject to appropriation by the legislature, money in the
off-highway motorcycle account may only be spent for:

(1) administration, enforcement, and implementation of sections 84.787 to 84.795;

(2) acquisition, maintenance, and development of off-highway motorcycle trails and use
areas; and

(3) grants-in-aid to counties and municipalities to construct and maintain off-highway
motorcycle trails and use areas; and

(4) grants for enforcement and public education to local law enforcement agencies.

(b) The distribution of funds made available for grants-in-aid must be guided by the
statewide comprehensive outdoor recreation plan.

Sec. 11. Minnesota Statutes 2018, section 84.83, subdivision 3, is amended to read:

Subd. 3. Purposes for the account; allocation.
(a) The money deposited in the account
and interest earned on that money may be expended only as appropriated by law for the
following purposes:

(1) for a grant-in-aid program to counties and municipalities for construction and
maintenance of snowmobile trails that are determined by the commissioner to be part of
the state's grant-in-aid system, including maintenance of trails on lands and waters of
Voyageurs National Park; on Lake of the Woods; on Rainy Lake; on the following lakes in
St. Louis County: Burntside, Crane, Little Long, Mud, Pelican, Shagawa, and Vermilion;
and on the following lakes in Cook County: Devil Track and Hungry Jack. The commissioner
may establish a performance-based funding formula for annual grants-in-aid. The procedures
and criteria for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and
section 14.386 does not apply. In administering the performance-based grants-in-aid, the
commissioner must:

(i) determine annual grant amounts based on a funding formula that includes consideration
of historical costs, snowfall, use, and tourism;

(ii) make grant payments based on:

(A) successful completion of performance benchmarks;

(B) reimbursement of eligible expenditures; or

(C) a combination of subitems (A) and (B); and

(iii) assess penalties to nonperforming grant-in-aid recipients, which may include
withholding grant payments or making the grantee or trail system ineligible for future
grant-in-aid funding.

(2) for acquisition, development, and maintenance of state recreational snowmobile trails;

(3) for snowmobile safety programs; and

(4) for the administration and enforcement of sections 84.81 to 84.91 and appropriated grants to local law enforcement agencies.

(b) No less than 60 percent of revenue collected from snowmobile registration and
snowmobile state trail sticker fees must be expended for grants-in-aid to develop, maintain,
and groom trails and acquire easements.

Sec. 12. [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:

(1) 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. 13. 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 must be deposited in the invasive species account. Each year, the commissioner of management and budget shall must 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 must 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) 80 percent from each surcharge must be deposited in the invasive species account; and

(2) 20 percent 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 must 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 ten percent 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. 14. Minnesota Statutes 2018, section 85.012, subdivision 49, is amended to read:


Sec. 15. 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 for an individual age 16 and over. The fee for a three-year pass is $54 for an individual age 16 and over. This fee shall 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 for an individual age 16 and over. This fee shall 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 nontransferable on signing when signed.

(d) The commissioner and agents shall 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. 16. Minnesota Statutes 2018, section 85.44, is amended to read:

85.44 CROSS-COUNTRY-SKI TRAIL GRANT-IN-AID PROGRAM.

The commissioner shall establish a grant-in-aid program for local units of government and special park districts for the acquisition, development, and maintenance of cross-country-ski trails that are determined by the commissioner to...
be part of the state's grant-in-aid system. Grants shall be available for acquisition of to acquire trail easements but may not be used to acquire any lands in fee title. Local units of government and special park districts applying for and receiving grants under this section shall be are considered to have cross-country-ski trails for one year following the expiration of their last grant. The department shall reimburse all public sponsors of grants-in-aid cross-country-ski trails based upon criteria established by the department. Prior to the use of Before using any reimbursement criteria, a certain proportion of the revenues shall must be allocated on the basis of user fee sales location. The commissioner may establish a performance-based funding formula for annual grants-in-aid. The procedures and criteria for grants-in-aid are not subject to the rulemaking provisions of chapter 14, and section 14.386 does not apply. In administering the performance-based grants-in-aid, the commissioner must:

(1) determine annual grant amounts based on a funding formula that includes consideration of historical costs, snowfall, use, and tourism;

(2) make grant payments based on:

(i) successful completion of performance benchmarks;

(ii) reimbursement of eligible expenditures; or

(iii) a combination of items (i) and (ii); and

(3) assess penalties to nonperforming grant-in-aid recipients, which may include withholding grant payments or making the grantee or trail system ineligible for future grant-in-aid funding.

Sec. 17. 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. 18. 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 subdivision subdivisions 1a and 4, the fee for a watercraft license for watercraft 19 feet or less in length is $27 $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 $9 $11.25;
2. for a sailboat, 19 feet in length or less, the fee is $10.50 $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 $37.50 $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 $18 $26.

Sec. 19. 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 $10.50 $15.25.

Sec. 20. 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 $45 $65.25;
2. for a watercraft 26 feet but less than 40 feet in length is $67.50 $98; and
3. for a watercraft 40 feet in length or longer is $90 $130.50.

Sec. 21. 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. 22. 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. 23. 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. 24. Minnesota Statutes 2018, section 86B.415, subdivision 7, is amended to read:

Subd. 7. Watercraft surcharge. A $5 $20 surcharge is placed on each watercraft licensed under subdivisions 1 to 3 and 5 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. 25. 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. 26. 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. 27. 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) 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) 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 bough 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 in 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. 28. 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. 29. [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. 30. 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. 31. 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.

(b) The commissioner may issue a special product permit under section 89.42 for

commercial use, which may include permit for harvesting or collecting incidental volumes

of boughs, gravel, hay, biomass, and other products derived from forest management activities

special forest products. 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.

(c) 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 to

access 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. 32. [92.122] COMPENSATING PERMANENT SCHOOL FUND.

Subdivision 1. Compensation requirements. (a) When the revenue generated from

school trust land and associated resources is diminished by management practices applied

to the land and resources as determined by the commissioner of natural resources, the

commissioner must compensate the permanent school fund.

(b) When generating revenue from school trust land and associated resources will be

prohibited by a policy or designation applied to the land and resources as determined by

the commissioner, the commissioner must compensate the permanent school fund before

the policy or designation is applied.

Subd. 2. Compensation methods. To compensate the permanent school fund under

subdivision 1, the commissioner may use compensation methods that include:

(1) exchanging other land that is compatible with the goal of the permanent school fund

under section 127A.31, as allowed under sections 94.343, subdivision 1, and 94.3495, and

the Minnesota Constitution, article XI, section 10;

(2) leasing under section 92.50 and according to subdivision 3, with rental payments as

compensation; and

(3) condemning the land under section 92.83, with payment of the amount of the award

and judgment as compensation.
Subd. 3. **Lease terms for compensating fund.** With advice from the school trust lands director according to section 127A.353, subdivision 4, the commissioner may lease school trust land to compensate the permanent school fund. Rental payments received under this subdivision:

1. must be credited to the forest suspense account as nonqualifying revenue and not subject to cost certification under section 16A.125;
2. must be paid in full upon executing the lease; and
3. are determined by the commissioner and subject to review by a licensed appraiser.

Sec. 33. Minnesota Statutes 2018, section 92.50, subdivision 1, is amended to read:

**Subdivision 1. Lease terms.** (a) The commissioner of natural resources may lease land under the commissioner's jurisdiction and control:

1. to remove sand, gravel, clay, rock, marl, peat, and black dirt;
2. to store ore, waste materials from mines, or rock and tailings from ore milling plants;
3. for roads or railroads;
4. to compensate the permanent school fund according to section 92.122; or
5. for other uses consistent with the interests of the state.

(b) The commissioner shall offer the lease at public or private sale for an amount and under terms and conditions prescribed by the commissioner. Commercial leases for more than ten years and leases for removal of peat that cover 320 or more acres must be approved by the Executive Council.

(c) The lease term may not exceed 21 years except:

1. leases of lands for storage sites for ore, waste materials from mines, or rock and tailings from ore milling plants; or for the removal of peat for nonagricultural purposes may not exceed a term of 25 years; and
2. leases for commercial purposes, including major resort, convention center, or recreational area purposes, may not exceed a term of 40 years.

(d) Leases must be subject to sale and leasing of the land for mineral purposes and contain a provision for cancellation for just cause at any time by the commissioner upon six months' written notice. A longer notice period, not exceeding three years, may be provided in leases for storing ore, waste materials from mines, or rock or tailings from ore milling...
plants. The commissioner may determine the terms and conditions, including the notice period, for cancellation of a lease for the removal of peat and commercial leases.

(c) Money received from leases under this section must be credited to the fund to which the land belongs.

Sec. 34. Minnesota Statutes 2018, section 97A.015, subdivision 25, is amended to read:

Subd. 25. **Game fish.** "Game fish" means walleye, sauger, yellow perch, channel catfish, flathead catfish; members of the pike family, Esocidae, including muskellunge and northern pike; members of the sunfish family, Centrarchidae, including largemouth bass, smallmouth bass, sunfish, rock bass, white crappie, black crappie, members of the temperate bass family, Percichthyidae, including white bass and yellow bass; members of the salmon and trout subfamily, Salmoninae, including Atlantic salmon, chinook salmon, coho salmon, pink salmon, kokanee salmon, lake trout, brook trout, brown trout, rainbow (steelhead) trout, and splake; members of the paddlefish family, Polyodontidae; members of the sturgeon family, Acipenseridae, including lake sturgeon and shovelnose sturgeon, fish from the following families and species: Acipenseridae (lake sturgeon and shovelnose sturgeon), Anguillidae (American eel), Centrarchidae (black crappie; largemouth bass; rock bass; smallmouth bass; white crappie; and sunfishes, including bluegill, green sunfish, longear sunfish, orangespotted sunfish, pumpkinseck, and warmouth), Esocidae (muskellunge and northern pike), Gadidae (burbot), Ictaluridae (blue catfish, channel catfish, and flathead catfish), Moronidae (white bass and yellow bass), Percidae (sauger, walleye, and yellow perch), Polyodontidae (paddlefish), and Salmonidae (Atlantic salmon, brook trout, brown trout, chinook salmon, cisco or tullibee, coho salmon, kokanee salmon, lake trout, lake whitefish, pink salmon, and rainbow trout). "Game fish" includes hybrids of game fish.

Sec. 35. Minnesota Statutes 2018, section 97A.015, subdivision 43, is amended to read:

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

Sec. 36. 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. 37. Minnesota Statutes 2018, section 97A.055, subdivision 4b, is amended to read:

Subd. 4b. Citizen oversight committees. (a) The commissioner shall appoint committees of affected persons to review the reports prepared under subdivision 4; review the proposed work plans and budgets for the coming year; propose changes in policies, activities, and revenue enhancements or reductions; review other relevant information; and make recommendations to the legislature and the commissioner for improvements in the management and use of money in the game and fish fund.

(b) The commissioner shall appoint the following committees, each comprised of at least ten affected persons:
(1) a Fisheries Oversight Committee to review fisheries funding and expenditures, including activities related to trout-and-salmon stamps and walleye stamps; and

(2) a Wildlife Oversight Committee to review wildlife funding and expenditures, including activities related to migratory waterfowl, pheasant, and wild turkey management and deer and big game management.

(c) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight Committee, and four additional members from each committee, shall form a Budgetary Oversight Committee to coordinate the integration of the fisheries and wildlife oversight committee reports into an annual report to the legislature; recommend changes on a broad level in policies, activities, and revenue enhancements or reductions; and provide a forum to address issues that transcend the fisheries and wildlife oversight committees.

(d) The Budgetary Oversight Committee shall develop recommendations for a biennial budget plan and report for expenditures on game and fish activities. By August 15 of each even-numbered year, the committee shall submit the budget plan recommendations to the commissioner and to the senate and house of representatives committees with jurisdiction over natural resources finance.

(e) The chairs of the Fisheries Oversight Committee and the Wildlife Oversight Committee shall be chosen by their respective committees. The chair of the Budgetary Oversight Committee shall be appointed by the commissioner and may not be the chair of either of the other oversight committees.

(f) The Budgetary Oversight Committee may make recommendations to the commissioner and to the senate and house of representatives committees with jurisdiction over natural resources finance for outcome goals from expenditures.

(g) The committees authorized under this subdivision are not advisory councils or committees governed by section 15.059 and are not subject to section 15.059. Committee members appointed by the commissioner may request reimbursement for mileage expenses in the same manner and amount as authorized by the commissioner's plan adopted under section 43A.18, subdivision 2. Committee members must not receive daily compensation for oversight activities. The Fisheries Oversight Committee, the Wildlife Oversight Committee, and the Budgetary Oversight Committee expire June 30, 2025.

Sec. 38. 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 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 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. 39. 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 The deer management account is established as an account in the game and fish fund and may be used only for deer habitat improvement or deer management programs. The following amounts must 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
uncumbered balance in excess of $2,500,000 is canceled and is available for deer-
and bear-management programs and computerized licensing.

Sec. 40. Minnesota Statutes 2018, section 97A.126, is amended to read:

97A.126 WALK-IN ACCESS PROGRAM.

Subdivision 1. Establishment. A walk-in access program is established to provide public
access to wildlife habitat on private land not otherwise open to the public for hunting,
excluding trapping, as provided under this section. The commissioner may enter into
agreements with other units of government and landowners to provide private land hunting
access.

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. 41. [97A.138] INSECTICIDES IN WILDLIFE MANAGEMENT AREAS.

A person may not use a product containing an insecticide in a wildlife management area
if the insecticide is from the neonicotinoid class of insecticides.

Sec. 42. Minnesota Statutes 2018, section 97A.321, subdivision 1, is amended to read:

Subdivision 1. Owner responsibility; penalty amount. (a) The owner of a dog that
pursues but does not kill or mortally wound a big game animal is subject to a civil penalty
of $100 for each violation. The owner of a dog that kills or mortally wounds a big game
animal is subject to a civil penalty of $500 for each violation.

(b) Paragraph (a) does not apply to a person using a dog in compliance with section
97B.207.

Sec. 43. 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. 44. 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 2, paragraph (a), clauses (2), (3), (4), (10), (11), and (12).
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.

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

Sec. 45. 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), clauses (14) and (15). 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. 46. 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. 47. Minnesota Statutes 2018, section 97B.011, is amended to read:

97B.011 DOGS PURSUING BIG GAME.

(a) A person who observes a dog wounding, killing, or pursuing in a manner that endangers big game may kill the dog:

(1) at any time, if the person is a peace officer or conservation officer; or

(2) between January 1 and July 14, if the person is not a peace officer or conservation officer and the discharge of firearms is allowed.

The officer or person is not liable for damages for killing the dog.
(b) Paragraph (a) does not apply to a dog used in compliance with section 97B.207.

Sec. 48. Minnesota Statutes 2018, section 97B.081, subdivision 3, is amended to read:

Subd. 3. Exceptions. (a) It is not a violation of this section for a person to:

(1) cast the rays of a spotlight, headlight, or other artificial light to take raccoons according to section 97B.621, subdivision 3, or tend traps according to section 97B.931;

(2) hunt fox or coyote from January 1 to March 15 while using a handheld artificial light, provided that the person is:

(i) on foot;

(ii) using a shotgun;

(iii) not within a public road right-of-way;

(iv) using a handheld or electronic calling device; and

(v) not within 200 feet of a motor vehicle; or

(3) cast the rays of a handheld artificial light to retrieve wounded or dead big game animals, provided that the person is:

(i) on foot; and

(ii) not in possession of a firearm or bow.

(b) It is not a violation of subdivision 2 for a person to cast the rays of a spotlight, headlight, or other artificial light to:

(1) carry out any agricultural, safety, emergency response, normal vehicle operation, or occupation-related activities that do not involve taking wild animals; or

(2) carry out outdoor recreation as defined in section 97B.001 that is not related to spotting, locating, or taking a wild animal.

(c) Except as otherwise provided by the game and fish laws, it is not a violation of this section for a person to use an electronic range finder device from one-half hour before sunrise until one-half hour after sunset while lawfully hunting wild animals.

(d) It is not a violation of this section for a licensed bear hunter to cast the rays of a handheld artificial light to track or retrieve a wounded or dead bear while possessing a firearm, provided that:

(1) if the person:
(i) has the person's valid bear-hunting license in possession;
(ii) is on foot; and
(iii) is following the blood trail of a bear that was shot during legal shooting hours;
or
(2) as provided in section 97B.207.

(e) It is not a violation of this section for a licensed deer hunter to cast the rays of a handheld artificial light to track or retrieve a wounded deer as provided in section 97B.207.

(f) For purposes of this subdivision, "handheld artificial light" means an artificial light that is carried in the hand or attached to the person.

Sec. 49. Minnesota Statutes 2018, section 97B.205, is amended to read:

97B.205 USE OF DOGS AND HORSES TO TAKE BIG GAME PROHIBITED.

A person may not use a dog or horse to take big game, except as provided under section 97B.207.

Sec. 50. USING DOGS TO LOCATE WOUNDED DEER OR BEAR.

Subdivision 1. Using dogs allowed. A person may use a dog to locate and retrieve a wounded deer or bear only as provided in this section.

Subd. 2. Requirements for hunters and handlers. (a) A person attempting to locate and retrieve a wounded deer or bear using a dog must have a valid license to take the deer or bear and have the license in possession. If the person is a dog handler that does not have a valid hunting license, the person must be accompanied by a licensed hunter with the license in possession.

(b) The licensed hunter, and any accompanying dog handler, must be on foot and must wear blaze orange or blaze pink as provided in section 97B.071, paragraph (a).

(c) Any light used must be a handheld artificial light, as defined under section 97B.081, subdivision 3, paragraph (f).

Subd. 3. Requirements for dogs. (a) A dog used to locate a wounded deer or bear must be accompanied by a licensed hunter and any dog handler until the wounded deer or bear is located. The dog must be leashed and the licensed hunter or dog handler must be in physical control of the leash at all times. The leash must not exceed 30 feet in length.
(b) The dog owner's information, including the owner's name and telephone number, must be on the dog while the dog is used to locate a wounded deer or bear under this section.

(c) The licensed hunter and any accompanying dog handler are jointly and severally responsible for a dog under this section. A violation of this subdivision is a misdemeanor under section 97A.301, subdivision 1, and section 97A.421 applies.

Subd. 4. Additional requirements. (a) The trespass provisions in section 97B.001 apply to activities under this section, including all requirements to gain permission to enter private or public property.

(b) Activities under this section may occur during legal shooting hours or outside legal shooting hours of the open season for the location and species. Any activity occurring under this section outside the open season for the location and species must be reported to the local conservation officer before locating or retrieving the wounded deer or bear.

Sec. 51. Minnesota Statutes 2018, section 97B.655, is amended to read:

97B.655 TAKING ANIMALS CAUSING DAMAGE.

Subdivision 1. Owners and occupants may take certain animals. (a) A person or the person's agent may take bats, snakes, salamanders, lizards, weasel, mink, squirrel, rabbit, hare, raccoon, bobcat, fox, opossum, muskrat, or beaver on land owned or occupied by the person where the animal is causing damage. The person or the person's agent may take the animal without a license and in any manner except by artificial lights in the closed season or by poison. Raccoons may be taken under this subdivision with artificial lights during open season.

(b) Any traps used under this subdivision must be tagged as required under section 97B.928 if placed by an agent of the landowner or occupant.

(c) A person or the person's agent who kills mink, raccoon, bobcat, fox, opossum, muskrat, or beaver under this subdivision must notify a conservation officer or employee of the Fish and Wildlife Division within 24 hours after the animal is killed.

Subd. 2. Special permit for taking protected wild animals. (a) The commissioner may issue special permits under section 97A.401, subdivision 5, to take protected wild animals that are damaging property or to remove or destroy their dens, nests, or houses, or dams.

(b) Removing or destroying a beaver dam associated with beavers causing damage must be according to section 97B.665.
Sec. 52. Minnesota Statutes 2018, section 97B.665, is amended by adding a subdivision to read:

Subd. 1a. **Removing beaver dams; agreement by landowner.** (a) Except as provided in paragraph (b), a beaver dam that is causing damage to property may be removed or destroyed by a person or the person's agent from property that is owned, occupied, or otherwise managed by the person.

(b) A person or a person's agent may not remove or destroy a beaver dam under this subdivision when a permit is required under section 103G.245 if removing or destroying the dam would change or diminish the historical water levels, course, current, or cross section of public waters.

c) A person or a person's agent may not remove or destroy a beaver dam under this subdivision if the dam is on public property or another person's private property unless the person obtains the approval or permission of the landowner of the property where the beaver dam is located.

(d) If unable to obtain the approval or permission of the landowner under paragraph (c), a person may petition to district court for relief as provided in subdivision 2.

(e) For purposes of this subdivision:

1) "landowner" means:

(i) the owner, lessee, or occupant of private property; or

(ii) an authorized manager of public property; and

2) "person" includes a governmental entity in addition to the entities described under section 97A.015, subdivision 35.

Sec. 53. Minnesota Statutes 2018, section 97B.667, subdivision 2, is amended to read:

Subd. 2. **Local Government units.** (a) Local Government units may, as provided in this section, kill or arrange to have killed beaver that are causing damage, including damage to silvicultural projects and drainage ditches, on property owned or managed by the local government unit. Removal or destruction of any associated beaver lodge is subject to section 97A.401, subdivision 5; and removing or destroying any associated beaver dam is subject to section 97B.665.

(b) The local government unit may kill beaver associated with the lodge or damage in any manner, except by poison or artificial lights.
(c) The local government unit may arrange to have killed any beaver associated with the lodge or damage by trapping through a third-party contract or under subdivision 4.

Sec. 54. Minnesota Statutes 2018, section 97B.667, subdivision 3, is amended to read:

Subd. 3. Permits and notice; requirements. (a) Before killing or arranging to kill a beaver under this section, the road authority or local government unit must contact a conservation officer for a special beaver permit if the beaver will be killed within two weeks before or after the trapping season for beaver, and the conservation officer must issue the permit for any beaver subject to this section. A permit is not required:

(1) for a licensed trapper during the open trapping season for beaver; or

(2) when the trapping season for beaver is closed and it is not within two weeks before or after the trapping season for beaver.

(b) A road authority or local government unit that kills or arranges to have killed a beaver under this section must notify a conservation officer or employee of the Fish and Wildlife Division within ten days after the animal is killed.

Sec. 55. Minnesota Statutes 2018, section 97B.667, subdivision 4, is amended to read:

Subd. 4. Local Beaver control programs. A road authority or local government unit may, after consultation with the Fish and Wildlife Division, implement a local beaver control program designed to reduce the number of incidents of beaver:

(1) interfering with or damaging a public road; or

(2) causing damage, including damage to silvicultural projects and drainage ditches, on property owned or managed by the local government unit.

The local control program may include the offering of a bounty for the lawful taking of to lawfully take beaver.

Sec. 56. Minnesota Statutes 2018, section 97B.667, is amended by adding a subdivision to read:

Subd. 5. Tagging requirements for traps. Traps used under subdivision 1 or 2 must be identified with the name and telephone number of the government unit. Traps used for trapping under a third-party contract must be tagged with the contractor's information as provided in section 97B.928.
Sec. 57. [97B.673] NONTOXIC SHOT REQUIRED FOR TAKING SMALL GAME IN CERTAIN AREAS.

Subdivision 1. Non-toxic shot on wildlife management areas in farmland 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. 58. 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 and a recreational turtle license.

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

Sec. 59. 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. (1) when buying a turtle at a retail outlet; or
3. 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. 60. 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. 61. [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 stream bank 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:
Sec. 62. Minnesota Statutes 2018, section 103G.241, subdivision 1, is amended to read:

Subdivision 1. Conditions to affect public waters. An agent or employee of another may not construct, reconstruct, remove, or make a change in a reservoir, dam, or waterway obstruction on a public water or in any manner change or diminish the course, current, or cross section of public waters unless the agent or employee has:

(1) obtained a signed statement from the property owner stating that the permits required for the work have been obtained or a permit is not required; and

(2) mailed or electronically transmitted a copy of the statement to the regional office of the Department of Natural Resources where the proposed work is located.

Sec. 63. Minnesota Statutes 2018, section 103G.241, subdivision 3, is amended to read:

Subd. 3. Form for compliance. The commissioner shall develop a form to be distributed to contractors’ associations and county auditors to comply with this section. The form must include:

(1) a listing of the activities for which a permit is required;

(2) a description of the penalties for violating this chapter;

(3) the mailing addresses, electronic mail addresses, and telephone numbers of the regional offices of the Department of Natural Resources;

(4) a statement that water inventory maps completed according to section 103G.201 are on file with the auditors of the counties; and

(5) spaces for a description of the work and the names, mailing addresses, electronic mail addresses, and telephone numbers of the person authorizing the work and the agent or employee proposing to undertake it.

Sec. 64. Minnesota Statutes 2018, section 103G.287, subdivision 1, is amended to read:

Subdivision 1. Applications for groundwater appropriations; preliminary well-construction approval. (a) Groundwater use permit applications are not complete until the applicant has supplied:
(1) a water well record as required by section 103I.205, subdivision 9, information on
the subsurface geologic formations penetrated by the well and the formation or aquifer that
will serve as the water source, and geologic information from test holes drilled to locate the
site of the production well;

(2) the maximum daily, seasonal, and annual pumpage rates and volumes being requested;

(3) information on groundwater quality in terms of the measures of quality commonly
specified for the proposed water use and details on water treatment necessary for the proposed
use;

(4) the results of an aquifer test completed according to specifications approved by the
commissioner. The test must be conducted at the maximum pumping rate requested in the
application and for a length of time adequate to assess or predict impacts to other wells and
surface water and groundwater resources. The permit applicant is responsible for all costs
related to the aquifer test, including the construction of groundwater and surface water
monitoring installations, and water level readings before, during, and after the aquifer test;
and

(5) the results of any assessments conducted by the commissioner under paragraph (c).

(b) The commissioner may waive an application requirement in this subdivision if the
information provided with the application is adequate to determine whether the proposed
appropriation and use of water is sustainable and will protect ecosystems, water quality,
and the ability of future generations to meet their own needs.

(c) The commissioner shall provide an assessment of a proposed well needing a
groundwater appropriation permit. The commissioner shall evaluate the information submitted
as required under section 103I.205, subdivision 1, paragraph (e), and determine whether
the anticipated appropriation request is likely to meet the applicable requirements of this
chapter. If the appropriation request is likely to meet applicable requirements, the
commissioner shall provide the person submitting the information with a letter or
electronically transmitted notice providing preliminary approval to construct the well and
the requirements, including test-well information, that will be needed to obtain the permit.

(d) The commissioner must provide an applicant denied a groundwater use permit or
issued a groundwater use permit that is reduced or restricted from the original request with
all information the commissioner used in making the determination, including hydrographs,
flow tests, aquifer tests, topographic maps, field reports, photographs, and proof of equipment
calibration.
Sec. 65. 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. 66. Minnesota Statutes 2018, section 103G.311, subdivision 2, is amended to read:

Subd. 2. Hearing notice. (a) The hearing notice on an application must include:

(1) the date, place, and time fixed by the commissioner for the hearing;

(2) the waters affected, the water levels sought to be established, or control structures proposed; and

(3) the matters prescribed by sections 14.57 to 14.59 and rules adopted thereunder.

(b) A summary of the hearing notice must be published by the commissioner at the expense of the applicant or, if the proceeding is initiated by the commissioner in the absence of an applicant, at the expense of the commissioner.

(c) The summary of the hearing notice must be:

(1) published once a week for two successive weeks before the day of hearing in a legal newspaper published in the county where any part of the affected waters is located; and

(2) mailed or electronically transmitted by the commissioner to the county auditor, the mayor of a municipality, the watershed district, and the soil and water conservation district affected by the application.
Sec. 67. Minnesota Statutes 2018, section 103G.311, subdivision 5, is amended to read:

Subd. 5. Demand for hearing. (a) If a hearing is waived and an order is made issuing or denying the permit, the applicant, the managers of the watershed district, the board of supervisors of the soil and water conservation district, or the governing body of the municipality may file a demand for hearing on the application. The demand for a hearing must be filed within 30 days after mailed or electronically transmitted notice of the order with the bond required by subdivision 6.

(b) The commissioner must give notice as provided in subdivision 2, hold a hearing on the application, and make a determination on issuing or denying the permit as though the previous order had not been made.

(c) The order issuing or denying the permit becomes final at the end of 30 days after mailed or electronically transmitted notice of the order to the applicant, the managers of the watershed district, the board of supervisors of the soil and water conservation district, or the governing body of the municipality, and an appeal of the order may not be taken if:

(1) the commissioner waives a hearing and a demand for a hearing is not made; or

(2) a hearing is demanded but a bond is not filed as required by subdivision 6.

Sec. 68. Minnesota Statutes 2018, section 103G.315, subdivision 8, is amended to read:

Subd. 8. Notice of permit order. Notice of orders made after hearing must be given by publication of the order once a week for two successive weeks in a legal newspaper in the county where the hearing was held and by mailing or electronically transmitting copies of the order to parties who entered an appearance at the hearing.

Sec. 69. Minnesota Statutes 2018, section 103G.408, is amended to read:

103G.408 TEMPORARY DRAWDOWN OF PUBLIC WATERS.

(a) The commissioner, upon consideration of recommendations and objections as provided in clause (2), item (iii), and paragraph (c), may issue a public-waters-work permit for the temporary drawdown of a public water when:

(1) the public water is a shallow lake to be managed for fish, wildlife, or ecological purposes by the commissioner and the commissioner has conducted a public hearing presenting a comprehensive management plan outlining how and when temporary drawdowns under this section will be conducted; or

(2) the permit applicant is a public entity and:
(i) the commissioner deems the project to be beneficial and makes findings of fact that
the drawdown is in the public interest;

(ii) the permit applicant has obtained permission from at least 75 percent of the riparian
landowners; and

(iii) the permit applicant has conducted a public hearing according to paragraph (d).

(b) In addition to the requirements in section 103G.301, subdivision 6, the permit
applicant shall serve a copy of the application on each county, municipality, and watershed
management organization, if one exists, within which any portion of the public water is
located and on the lake improvement district, if one exists.

(c) A county, municipality, watershed district, watershed management organization, or
lake improvement district required to be served under paragraph (b) or section 103G.301,
subdivision 6, may file a written recommendation for the issuance of a permit or an objection
to the issuance of a permit with the commissioner within 30 days after receiving a copy of
the application.

(d) The hearing notice for a public hearing under paragraph (a), clause (2), item (iii),
must:

(1) include the date, place, and time for the hearing;

(2) include the waters affected and a description of the proposed project;

(3) be mailed or electronically transmitted to the director, the county auditor, the clerk
or mayor of a municipality, the lake improvement district if one exists, the watershed district
or water management organization, the soil and water conservation district, and all riparian
owners of record affected by the application; and

(4) be published in a newspaper of general circulation in the affected area.

(e) Periodic temporary drawdowns conducted under paragraph (a) shall are not be
considered takings from riparian landowners.

(f) This section does not apply to public waters that have been designated for wildlife
management under section 97A.101.

Sec. 70. Minnesota Statutes 2018, section 103G.615, subdivision 3a, is amended to read:

Subd. 3a. Invasive aquatic plant management permit. (a) "Invasive aquatic plant
management permit" means an aquatic plant management permit as defined in rules of the
Department of Natural Resources that authorizes the selective control of invasive aquatic plants to cause a significant reduction in the abundance of the invasive aquatic plant.

(b) The commissioner may waive the dated signature of approval requirement in rules of the Department of Natural Resources for invasive aquatic plant management permits if obtaining signatures would create an undue burden on the permittee or if the commissioner determines that aquatic plant control is necessary to protect natural resources.

c) If the signature requirement is waived under paragraph (b) because obtaining signatures would create an undue burden on the permittee, the commissioner shall require an alternate form of landowner notification, including news releases or public notices in a local newspaper, a public meeting, or a mailing or electronic transmission to the most recent permanent physical or electronic mailing address of affected landowners. The notification must be given annually and must include: the proposed date of treatment, the target species, the method of control or product being used, and instructions on how the landowner may request that control not occur adjacent to the landowner's property.

d) The commissioner may allow dated signatures of approval obtained for an invasive aquatic plant management permit to satisfy rules of the Department of Natural Resources to remain valid for three years if property ownership remains unchanged.

Sec. 71. [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 6 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
disabled 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
billing documents as a separate line item and must be accompanied by a brief description
of the assessment.

(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.

(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.

(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.

(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.

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.

(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.

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
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. 72. 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 section sections 115A.141 and 115A.1415.
Sec. 73. Minnesota Statutes 2018, section 115A.51, is amended to read:

### 115A.51 APPLICATION REQUIREMENTS.

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

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

2. (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. (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. (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. (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. (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.

Sec. 74. [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.

(b) 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.

(c) 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. 75. [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. 76. 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. 77. 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:
   1. the agency has received a request for an environmental impact statement;
   2. 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
   3. 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:
   1. a variance is sought in the permit application or a contested case hearing request is pending; or
   2. 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:
   1. 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. 78. 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. 79. 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. 80. 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 5b.

Sec. 81. 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. 82. 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. 83. **[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. 84. **[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

Article 2 Sec. 84.
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. 85. 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. 86. 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.

c) "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 not manufacture, sell, offer for sale, distribute for sale, or distribute for use in this state class B firefighting foam that contains intentionally added PFAS except for use by 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.
EFFECTIVE DATE. (a) The amendments to subdivision 2, paragraph (a), are effective
July 1, 2020.

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

Sec. 87. Laws 2013, chapter 114, article 4, section 105, as amended by Laws 2017, chapter
93, article 2, section 148, is amended to read:

Sec. 105. RULES; SILICA SAND.

(a) The commissioner of the Pollution Control Agency may adopt rules pertaining to
the control of particulate emissions from silica sand projects. The rulemaking is exempt
from Minnesota Statutes, section 14.125.

(b) The commissioner of natural resources shall adopt rules develop a model ordinance
pertaining to the reclamation of silica sand mines. The rulemaking is exempt from Minnesota
Statutes, section 14.125 commissioner shall publish the model ordinance in the State Register.

(c) By January 1, 2014, the Department of Health shall adopt an air quality health-based
value for silica sand.

(d) The Environmental Quality Board may amend its rules for environmental review,
adopted under Minnesota Statutes, chapter 116D, for silica sand mining and processing to
take into account the increased activity in the state and concerns over the size of specific
operations. The Environmental Quality Board shall consider whether the requirements of
Minnesota Statutes, section 116C.991, should remain part of the environmental review
requirements for silica sand and whether the requirements should be different for different
geographic areas of the state. The rulemaking is exempt from Minnesota Statutes, section
14.125.

Sec. 88. STAMP DESIGN; RULE AMENDMENT.

(a) The commissioner of natural resources shall amend Minnesota Rules, part 6290.0400,
subpart 3, to:

(1) allow a contest entry to be created using nonphotographic digital media; and

(2) require a person submitting a contest entry to list all media used in the creation of
the entry.

(b) The commissioner may use the good cause exemption under Minnesota Statutes,
section 14.388, subdivision 1, clause (3), to adopt rules under this section, and Minnesota
Statutes, section 14.386, does not apply except as provided under Minnesota Statutes, section 14.388.

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

Sec. 89. **TURTLE SELLER'S LICENSES; TRANSFER AND RENEWAL.**

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

Sec. 90. **CHRONIC WASTING DISEASE ADOPT-A-DUMPSTER PROGRAM; DEER CARCASS HANDLING GUIDELINES.**

(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.

(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:

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

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

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

(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. 91. REVISOR INSTRUCTION.

(a) 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.

(b) The revisor must assign the priority order for the metropolitan landfill contingency action trust account established in section 3 to follow any amendment to Minnesota Statutes, section 16A.152, subdivision 2, for special education aid enacted during the 2019 legislative session.

(c) The revisor of statutes must change the reference in Minnesota Statutes, sections 127A.30, subdivision 2, and 287.22, from "section 92.121" to "section 92.122."

Sec. 92. REPEALER.

(a) Minnesota Statutes 2018, sections 92.121; and 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.
92.121 PERMANENT SCHOOL FUND LANDS.

The commissioner of natural resources shall exchange permanent school fund land as defined in the Minnesota Constitution, article XI, section 8, located in state parks, state recreation areas, wildlife management areas, scientific and natural areas, or state waysides or on lands managed by the commissioner as old growth stands, for other lands as allowed by the Minnesota Constitution, article XI, section 10, and section 94.343, subdivision 1, that are compatible with the goal of the permanent school fund lands in section 127A.31 when, as a result of management practices applied to the permanent school fund lands and associated resources, revenue generation has been diminished or is prohibited and no alternative has been put into effect to compensate the permanent school fund for the income losses.

97C.605 TURTLES.

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
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.