A bill for an act

relating to state government; appropriating money for environment and natural resources and tourism; modifying previous appropriations; establishing new programs and modifying existing programs; modifying fees; creating accounts; authorizing sales and conveyances of certain land; modifying environmental laws; modifying game and fish laws; modifying water laws; modifying natural resource and environment laws; modifying mining laws; requiring reports; making technical corrections; amending Minnesota Statutes 2020, sections 84.027, subdivision 14a, by adding a subdivision; 84.632; 84.788, subdivision 5; 84.82, subdivision 2, by adding a subdivision; 84.821, subdivision 2; 84.84; 84.86, subdivision 1; 84.922, subdivision 4; 85.015, subdivision 10; 90.181, subdivision 2; 97A.015, subdivisions 29, 51; 97A.126, as amended; 97A.137, subdivisions 3, 5; 97A.405, subdivision 5; 97B.031, subdivision 1, by adding a subdivision; 97B.071; 97B.311; 97B.415; 97B.645, subdivision 9; 97B.668; 97C.211, subdivision 2a; 97C.315, subdivision 1; 97C.515, subdivision 2; 103G.201; 103G.211; 103G.223; 103G.271, subdivision 7, by adding a subdivision; 103G.285, by adding a subdivision; 103G.287, subdivisions 4, 5, by adding subdivisions; 103G.289; 115.03, subdivision 1; 115.455; 115.55, by adding a subdivision; 115.77, subdivision 1; 115.84, subdivisions 2, 3; 115A.03, subdivision 35, by adding subdivisions; 115B.52, subdivision 4; 116.03, subdivision 2b; 116.07, subdivision 4d, by adding a subdivision; 116B.03, subdivision 1; 116B.10, by adding a subdivision; 116D.04, subdivision 2a; 116U.55, by adding a subdivision; 127A.353, subdivision 2; 282.04, subdivision 1, by adding a subdivision; 282.08; 297A.94; Minnesota Statutes 2021 Supplement, sections 84.63; 84.631; 84.92, subdivision 8; 85.052, subdivision 6; 92.502; 103G.271, subdivision 4a; 127A.353, subdivision 4; Laws 2021, First Special Session chapter 6, article 1, section 2, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 93; 115A; repealing Minnesota Statutes 2020, sections 97B.318; 97C.515, subdivisions 4, 5; Laws 2012, chapter 236, section 28, subdivision 9, as amended; Laws 2013, chapter 121, section 53; Minnesota Rules, parts 6100.5000, subparts 3, 4, 5; 6100.5700, subpart 4; 6232.0350.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

ARTICLE 1

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 "2022" and "2023" used in this article mean that the appropriations listed under them are available for the fiscal year ending June 30, 2022, or June 30, 2023, respectively. "The first year" is fiscal year 2022. "The second year" is fiscal year 2023. "The biennium" is fiscal years 2022 and 2023. Appropriations for the fiscal year ending June 30, 2022, are effective the day following final enactment.

<table>
<thead>
<tr>
<th>APPROPRIATIONS</th>
<th>Available for the Year</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ending June 30</td>
</tr>
<tr>
<td></td>
<td>2022</td>
</tr>
</tbody>
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Sec. 2. **POLLUTION CONTROL AGENCY**

Subdivision 1. **Total Appropriation**

<table>
<thead>
<tr>
<th>Appropriations by Fund</th>
<th>$</th>
<th>-0-</th>
<th>$</th>
<th>4,093,000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2022</td>
<td>2023</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Environmental</td>
<td>-0-</td>
<td>2,593,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Remediation</td>
<td>-0-</td>
<td>1,500,000</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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

Subd. 2. **Agency Appropriations**

(a) $86,000 the second year is from the environmental fund for a grant to Laketown Township in Carver County to prepare preliminary system design and cost estimates for connecting wastewater systems around Pierson Lake to municipal wastewater treatment systems. This is a onetime appropriation.
(b) $700,000 the second year is from the environmental fund for additional SCORE block grants to counties.

c) $671,000 the second year is from the environmental fund for whole effluent toxicity rulemaking. This is a onetime appropriation.

d) $96,000 the second year is from the environmental fund for agency oversight of the mattress recycling program.

e) $50,000 the second year is from the environmental fund to conduct an analysis of how states within Environmental Protection Agency Region 5 fund their air permitting programs. By January 15, 2024, the commissioner must report the results of the analysis to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over environment and natural resources. The report must include: (1) identification of all sources of funding for Minnesota's air permitting program and those of each of the other states within Region 5; (2) a summary of how the funding sources have changed during the last 20 years; (3) an analysis of the cost that Minnesota's air permitting program and those of each state within Region 5 imposes on permittees; (4) a summary of how the costs identified in clause (3) have changed in the last 20 years and how they relate to total permittee emissions; (5) identification of potential alternatives to Minnesota's current practice of increasing the per-ton air emission fee as emissions are reduced; and (6) an assessment of what policy
changes, legal changes, and funding changes would be required to successfully implement a program that did not increase permittee cost as air emissions are reduced. This is a onetime appropriation.

(f) $1,500,000 the second year is from the remediation fund for a contamination cleanup grant to Lake of the Woods County to demolish the abandoned state-owned Williams School building in the city of Williams and to abate and remediate petroleum, pollutants, or contaminants at the school site. This is a onetime appropriation and is available until June 30, 2025.

(g) $250,000 the second year is from the environmental fund for a grant to the Red River Basin Commission to facilitate development of a feasibility assessment of adaptive phosphorus management for the Red River of the North. This is a onetime appropriation and is available until December 31, 2023.

Subd. 3. Environmental Quality Board Appropriations

$740,000 the second year is from the environmental fund to develop and assemble the material required under Code of Federal Regulations, title 40, section 233.10, for the state to assume the section 404 permitting program of the federal Clean Water Act. The board must prepare the materials in cooperation with the commissioners of natural resources, the Board of Water and Soil Resources, and the Pollution Control Agency and may execute contracts or interagency...
agreements to facilitate developing the
required materials. By December 31, 2024,
the board must submit a report that includes
a detailed summary of the necessary
programmatic changes, drafts of pertinent
application materials, the required statute
changes, final cost estimates, the remaining
steps necessary for the state to secure
assumption, and recommendations for
implementing a state-assumed program to the
chairs and ranking minority members of the
legislative committees and divisions with
jurisdiction over the environment and natural
resources. This is a onetime appropriation, is
available until June 30, 2025, and may be used
to match federal funding for a similar purpose.
The Board of Water and Soil Resources and
the commissioner of natural resources, in
consultation with the commissioner of the
Pollution Control Agency, must make
application for assumption to the United States
Environmental Protection Agency by June 30,
2025.

Sec. 3. NATURAL RESOURCES

Subdivision 1. Total Appropriation $ -0- $ 2,520,000

Appropriations by Fund

<table>
<thead>
<tr>
<th></th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Resources</td>
<td>-0-</td>
<td>1,487,000</td>
</tr>
<tr>
<td>Game and Fish</td>
<td>-0-</td>
<td>1,033,000</td>
</tr>
</tbody>
</table>

The amounts that may be spent for each
purpose are specified in the following
subdivisions.
6.1 Subd. 2. Appropriations

6.2 (a) $447,000 the second year is from the all-terrain vehicle account in the natural resources fund for a grant to the Roseau Lake of the Woods Sportsman's Club, in cooperation with the Northstar Trail Alliance, to resurface 13 miles of the former railroad right-of-way between Roseau and Warroad. This is a onetime appropriation and is available until June 30, 2025.

6.3 (b) $500,000 the second year is from the all-terrain vehicle account in the natural resources fund for a grant to St. Louis County to match other funding sources for design, right-of-way acquisition, permitting, and construction of trails within the Voyageur Country ATV trail system. This is a onetime appropriation and is available until June 30, 2025. This appropriation may be used as a local match to a 2022 state bonding award.

6.4 (c) $500,000 the second year is from the all-terrain vehicle account in the natural resources fund for a grant to St. Louis County to match other funding sources for design, right-of-way acquisition, permitting, and construction of a new trail within the Prospector trail system. This is a onetime appropriation and is available until June 30, 2025. This appropriation may be used as a local match to a 2022 state bonding award.

6.5 (d) $40,000 the second year is from the off-road vehicle account in the natural resources fund for grants to qualifying off-road vehicle 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 amount, $4,000 is for administering the 
grants.

(e) $150,000 the second year is from the 
heritage enhancement account in the game and 
fish fund for additional shooting sports facility 
grants under Minnesota Statutes, section 
87A.10. This is a onetime appropriation and 
is available until June 30, 2024.

(f) Notwithstanding Minnesota Statutes, 
section 297A.94, $387,000 the second year is 
from the heritage enhancement account in the 
game and fish fund for additional costs 
associated with hydrological analyses for 
proposed water appropriation permit 
applications that have been denied due to the 
effects to a calcareous fen.

(g) Notwithstanding Minnesota Statutes, 
section 297A.94, $496,000 the second year is 
from the heritage enhancement account in the 
game and fish fund for costs associated with 
citizen engagement and water supply 
development engineering for ensuring 
sustainable groundwater levels in White Bear 
Lake. Of this amount, $102,000 is transferred 
to the commissioner of health. This is a 
onetime appropriation and is available until 
June 30, 2024.
Sec. 4. **EXPLORE MINNESOTA TOURISM**

Subdivision 1. **Total Appropriation**

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<tbody>
<tr>
<td></td>
<td></td>
<td>$</td>
</tr>
<tr>
<td></td>
<td>-0-</td>
<td>1,450,000</td>
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**Appropriations by Fund**

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<tr>
<th>Fund</th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>-0-</td>
<td>1,000,000</td>
</tr>
<tr>
<td>Natural Resources</td>
<td>-0-</td>
<td>450,000</td>
</tr>
</tbody>
</table>

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

Subd. 2. **Appropriations**

(a) $1,000,000 the second year is from the general fund for a grant to Minnesota Sports and Events to attract and promote large-scale sporting and other events to the state of Minnesota. This is a onetime appropriation.

(b) $450,000 the second year is from the events promotion account in the natural resources fund for a grant to Minnesota Sports and Events to attract and promote large-scale sporting and other events to the state of Minnesota. At least 50 percent of the money appropriated under this paragraph must be to attract and promote large-scale sporting and other events outside of the metropolitan area.

Sec. 5. Laws 2021, First Special Session chapter 6, article 1, section 2, subdivision 2, is amended to read:

Subd. 2. **Environmental Analysis and Outcomes**

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<table>
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<tbody>
<tr>
<td></td>
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</tr>
<tr>
<td></td>
<td>14,962,000</td>
<td>14,140,000</td>
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**Appropriations by Fund**

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<thead>
<tr>
<th>Fund</th>
<th>2022</th>
<th>2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>General</td>
<td>1,292,000</td>
<td>224,000</td>
</tr>
<tr>
<td>Environmental</td>
<td>13,469,000</td>
<td>13,715,000</td>
</tr>
<tr>
<td>Remediation</td>
<td>201,000</td>
<td>201,000</td>
</tr>
</tbody>
</table>
(a) $99,000 the first year and $109,000 the second year are from the general fund for:

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

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

3. (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. (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
children's 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) $350,000 the first year is for completing
the St. Louis River mercury total maximum
daily load study. This is a onetime
appropriation and is available until June 30,
2023.

(j) $141,000 the first year and $141,000 the
second year are from the environmental fund
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.

(k) $600,000 the first year is to develop and implement an initiative to reduce sources of perfluoroalkyl and polyfluoroalkyl substances (PFAS) in the environment that are eventually conveyed to municipal wastewater treatment facilities. In developing and implementing the initiative, the commissioner must work in cooperation with the Department of Health and with an advisory group consisting of one representative designated by each of the following: the League of Minnesota Cities; the Coalition of Greater Minnesota Cities; the Minnesota Environmental Science and Economic Review Board; the Minnesota Municipal Utilities Association; Metropolitan Council Environmental Services; Minnesota Association of Small Cities; National Waste and Recycling Association; Minnesota Rural Water Association; Association of Minnesota Counties; Solid Waste Administrators Association; Partnership on Waste and Energy; Minnesota Resource Recovery Association; Minnesota InterCounty Association; Minnesota Manufacturer's Coalition; and the Association of Metropolitan Municipalities.

In developing and implementing the municipal initiative, the commissioner must:

(1) identify sources of PFAS introduced into the environment that are eventually conveyed to municipal wastewater treatment facilities and contained in solid waste that are disposed at solid waste facilities;
(2) identify source reduction strategies that can effectively reduce the amount of PFAS entering the environment that are eventually conveyed to municipal wastewater treatment facilities or are disposed at solid waste facilities;

(3) publish and distribute throughout the state guidance documents for local governments that include education materials about effective strategies to reduce PFAS sources;

(4) identify issues for future study; and

(5) by January 31, 2023, report to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over the environment and natural resources on the development and implementation of the initiative. This is a onetime appropriation.

(l) $104,000 the second year is from the environmental fund for the purposes of the perfluoroalkyl and polyfluoroalkyl substances food packaging provisions under Minnesota Statutes, section 325F.075. The base for this appropriation in fiscal year 2024 and later is $144,000.

(m) $128,000 the first year is for an analysis of the Green Tier program. This is a onetime appropriation.

(n) $250,000 the first year and $250,000 the second year are from the environmental fund for identifying potential sources of per- and poly-fluoroalkyl substances contamination. This is a onetime appropriation.
ARTICLE 2
ENVIRONMENT AND NATURAL RESOURCES POLICY

Section 1. Minnesota Statutes 2020, section 84.027, subdivision 14a, is amended to read:

Subd. 14a. Permitting efficiency; public notice. (a) It is the goal of the state that environmental and resource management permits be issued or denied within 90 days for tier 1 permits or 150 days for tier 2 permits following submission of a permit application. The commissioner of natural resources shall establish management systems designed to achieve the goal.

(b) The commissioner shall prepare an annual permitting efficiency report that includes statistics on meeting the goal in paragraph (a) and the criteria for tier 2 by permit categories. The report is due August 1 each year. For permit applications that have not met the goal, the report must state the reasons for not meeting the goal. In stating the reasons for not meeting the goal, the commissioner shall separately identify delays caused by the responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the level of public engagement. The report must specify the number of days from initial submission of the application to the day of determination that the application is complete. The report must aggregate the data for the year and assess whether program or system changes are necessary to achieve the goal. The report must be posted on the department's website and submitted to the governor and the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over natural resources policy and finance.

(c) The commissioner shall allow electronic submission of environmental review and permit documents to the department.

(d) Within 30 business days of application for a permit subject to paragraph (a), the commissioner of natural resources shall notify the permit applicant, in writing, whether the application is complete or incomplete. If the commissioner determines that an application is incomplete, the notice to the applicant must enumerate all deficiencies, citing specific provisions of the applicable rules and statutes, and advise the applicant on how the deficiencies can be remedied. If the commissioner determines that the application is complete, the notice must confirm the application's tier 1 or tier 2 permit status. If the commissioner believes that a complete application for a tier 2 construction permit cannot be issued within the 150-day goal, the commissioner must provide notice to the applicant with the commissioner's notice that the application is complete and, upon request of the applicant, provide the permit applicant with a schedule estimating when the agency will begin drafting
the permit and issue the public notice of the draft permit. This paragraph does not apply to
an application for a permit that is subject to a grant or loan agreement under chapter 446A.

(e) When public notice of a draft individual tier 2 permit is required, the commissioner
must provide the applicant a draft permit for review by the applicant within 30 days after
determining the proposal conforms to all federal and state laws and rules, unless the permit
applicant and the commissioner mutually agree to a different date. The commissioner must
consider all comments submitted by the applicant before issuing the permit.

Sec. 2. Minnesota Statutes 2020, section 84.027, is amended by adding a subdivision to
read:

Subd. 14c. Unadopted rules. The commissioner of natural resources must not enforce
or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule"
means a guideline, bulletin, criterion, manual standard, interpretive statement, policy plan,
or similar pronouncement if the guideline, bulletin, criterion, manual standard, interpretive
statement, policy plan, or similar pronouncement has not been adopted according to the
rulemaking process provided under chapter 14. If an unadopted rule is challenged under
section 14.381, the commissioner must cease enforcement of the unadopted rule and
overcome a presumption that the unadopted rule must be adopted according to the rulemaking
process provided under chapter 14.

Sec. 3. Minnesota Statutes 2020, section 84.788, subdivision 5, is amended to read:

Subd. 5. Report of ownership transfers; fee. (a) Application for transfer of ownership
of an off-highway motorcycle registered under this section must be made to the commissioner
within 15 days of the date of transfer.

(b) An application for transfer must be executed by the registered current owner and the
purchaser using a bill of sale that includes the vehicle serial number.

(c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser
fails to apply for transfer of ownership as provided under this subdivision.

Sec. 4. Minnesota Statutes 2020, section 84.82, subdivision 2, is amended to read:

Subd. 2. Application, issuance, issuing fee. (a) Application for registration or
reregistration shall be made to the commissioner or an authorized deputy registrar of motor
vehicles in a format prescribed by the commissioner and shall state the legal name and
address of every owner of the snowmobile.
(b) A person who purchases a snowmobile from a retail dealer shall make application for registration to the dealer at the point of sale. The dealer shall issue a dealer temporary 21-day registration permit to each purchaser who applies to the dealer for registration. The temporary permit must contain the dealer's identification number and phone number. Each retail dealer shall submit completed registration and fees to the deputy registrar at least once a week. No fee may be charged by a dealer to a purchaser for providing the temporary permit.

(c) Upon receipt of the application and the appropriate fee, the commissioner or deputy registrar shall issue to the applicant, or provide to the dealer, an assigned registration number or a commissioner or deputy registrar temporary 21-day permit. The registration number must be printed on a registration decal issued by the commissioner or deputy registrar. Once issued, the registration number decal must be affixed to the snowmobile in a clearly visible and permanent manner for enforcement purposes as the commissioner of natural resources shall prescribe according to subdivision 3b. A dealer subject to paragraph (b) shall provide the registration materials or temporary permit to the purchaser within the temporary 21-day permit period. The registration is not valid unless signed by at least one owner.

(d) Each deputy registrar of motor vehicles acting pursuant to section 168.33 shall also be a deputy registrar of snowmobiles. The commissioner of natural resources in agreement with the commissioner of public safety may prescribe the accounting and procedural requirements necessary to ensure efficient handling of registrations and registration fees. Deputy registrars shall strictly comply with these accounting and procedural requirements.

(e) In addition to other fees prescribed by law, an issuing fee of $4.50 is charged for each snowmobile registration renewal, duplicate or replacement registration card, and replacement decal, and an issuing fee of $7 is charged for each snowmobile registration and registration transfer issued by:

(1) a registrar or a deputy registrar and must be deposited in the manner provided in section 168.33, subdivision 2; or

(2) the commissioner and must be deposited in the state treasury and credited to the snowmobile trails and enforcement account in the natural resources fund.

Sec. 5. Minnesota Statutes 2020, section 84.82, is amended by adding a subdivision to read:

Subd. 3b. Display of registration decal. (a) A person must not operate a snowmobile in the state or allow another to operate the person's snowmobile in the state unless the
snowmobile has its unexpired registration decal affixed to each side of the snowmobile and the decal is legible.

(b) The registration decal must be affixed:

(1) for snowmobiles made after June 30, 1972, in the area provided by the manufacturer under section 84.821, subdivision 2; and

(2) for all other snowmobiles, on each side of the cowling on the upper half of the snowmobile.

(c) When any previously affixed registration decal is destroyed or lost, a duplicate must be affixed in the same manner as provided in paragraph (b).

Sec. 6. Minnesota Statutes 2020, section 84.821, subdivision 2, is amended to read:

Subd. 2. Area for registration number. All snowmobiles made after June 30, 1972, and sold in Minnesota, shall be designed and made to provide an area on which to affix the registration number decal. This area shall be at a location and of dimensions prescribed by rule of the commissioner. A clear area must be provided on each side of the cowling with a minimum size of 3-1/2 square inches and at least 12 inches from the ground when the machine is resting on a hard surface.

Sec. 7. Minnesota Statutes 2020, section 84.84, is amended to read:

84.84 TRANSFER OR TERMINATION OF SNOWMOBILE OWNERSHIP.

(a) Within 15 days after the transfer of ownership, or any part thereof, other than a security interest, or the destruction or abandonment of any snowmobile, written notice of the transfer or destruction or abandonment shall be given to the commissioner in such form as the commissioner shall prescribe.

(b) An application for transfer must be executed by the registered current owner and the purchaser using a bill of sale that includes the vehicle serial number.

(c) The purchaser is subject to the penalties imposed by section 84.88 if the purchaser fails to apply for transfer of ownership as provided under this subdivision. Every owner or part owner of a snowmobile shall, upon failure to give notice of destruction or abandonment, be subject to the penalties imposed by section 84.88.
Sec. 8. Minnesota Statutes 2020, section 84.86, subdivision 1, is amended to read:

Subdivision 1. Required rules, fees, and reports. (a) With a view of achieving maximum use of snowmobiles consistent with protection of the environment the commissioner of natural resources shall adopt rules in the manner provided by chapter 14, for the following purposes:

(1) registration of snowmobiles and display of registration numbers;

(2) use of snowmobiles insofar as game and fish resources are affected;

(3) use of snowmobiles on public lands and waters, or on grant-in-aid trails;

(4) uniform signs to be used by the state, counties, and cities, which are necessary or desirable to control, direct, or regulate the operation and use of snowmobiles;

(5) specifications relating to snowmobile mufflers; and

(6) a comprehensive snowmobile information and safety education and training program, including that includes but is not limited to the preparation and dissemination of preparing and disseminating snowmobile information and safety advice to the public, the training of snowmobile operators, and the issuance of issuing snowmobile safety certificates to snowmobile operators who successfully complete the snowmobile safety education and training course.

(b) For the purpose of administering such the program under paragraph (a), clause (6), and to defray expenses of training and certifying snowmobile operators, the commissioner shall collect a fee from each person who receives the youth or adult training. The commissioner shall collect a fee, to include a $1 issuing fee for licensing agents, for issuing a duplicate snowmobile safety certificate. The commissioner shall establish both fees in a manner that neither significantly overrecovers nor underrecovers costs, including overhead costs, involved in providing the services. The fees are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply. The fees may be established by the commissioner notwithstanding section 16A.1283. The fees, except for the issuing fee for licensing agents under this subdivision, shall be deposited in the snowmobile trails and enforcement account in the natural resources fund and the amount thereof, except for the electronic licensing system commission established by the commissioner under section 84.027, subdivision 15, and issuing fees collected by the commissioner, is appropriated annually to the Enforcement Division of the Department of Natural Resources for the administration of such administering the programs. In addition to the fee established by the commissioner, instructors may charge each person any fee paid by the instructor for the
person's online training course and up to the established fee amount for class materials and
expenses. The commissioner shall cooperate with private organizations and associations,
private and public corporations, and local governmental units in furtherance of the program
established under this paragraph (a), clause (6). School districts may cooperate with the
commissioner and volunteer instructors to provide space for the classroom portion of the
training. The commissioner shall consult with the commissioner of public safety in regard
to training program subject matter and performance testing that leads to the certification of
snowmobile operators.

(7) (c) The operator of any snowmobile involved in an accident resulting in injury
requiring medical attention or hospitalization to or death of any person or total damage to
an extent of $500 or more, shall forward a written report of the accident to the commissioner
on such a form as prescribed by the commissioner shall prescribe. If the operator is killed
or is unable to file a report due to incapacitation, any peace officer investigating the accident
shall file the accident report within ten business days.

Sec. 9. Minnesota Statutes 2021 Supplement, section 84.92, subdivision 8, is amended to
read:

Subd. 8. All-terrain vehicle or vehicle. (a) "All-terrain vehicle" or "vehicle" means a
motorized vehicle with: (1) not less than three, but not more than six low pressure or
non-pneumatic tires; (2) a total dry weight of 2,000 3,000 pounds or less; and (3) a total
width from outside of tire rim to outside of tire rim that is 65 inches or less. All-terrain
vehicle includes a class 1 all-terrain vehicle and class 2 all-terrain vehicle.

(b) All-terrain vehicle does not include an electric-assisted bicycle as defined in section
169.011, subdivision 27, golf cart, mini-truck, dune buggy, or go-cart or a vehicle designed
and used specifically for lawn maintenance, agriculture, logging, or mining purposes.

Sec. 10. Minnesota Statutes 2020, section 84.922, subdivision 4, is amended to read:

Subd. 4. Report of transfers. (a) Application for transfer of ownership must be made
to the commissioner within 15 days of the date of transfer.

(b) An application for transfer must be executed by the registered current owner and the
purchaser using a bill of sale that includes the vehicle serial number.

(c) The purchaser is subject to the penalties imposed by section 84.774 if the purchaser
fails to apply for transfer of ownership as provided under this subdivision.
Sec. 11. Minnesota Statutes 2020, section 85.015, subdivision 10, is amended to read:

Subd. 10. Luce Line Trail, Hennepin, McLeod, and Meeker Counties. (a) The trail shall originate at Gleason Lake in Plymouth Village, Hennepin County, and shall follow the route of the Chicago Northwestern Railroad, and include a connection to Greenleaf Lake State Recreation Area.

(b) The trail shall be developed for multiuse wherever feasible. The department shall cooperate in maintaining its integrity for modes of use consistent with local ordinances.

(c) In establishing, developing, maintaining, and operating the trail, the commissioner shall cooperate with local units of government and private individuals and groups. Before acquiring any parcel of land for the trail, the commissioner of natural resources shall develop a management program for the parcel and conduct a public hearing on the proposed management program in the vicinity of the parcel to be acquired. The management program of the commissioner shall include but not be limited to the following:

(a) (1) fencing of portions of the trail where necessary to protect adjoining landowners;

and

(b) the maintenance of (2) maintaining the trail in a litter-free condition to the extent practicable.

(d) The commissioner shall not acquire any of the right-of-way of the Chicago Northwestern Railway Company until the abandonment of the line described in this subdivision has been approved by the Surface Transportation Board or the former Interstate Commerce Commission. Compensation, in addition to the value of the land, shall include improvements made by the railroad, including but not limited to, bridges, trestles, public road crossings, or any portion thereof, it being the desire of the railroad that such improvements be included in the conveyance. The fair market value of the land and improvements shall be recommended by two independent appraisers mutually agreed upon by the parties. The fair market value thus recommended shall be reviewed by a review appraiser agreed to by the parties, and the fair market value thus determined, and supported by appraisals, may be the purchase price. The commissioner may exchange lands with landowners abutting the right-of-way described in this section to eliminate diagonally shaped separate fields.
Sec. 12. Minnesota Statutes 2021 Supplement, section 85.052, subdivision 6, is amended to read:

Subd. 6. State park reservation system. (a) The commissioner may, by written order, develop reasonable reservation policies for campsites and other using camping, lodging, and day-use facilities and for tours, educational programs, seminars, events, and rentals. The policies are exempt from the rulemaking provisions under chapter 14, and section 14.386 does not apply.

(b) The revenue collected from the state park reservation fee established under subdivision 5, including interest earned, shall be deposited in the state park account in the natural resources fund and is annually appropriated to the commissioner for the cost of operating the state park reservation and point-of-sale system.

Sec. 13. Minnesota Statutes 2020, section 90.181, subdivision 2, is amended to read:

Subd. 2. Deferred payments. (a) If the amount of the statement is not paid or payment is not postmarked within 30 days of the statement date thereof, it shall bear interest at the rate determined pursuant to section 16A.124, except that the purchaser shall not be required to pay interest that totals $1 or less. If the amount is not paid within 60 days, the commissioner shall place the account in the hands of the commissioner of revenue according to chapter 16D, who shall proceed to collect the same amount due.

When deemed in the best interests of the state, the commissioner shall take possession of the timber for which an amount is due wherever it may be found and sell the same timber informally or at public auction after giving reasonable notice.

(b) The proceeds of the sale shall be applied, first, to the payment of the expenses of seizure and sale; and, second, to the payment of the amount due for the timber, with interest; and, The surplus, if any, shall belong to the state; and, In case a sufficient amount is not realized to pay these amounts in full, the balance shall be collected by the attorney general. Neither Payment of the amount, nor the recovery of judgment therefor for the amount, nor satisfaction of the judgment, nor the seizure and sale of timber, shall does not:

1) release the sureties on any security deposit given pursuant to this chapter; or, 2) preclude the state from afterwards claiming that the timber was cut or removed contrary to law and recovering damages for the trespass thereby committed; or 3) preclude the state from prosecuting the offender criminally.
Sec. 14. [93.70] ENSURING TIMELY ENVIRONMENTAL REVIEW OF METALLIC MINING PROJECTS.

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

(b) "Commissioner" means the commissioner of natural resources.

(c) "Covered mining project" means a proposed metallic mineral mining project or a modification to an existing metallic mining project for which an environmental assessment worksheet or an environmental impact statement must be or is being prepared according to chapter 116D.

(d) "Submission date" means the date on which a project proposer of a covered mining project submits the completed data portion of an environmental assessment worksheet to the responsible governmental unit for environmental review under chapter 116D.

Subd. 2. Environmental review goals. To ensure an environmental review process that is both timely and environmentally responsible, the responsible governmental unit for a covered mining project must attempt to ensure that all environmental reviews, permits, and approvals, including those at the federal level to the extent practicable, are completed in accordance with the following timelines:

(1) when an environmental assessment worksheet is prepared for a project for which an environmental impact statement is not required, the decision on the need for an environmental impact statement must be made no later than 18 months after the environmental assessment worksheet submission date; and

(2) when an environmental impact statement is prepared for a project, the decision on the adequacy of the final environmental impact statement must be made no later than three years after the environmental assessment worksheet submission date.

Subd. 3. Report. If a responsible governmental unit fails to meet a goal set forth in subdivision 2, it must within five days report to the project proposer and to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over mining to explain the reason for the failure and must provide an estimate of the additional time that will be required to determine whether an environmental impact statement is required or whether the final environmental impact statement is adequate, as applicable.
Sec. 15. Minnesota Statutes 2020, section 97A.015, subdivision 29, is amended to read:

Subd. 29. *Minnows.* "Minnows" means: (1) members of the minnow family, Cyprinidae, except carp and goldfish; (2) members of the mudminnow family, Umbridae; (3) members of the sucker family, Catostomidae, not over 12 inches in length; (4) bullheads, ciscoes, lake whitefish, goldeyes, and mooneyes, not over seven inches long; (5) leeches; and (6) tadpole madtoms (willow cats) and stonecats.

Sec. 16. Minnesota Statutes 2020, section 97A.015, subdivision 51, is amended to read:

Subd. 51. *Unloaded.* "Unloaded" means, with reference to a firearm, without ammunition in the barrels and magazine, if the magazine is in the firearm. A muzzle-loading firearm with is unloaded if:

1. for a flintlock ignition is unloaded if it does not have priming powder in a pan, A muzzle-loading firearm with
2. (2) for a percussion ignition is unloaded if it does not have a percussion cap on a nipple; if
3. (3) for an electronic ignition system, the battery is removed and is disconnected from the firearm; and
4. (4) for an encapsulated powder charge ignition system, the primer and powder charge are removed from the firearm.

Sec. 17. Minnesota Statutes 2020, section 97A.126, as amended by Laws 2021, First Special Session chapter 6, article 2, section 52, 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 for hunting, bird-watching, nature photography, and similar compatible uses, 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 hunt, photograph, and watch wildlife on private lands, including agricultural lands, that are posted as being enrolled in the walk-in access program.
(b) Hunting, bird-watching, nature photography, and similar compatible uses 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 persons 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 provide credible
assurance to the commissioner that the device or motor boat is used because of a disability.

(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 use of lands enrolled in the walk-in access program.

(e) Any use of enrolled lands other than hunting according to use authorized under 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.

Subd. 3. Walk-in-access hunter validation; fee. The fee for a walk-in-access hunter
validation is $3.

Sec. 18. Minnesota Statutes 2020, section 97A.137, subdivision 3, is amended to read:

Subd. 3. Use of motorized vehicles by disabled hunters people with disabilities. The
commissioner may issue provide an accommodation by issuing a special permit, without a
fee, authorizing a hunter person with a permanent physical disability to use a snowmobile,
highway-licensed vehicle, all-terrain vehicle, an other power-driven mobility device, as
defined under Code of Federal Regulations, title 28, section 35.104, or a motor boat in
wildlife management areas. To qualify for a permit under this subdivision, the disabled
person must possess:

(1) the required hunting licenses; and
(2) a permit to shoot from a stationary vehicle under section 97B.055, subdivision 3.

provide credible assurance to the commissioner that the device or motor boat is used because of a disability.

Sec. 19. Minnesota Statutes 2020, section 97A.137, subdivision 5, is amended to read:

Subd. 5. Portable stands. (a) Prior to the Saturday on or nearest September 16, a portable stand may be left overnight in a wildlife management area by a person with a valid bear license who is hunting within 100 yards of a bear bait site that is legally tagged and registered as prescribed under section 97B.425. Any person leaving a portable stand overnight under this subdivision must affix a tag with: (1) the person's name and address; (2) the licensee's driver's license number; or (3) the "MDNR#" license identification number issued to the licensee. The tag must be affixed to the stand in a manner that it can be read from the ground.

(b) From November 1 through December 31, a portable stand may be left overnight by a person possessing a license to take deer in a wildlife management area located in whole or in part north and west of a line described as follows:

State Trunk Highway 1 from the west boundary of the state to State Trunk Highway 89; then north along State Trunk Highway 89 to Fourtown; then north on County State-Aid Highway 44, Beltrami County, to County Road 704, Beltrami County; then north on County Road 704 to Dick's Parkway State Forest Road; then north on Dick's Parkway to County State-Aid Highway 5, Roseau County; then north on County State-Aid Highway 5 to Warroad; then north on State Trunk Highway 11 to State Trunk Highway 313; then north on State Trunk Highway 313 to the north boundary of the state.

A person leaving a portable stand overnight under this paragraph must affix a tag with: (1) the person's name and address; (2) the licensee's driver's license number; or (3) the "MDNR#" license identification number issued to the licensee. The tag must be affixed to the stand so that it can be read from the ground and must be made of a material sufficient to withstand weather conditions. A person leaving a portable stand overnight in a wildlife management area under this paragraph may not leave more than two portable stands in any one wildlife management area. Unoccupied portable stands left overnight under this paragraph may be used by any member of the public. This paragraph expires December 31, 2019.

EFFECTIVE DATE. This section is effective retroactively from July 1, 2019, and Minnesota Statutes, section 97A.137, subdivision 5, paragraph (b), is revived and reenacted as of that date.
Sec. 20. Minnesota Statutes 2020, section 97A.405, subdivision 5, is amended to read:

Subd. 5. Resident licenses. (a) To obtain a resident license, an individual 21 years of age or older must be a resident and:

1. possess a current Minnesota driver's license or a valid application receipt for a driver's license that is at least 60 days past the issuance date;

2. possess a current identification card issued by the commissioner of public safety or a valid application receipt for an identification card that is at least 60 days past the issuance date; or

3. present evidence showing proof of residency in cases when clause (1) or (2) would violate the Religious Freedom Restoration Act of 1993, Public Law 103-141; or

4. possess a Tribal identification card as provided in paragraph (b).

(b) For purposes of this subdivision, "Tribal identification card" means an unexpired identification card as provided under section 171.072, paragraphs (b) and (c). The Tribal identification card:

1. must contain the enrolled Tribal member's Minnesota residence address; and

2. may be used to obtain a resident license under paragraph (a) only if the Tribal member does not have a current driver's license or state identification card in any state.

(c) A person must not have applied for, purchased, or accepted a resident hunting, fishing, or trapping license issued by another state or foreign country within 60 days before applying for a resident license under this section.

Sec. 21. Minnesota Statutes 2020, section 97B.031, subdivision 1, is amended to read:

Subdivision 1. Permissible firearms and ammunition; big game and wolves. A person may take big game and wolves with a firearm only if:

1. the any rifle, shotgun, and handgun used is a caliber of at least .22 inches and with centerfire ignition;

2. the firearm is loaded only with single projectile ammunition;

3. a projectile used is a caliber of at least .22 inches and has a soft point or is an expanding bullet type;

4. the any muzzleloader used is incapable of being has the projectile loaded only at the breech muzzle;
the any smooth-bore muzzleloader used is a caliber of at least .45 inches; and

the any rifled muzzleloader used is a caliber of at least .40 inches.

Sec. 22. Minnesota Statutes 2020, section 97B.031, is amended by adding a subdivision to read:

Subd. 7. Regular firearms deer season. During the regular firearms deer season, all legal firearms may be used statewide.

Sec. 23. Minnesota Statutes 2020, section 97B.071, is amended to read:

97B.071 CLOTHING AND GROUND BLIND REQUIREMENTS; BLAZE ORANGE OR BLAZE PINK.

(a) Except as provided in rules adopted under paragraph (c), a person may not hunt or trap during the open season where deer may be taken by firearms under applicable laws and ordinances, unless the visible portion of the person’s cap and outer clothing above the waist, excluding sleeves and gloves, is blaze orange or blaze pink. Blaze orange or blaze pink includes a camouflage pattern of at least 50 percent blaze orange or blaze pink within each foot square. This section does not apply to migratory-waterfowl hunters on waters of this state or in a stationary shooting location or to trappers on waters of this state.

(b) Except as provided in rules adopted under paragraph (d) and in addition to the requirements under paragraph (a), during the open season where deer may be taken by firearms under applicable laws and ordinances, a person in a fabric or synthetic ground blind on public land must have:

(1) a blaze orange or blaze pink safety covering on the top of the blind visible for 360 degrees around the blind; or

(2) at least 144 square inches of blaze orange or blaze pink material on each side of the blind.

(b) (c) Except as provided in rules adopted under paragraph (c), and in addition to the requirements in paragraph paragraphs (a) and (b), a person may not take small game other than turkey, migratory birds, raccoons, and predators, except while trapping, unless a visible portion of at least one article of the person’s clothing above the waist is blaze orange or blaze pink. This paragraph does not apply to a person when in a stationary location while hunting deer by archery or when hunting small game by falconry.
The commissioner may, by rule, prescribe an alternative color in cases where paragraphs (a) or (b) would violate the Religious Freedom Restoration Act of 1993, Public Law 103-141.

A violation of paragraph (b) shall not result in a penalty, but is punishable only by a safety warning.

Sec. 24. Minnesota Statutes 2020, section 97B.311, is amended to read:

97B.311 DEER SEASONS AND RESTRICTIONS.

(a) Except as provided under paragraph (c), the commissioner may, by rule, prescribe restrictions and designate areas where deer may be taken, including hunter selection criteria for special hunts established under section 97A.401, subdivision 4. The commissioner may, by rule, prescribe the open seasons for deer within the following periods:

(1) taking with firearms, other than muzzle-loading firearms, between November 1 and December 15;

(2) taking with muzzle-loading firearms between September 1 and December 31; and

(3) taking by archery between September 1 and December 31.

(b) Notwithstanding paragraph (a), the commissioner may establish special seasons within designated areas at any time of year.

(c) The commissioner may not impose an antler point restriction other than that imposed under Minnesota Rules, part 6232.0200, subpart 6.

Sec. 25. Minnesota Statutes 2020, section 97B.415, is amended to read:

97B.415 TAKING BEAR TO PROTECT PROPERTY; SPECIAL PERMIT FOR TAKING NUISANCE BEAR.

(a) A person may take a bear at any time to protect the person's property. The person must report the bear taken to a conservation officer within 48 hours. The bear may be disposed of as prescribed by the commissioner.

(b) The commissioner must issue a bear control special permit according to section 97A.401 for wildlife control operators to take nuisance bear by live trapping and relocating the bear. When a bear is trapped and released, an enforcement officer or a wildlife manager must approve the release location. The commissioner must provide specific training to wildlife control operators who are issued a permit under this paragraph, including a refresher course every five years. The commissioner may not charge a fee for the bear control special
permit or training. A wildlife control operator with a special permit issued under this paragraph may use remote surveillance equipment to monitor live traps.

Sec. 26. Minnesota Statutes 2020, section 97B.645, subdivision 9, is amended to read:

Subd. 9. **Open season.** There shall be no open season for wolves until after the wolf is delisted under the federal Endangered Species Act of 1973. After that time, the commissioner may annually prescribe one or more open seasons and for taking wolves by hunting, trapping, and bow and arrow. The commissioner may also prescribe restrictions for taking wolves but must provide opportunity for public comment.

Sec. 27. Minnesota Statutes 2020, section 97B.668, is amended to read:

**97B.668 GAME BIRDS ANIMALS CAUSING DAMAGE.**

Subdivision 1. **Game birds causing damage.** Notwithstanding sections 97B.091 and 97B.805, subdivisions 1 and 2, a person or agent of that person on lands and nonpublic waters owned or operated by the person may nonlethally scare, haze, chase, or harass game birds that are causing property damage or to protect a disease risk at any time or place that a hunting season for the game birds is not open. This section does not apply to public waters as defined under section 103G.005, subdivision 15. This section does not apply to migratory waterfowl on nests and other federally protected game birds on nests, except ducks and geese on nests when a permit is obtained under section 97A.401.

Subd. 2. **Deer and elk causing damage.** (a) Notwithstanding section 97B.091, a property owner, the property owner's immediate family member, or an agent of the property owner may nonlethally scare, haze, chase, or harass deer or elk that are causing damage to agricultural crops propagated under generally accepted agricultural practices.

(b) Paragraph (a) applies only:

(1) in the immediate area of the crop damage; and

(2) during the closed season for taking deer or elk.

(c) Paragraph (a) does not allow:

(1) using poisons;

(2) using dogs;

(3) conduct that drives a deer or elk to the point of exhaustion;

(4) activities requiring a permit under section 97A.401; or
(5) causing the death of a deer or elk or actions likely to cause the death of a deer or elk.

(d) A property owner or the owner's agent must report the death of any deer or elk to Division of Fish and Wildlife staff within 24 hours of the death if the death resulted from actions taken under paragraph (a).

Sec. 28. Minnesota Statutes 2020, section 97C.211, subdivision 2a, is amended to read:

Subd. 2a. Acquiring fish. (a) A private fish hatchery may not obtain fish outside of the state unless the fish or the source of the fish are approved by the commissioner. The commissioner may apply more stringent requirements to fish or a source of fish from outside the state than are applied to fish and sources of fish from within the state. The commissioner must either approve or deny the acquisition within 30 days after receiving a written request for approval. Minnows acquired must be processed and not released into public waters, except as provided in section 97C.515, subdivision 4. A request may be for annual acquisition.

(b) If the commissioner denies approval, a written notice must be submitted to the applicant stating the reasons for the denial and the commissioner must:

1. designate approved sources to obtain the desired fish or fish eggs; or
2. sell the fish or fish eggs from state fish hatcheries at fair market value.

Sec. 29. Minnesota Statutes 2020, section 97C.315, subdivision 1, is amended to read:

Subdivision 1. Lines. An angler may not use more than one line except:

1. two lines may be used to take fish through the ice; and
2. the commissioner may, by rule, authorize the use of two lines in areas designated by the commissioner in Lake Superior; and
3. two lines may be used in the Minnesota River downstream of the Granite Falls dam and in the Mississippi River downstream of St. Anthony Falls.

Sec. 30. Minnesota Statutes 2020, section 97C.515, subdivision 2, is amended to read:

Subd. 2. Permit for transportation importation. (a) A person may transport import live minnows through into the state with a permit from the commissioner. The permit must state the name and address of the person, the number and species of minnows, the point of entry into the state, the destination, and the route through the state. The permit is not valid
for more than 12 hours after it is issued. A person must not import minnows into the state except as provided in this section.

(b) Minnows transported under this subdivision must be in a tagged container. The tag number must correspond with tag numbers listed on the minnow transportation permit.

(c) The commissioner may require the person transporting minnow species found on the official list of viral hemorrhagic septicemia susceptible species published by the United States Department of Agriculture, Animal and Plant Health Inspection Services, to provide health certification for viral hemorrhagic septicemia. The certification must disclose any incidentally isolated replicating viruses, and must be dated within the 12 months preceding transport.

(b) Minnows must be certified as healthy according to standards of the World Organisation for Animal Health or the Fish Health Section Blue Book of the American Fisheries Society.

(c) Minnows must be certified free of viral hemorrhagic septicemia, infectious hematopoietic necrosis, infectious pancreatic necrosis, spring viremia of carp virus, fathead minnow nidovirus, and Heterosporis within the past 12 months.

(d) Minnows must originate from a biosecure facility that has tested negative for invasive species in the past 12 months.

(e) Only a person that holds a minnow dealer's license issued under section 97C.501, subdivision 2, may obtain a permit to import minnows.

(f) The following information must be available to the commissioner upon request for each load of imported minnows:

(1) the date minnows were imported;

(2) the number of pounds or gallons imported;

(3) the facility name from which the minnows originated; and

(4) a fish health certificate for the minnows.

(g) Minnows may be imported to feed hatchery fish if the requirements in paragraphs (a) to (f) are met.
Sec. 31. Minnesota Statutes 2020, section 103G.201, is amended to read:

**103G.201 PUBLIC WATERS INVENTORY.**

(a) The commissioner shall maintain a public waters inventory map of each county that shows the waters of this state that are designated as public waters under the public waters inventory and classification procedures prescribed under Laws 1979, chapter 199, and shall provide access to a copy of the maps. As county public waters inventory maps are revised according to this section, the commissioner shall send a notification or a copy of the maps to the auditor of each affected county.

(b) The commissioner is authorized to revise the map of public waters established under Laws 1979, chapter 199, to reclassify those types 3, 4, and 5 wetlands previously identified as public waters wetlands under Laws 1979, chapter 199, as public waters or as wetlands under section 103G.005, subdivision 19. The commissioner may only reclassify public waters wetlands as public waters if:

(1) they are assigned a shoreland management classification by the commissioner under sections 103F.201 to 103F.221;

(2) they are classified as lacustrine wetlands or deepwater habitats according to Classification of Wetlands and Deepwater Habitats of the United States (Cowardin, et al., 1979 edition); or

(3) the state or federal government has become titleholder to any of the beds or shores of the public waters wetlands, subsequent to the preparation of the public waters inventory map filed with the auditor of the county, pursuant to paragraph (a), and the responsible state or federal agency declares that the water is necessary for the purposes of the public ownership.

(c) The commissioner must provide notice of the reclassification under paragraph (b) or a revision under paragraph (e) to the local government unit, the county board, the watershed district, if one exists for the area, and the soil and water conservation district. Within 60 days of receiving notice from the commissioner, a party required to receive the notice may provide a resolution stating objections to the reclassification or revision. If the commissioner receives an objection from a party required to receive the notice, the reclassification or revision is not effective. If the commissioner does not receive an objection from a party required to receive the notice, the reclassification of a wetland under paragraph (b) or revision under paragraph (e) is effective 60 days after the notice is received by all of the parties.
(d) The commissioner shall give priority to the reclassification of public waters wetlands that are or have the potential to be affected by public works projects.

(e) The commissioner may revise the public waters inventory map of each county:
   (1) to reflect the changes authorized in paragraph (b); and
   (2) as needed, to:
       (i) correct errors in the original inventory;
       (ii) add or subtract trout stream tributaries within sections that contain a designated trout stream following written notice to the landowner;
       (iii) add depleted quarries, and sand and gravel pits, when the body of water exceeds 50 acres and the shoreland has been zoned for residential development; and
       (iv) add or subtract public waters that have been created or eliminated as a requirement of a permit authorized by the commissioner under section 103G.245.

Sec. 32. Minnesota Statutes 2020, section 103G.211, is amended to read:

103G.211 DRAINING PUBLIC WATERS PROHIBITED WITHOUT REPLACEMENT.

(a) Except as provided in sections 103G.221 to 103G.235, public waters may not be drained, and a permit authorizing drainage of public waters may not be issued, unless the public waters to be drained are replaced by public waters that will have equal or greater public value.

(b) Nothing in this section shall be construed to prevent the commissioner from issuing or amending a water-use permit for appropriation from groundwater where:
   (1) the application is for a new groundwater well or to increase appropriation amounts under an existing permit;
   (2) the applicant is a municipality wholly or partially located within a five-mile radius of White Bear Lake; and
   (3) the amount of water to be appropriated under the proposal is consistent with the amount anticipated to be needed by the applicant each year according to a water supply plan approved by the commissioner under section 103G.291 before 2021.

(c) Paragraph (b) and this paragraph expire January 1, 2041.
EFFECTIVE DATE. This section is effective the day following final enactment and applies to applications for new or modified permits filed on or after that date.

Sec. 33. Minnesota Statutes 2020, section 103G.223, is amended to read:

103G.223 CALCAREOUS FENS.

(a) Calcareous fens, as identified by the commissioner by written order published in the State Register, may not be filled, drained, or otherwise degraded, wholly or partially, by any activity, unless the commissioner, under an approved management plan, decides some alteration is necessary or as provided in paragraph (b). Identifications made by the commissioner are not subject to the rulemaking provisions of chapter 14 and section 14.386 does not apply.

(b) The commissioner may allow water appropriations that result in temporary reductions in groundwater resources on a seasonal basis under an approved calcareous fen management plan.

(c) If the commissioner determines that a water appropriation permit cannot be issued or renewed because of this section, the commissioner must, within one year of the date of denial and at no cost to the applicant, provide the applicant with a groundwater and surface water hydrologic evaluation that demonstrates by a preponderance of the evidence the basis for that conclusion.

(d) An applicant whose permit is denied under this section may file a written request with the commissioner to designate a mutually agreed upon third-party expert to review the evaluation provided under paragraph (c) at no cost to the applicant and to make recommendations to the commissioner about whether the permit should be issued. The third party expert must agree to provide the commissioner and applicant with the expert's recommendations within 90 days of agreeing to review the evaluation.

(e) A permit applicant may file for a contested case hearing under chapter 14 within 30 days of the later of the following:

(1) the date by which the hydrologic evaluation was required to have been provided to the applicant under paragraph (c);

(2) receiving the recommendations of the third party who is reviewing the evaluation under paragraph (d); or

(3) determining that no mutually agreed upon third-party expert can be found.
(f) Any permit applicant who has had a water appropriation permit previously denied under this section may resubmit a permit application under this section and is entitled to all rights and reviews available under this section.

Sec. 34. Minnesota Statutes 2021 Supplement, section 103G.271, subdivision 4a, is amended to read:

Subd. 4a. **Mt. Simon-Hinckley aquifer.** The commissioner may not issue new water-use permits that will appropriate water from the Mt. Simon-Hinckley aquifer unless:

(1) the appropriation is for potable water use, there are no feasible or practical alternatives to this source, and a water conservation plan is incorporated with the permit; or

(2) the appropriation is for less than 4,000,000 gallons per year and is to facilitate the growth of trees.

Sec. 35. Minnesota Statutes 2020, section 103G.271, subdivision 7, is amended to read:

Subd. 7. **Transferring permit.** (a) A water-use permit may be transferred to a successive owner of real property if the permittee conveys the real property where the source of water is located. The new owner must notify the commissioner immediately after the conveyance and request transfer of the permit. The commissioner must not deny the transfer of a permit if the permittee is in compliance with all permit conditions and the permit meets the requirements of sections 103G.255 to 103G.301.

(b) When transferring a permit, the commissioner must not require additional conditions on the permit, reduce the appropriation, reduce the term, or require any testing.

Sec. 36. Minnesota Statutes 2020, section 103G.271, is amended by adding a subdivision to read:

Subd. 8. **Management plans; effect on land values.** Before a management plan for appropriating water is prepared, the commissioner must provide estimates of the impact of any new restriction or policy on land values in the affected area. Strategies to address adverse impacts to land values must be included in the plan.
Sec. 37. Minnesota Statutes 2020, section 103G.285, is amended by adding a subdivision to read:

Subd. 7. Application. (a) Nothing in this section shall be construed to prevent the commissioner from issuing or amending a water-use permit for appropriation from groundwater where:

(1) the application is for a new groundwater well or to increase appropriation amounts under an existing permit;

(2) the applicant is a municipality wholly or partially located within a five-mile radius of White Bear Lake; and

(3) the amount of water to be appropriated under the proposal is consistent with the amount anticipated to be needed by the applicant each year according to a water supply plan approved by the commissioner under section 103G.291 before 2021.

(b) This subdivision expires January 1, 2041.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to applications for new or modified permits filed on or after that date.

Sec. 38. Minnesota Statutes 2020, section 103G.287, subdivision 4, is amended to read:

Subd. 4. Groundwater management areas. (a) The commissioner may designate groundwater management areas and limit total annual water appropriations and uses within a designated area to ensure sustainable use of groundwater that protects ecosystems, water quality, and the ability of future generations to meet their own needs. Water appropriations and uses within a designated management area must be consistent with a groundwater management area plan approved by the commissioner that addresses water conservation requirements and water allocation priorities established in section 103G.261. During development of a groundwater management area plan, the commissioner and employees and agents of the department may disseminate information related to the timing, location, and agendas of meetings related to the plan, but must otherwise limit public information related to the groundwater management area plan to direct factual responses to public and media inquiries. At least 30 days prior to implementing or modifying a groundwater management area plan under this subdivision, the commissioner shall consult with the advisory team established in paragraph (c).

(b) Notwithstanding section 103G.271, subdivision 1, paragraph (b), and Minnesota Rules, within designated groundwater management areas, the commissioner may require general permits as specified in section 103G.271, subdivision 1, paragraph (c), for water...
users using less than 10,000 gallons per day or 1,000,000 gallons per year and water suppliers
serving less than 25 persons for domestic purposes. The commissioner may waive the
requirements under section 103G.281 for general permits issued under this paragraph, and
the fee specified in section 103G.301, subdivision 2, paragraph (c), does not apply to general
permits issued under this paragraph.

(c) When designating a groundwater management area, the commissioner shall assemble
an advisory team to assist in developing a groundwater management area plan for the area.
The advisory team members shall be selected from public and private entities that have an
interest in the water resources affected by the groundwater management area. A majority
of the advisory team members shall be public and private entities that currently hold water-use
permits for water appropriations from the affected water resources. The commissioner shall
consult with the League of Minnesota Cities, the Association of Minnesota Counties, the
Minnesota Association of Watershed Districts, and the Minnesota Association of Townships
in appointing the local government representatives to the advisory team. The advisory team
may also include representatives from the University of Minnesota, the Minnesota State
Colleges and Universities, other institutions of higher learning in Minnesota, political
subdivisions with jurisdiction over water issues, nonprofits with expertise in water, and
federal agencies.

(d) Before designating a groundwater management area, the commissioner must provide
estimates of the impact of any new restriction or policy on land values in the affected area.
Strategies to address adverse impacts to land values must be included in any plan.

Sec. 39. Minnesota Statutes 2020, section 103G.287, subdivision 5, is amended to read:

Subd. 5. Sustainability standard. (a) The commissioner may issue water-use permits
for appropriation from groundwater only if the commissioner determines that the groundwater
use is sustainable to supply the needs of future generations and the proposed use will not
harm ecosystems, degrade water, or reduce water levels beyond the reach of public water
supply and private domestic wells constructed according to Minnesota Rules, chapter 4725.

(b) For the purposes of this subdivision and subdivision 4, "sustainable" means a change
in hydrologic regime of 20 percent or less relative to the August median stream flow.
Sec. 40. Minnesota Statutes 2020, section 103G.287, is amended by adding a subdivision to read:

Subd. 6. **Application.** (a) Nothing in this section shall be construed to prevent the commissioner from issuing or amending a water-use permit for appropriation from groundwater where:

1. the application is for a new groundwater well or to increase appropriation amounts under an existing permit;
2. the applicant is a municipality wholly or partially located within a five-mile radius of White Bear Lake; and
3. the amount of water to be appropriated under the proposal is consistent with the amount anticipated to be needed by the applicant each year according to a water supply plan approved by the commissioner under section 103G.291 before 2021.

(b) This subdivision expires January 1, 2041.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to applications for new or modified permits filed on or after that date.

Sec. 41. Minnesota Statutes 2020, section 103G.287, is amended by adding a subdivision to read:

Subd. 7. **Issuance of certain permits.** (a) Notwithstanding any other provision of law, the commissioner must issue a water-use permit for appropriation from groundwater that meets the criteria of subdivision 6. Nothing in this subdivision shall be construed to prohibit the commissioner from imposing conditions on the permit so long as the conditions do not prevent the applicant from appropriating the amount of groundwater applied for.

(b) This subdivision expires January 1, 2041.

**EFFECTIVE DATE.** This section is effective the day following final enactment and applies to applications for new or modified permits filed on or after that date.

Sec. 42. Minnesota Statutes 2020, section 103G.289, is amended to read:

**103G.289 WELL INTERFERENCE; WELL SEALING VALIDATION; CONTESTED CASE.**

(a) The commissioner shall not validate a claim for well interference if the affected well has been sealed prior to the completion of the commissioner's investigation of the
complaint. If the well is sealed prior to completion of the investigation, the commissioner must dismiss the complaint.

(b) When validating a claim for well interference, the commissioner must take into account the condition of the affected well.

(c) Within 30 days after the commissioner's decision on a claim for well interference, a party ordered by the commissioner to contribute to an affected well owner may petition for a contested case hearing under sections 14.57 to 14.62. The commissioner must grant the petitioner a contested case hearing on the commissioner’s decision.

Sec. 43. Minnesota Statutes 2020, section 115.03, subdivision 1, is amended to read:

Subdivision 1. Generally. (a) The agency is hereby given and charged with the following powers and duties:

(1) to administer and enforce all laws relating to the pollution of any of the waters of the state;

(2) to investigate the extent, character, and effect of the pollution of the waters of this state and to gather data and information necessary or desirable in the administration or enforcement of pollution laws, and to make such classification of the waters of the state as it may deem advisable;

(3) to establish and alter such reasonable pollution standards for any waters of the state in relation to the public use to which they are or may be put as it shall deem necessary for the purposes of this chapter and, with respect to the pollution of waters of the state, chapter 116;

(4) to encourage waste treatment, including advanced waste treatment, instead of stream low-flow augmentation for dilution purposes to control and prevent pollution;

(5) to adopt, issue, reissue, modify, deny, or revoke, enter into or enforce reasonable orders, permits, variances, standards, rules, schedules of compliance, and stipulation agreements, under such conditions as it may prescribe, in order to prevent, control or abate water pollution, or for the installation or operation of disposal systems or parts thereof, or for other equipment and facilities:

(i) requiring the discontinuance of the discharge of sewage, industrial waste or other wastes into any waters of the state resulting in pollution in excess of the applicable pollution standard established under this chapter;
(2) (ii) prohibiting or directing the abatement of any discharge of sewage, industrial 
waste, or other wastes, into any waters of the state or the deposit thereof or the discharge 
into any municipal disposal system where the same is likely to get into any waters of the 
state in violation of this chapter and, with respect to the pollution of waters of the state, 
chapter 116, or standards or rules promulgated or permits issued pursuant thereto, and 
specifying the schedule of compliance within which such prohibition or abatement must be 
accomplished;

(3) (iii) prohibiting the storage of any liquid or solid substance or other pollutant in a 
manner which does not reasonably assure proper retention against entry into any waters of 
the state that would be likely to pollute any waters of the state;

(4) (iv) requiring the construction, installation, maintenance, and operation by any person 
of any disposal system or any part thereof, or other equipment and facilities, or the 
reconstruction, alteration, or enlargement of its existing disposal system or any part thereof, 
or the adoption of other remedial measures to prevent, control or abate any discharge or 
deposit of sewage, industrial waste or other wastes by any person;

(5) (v) establishing, and from time to time revising, standards of performance for new 
sources taking into consideration, among other things, classes, types, sizes, and categories 
of sources, processes, pollution control technology, cost of achieving such effluent reduction, 
and any nonwater quality environmental impact and energy requirements. Said standards 
of performance for new sources shall must encompass those standards for the control of the 
discharge of pollutants which reflect the greatest degree of effluent reduction which the 
agency determines to be achievable through application of the best available demonstrated 
control technology, processes, operating methods, or other alternatives, including, where 
practicable, a standard permitting no discharge of pollutants. New sources shall must 
encompass buildings, structures, facilities, or installations from which there is or may be 
the discharge of pollutants, the construction of which is commenced after the publication 
by the agency of proposed rules prescribing a standard of performance which will be 
applicable to such source. Notwithstanding any other provision of the law of this state, any 
point source the construction of which is commenced after May 20, 1973, and which is so 
constructed as to meet all applicable standards of performance for new sources shall must, 
consistent with and subject to the provisions of section 306(d) of the Amendments of 1972 
to the Federal Water Pollution Control Act, not be subject to any more stringent standard 
of performance for new sources during a ten-year period beginning on the date of completion 
of such construction or during the period of depreciation or amortization of such facility 
for the purposes of section 167 or 169, or both, of the Federal Internal Revenue Code of
1954, whichever period ends first. Construction \textit{shall} must encompass any placement, assembly, or installation of facilities or equipment, including contractual obligations to purchase such facilities or equipment, at the premises where such equipment will be used, including preparation work at such premises;

\textit{(vi)} establishing and revising pretreatment standards to prevent or abate the discharge of any pollutant into any publicly owned disposal system, which pollutant interferes with, passes through, or otherwise is incompatible with such disposal system;

\textit{(vii)} requiring the owner or operator of any disposal system or any point source to establish and maintain such records, make such reports, install, use, and maintain such monitoring equipment or methods, including where appropriate biological monitoring methods, sample such effluents in accordance with such methods, at such locations, at such intervals, and in such a manner as the agency \textit{shall} must prescribe, and providing such other information as the agency may reasonably require;

\textit{(viii)} notwithstanding any other provision of this chapter, and with respect to the pollution of waters of the state, chapter 116, requiring the achievement of more stringent limitations than otherwise imposed by effluent limitations in order to meet any applicable water quality standard by establishing new effluent limitations, based upon section 115.01, subdivision 13, clause (b), including alternative effluent control strategies for any point source or group of point sources to insure the integrity of water quality classifications, whenever the agency determines that discharges of pollutants from such point source or sources, with the application of effluent limitations required to comply with any standard of best available technology, would interfere with the attainment or maintenance of the water quality classification in a specific portion of the waters of the state. Prior to establishment of any such effluent limitation, the agency \textit{shall} must hold a public hearing to determine the relationship of the economic and social costs of achieving such limitation or limitations, including any economic or social dislocation in the affected community or communities, to the social and economic benefits to be obtained and to determine whether or not such effluent limitation can be implemented with available technology or other alternative control strategies. If a person affected by such limitation demonstrates at such hearing that, whether or not such technology or other alternative control strategies are available, there is no reasonable relationship between the economic and social costs and the benefits to be obtained, such limitation \textit{shall} must not become effective and \textit{shall} must be adjusted as it applies to such person;

\textit{(ix)} modifying, in its discretion, any requirement or limitation based upon best available technology with respect to any point source for which a permit application is filed.
after July 1, 1977, upon a showing by the owner or operator of such point source satisfactory


to the agency that such modified requirements will represent the maximum use of technology


within the economic capability of the owner or operator and will result in reasonable further


progress toward the elimination of the discharge of pollutants; and


(10) (x) requiring that applicants for wastewater discharge permits evaluate in their


applications the potential reuses of the discharged wastewater;


(6) to require that applicants for wastewater discharge permits evaluate in their


applications the potential reuses of the discharged wastewater;


(6) (6) to require that applicants for wastewater discharge permits evaluate in their


applications the potential reuses of the discharged wastewater;


(10) to require that applicants for wastewater discharge permits evaluate in their


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requiring that applicants for wastewater discharge permits evaluate in their


applications the potential reuses of the discharged wastewater;


(f) (6) to require to be submitted and to approve plans and specifications for disposal


systems or point sources, or any part thereof and to inspect the construction thereof for


compliance with the approved plans and specifications thereof;


(7) to prescribe and alter rules, not inconsistent with law, for the conduct of the


agency and other matters within the scope of the powers granted to and imposed upon it by


this chapter and, with respect to pollution of waters of the state, in chapter 116, provided


that every rule affecting any other department or agency of the state or any person other


than a member or employee of the agency shall must be filed with the secretary of state;


(8) to conduct such investigations, issue such notices, public and otherwise, and hold


such hearings as are necessary or which it may deem advisable for the discharge of its duties


under this chapter and, with respect to the pollution of waters of the state, under chapter


116, including, but not limited to, the issuance of permits, and to authorize any member,


employee, or agent appointed by it to conduct such investigations or, issue such notices and


hold such hearings;


(9) for the purpose of water pollution control planning by the state and pursuant to


the Federal Water Pollution Control Act, as amended, to establish and revise planning areas,


adopt plans and programs and continuing planning processes, including, but not limited to,


basin plans and areawide waste treatment management plans, and to provide for the


implementation of any such plans by means of, including, but not limited to, standards, plan


elements, procedures for revision, intergovernmental cooperation, residual treatment process


waste controls, and needs inventory and ranking for construction of disposal systems;


(10) to train water pollution control personnel and charge such fees therefore as are


for the training as necessary to cover the agency's costs. The fees under this clause are


subject to legislative approval under section 16A.1283. All such fees received shall must


be paid into the state treasury and credited to the Pollution Control Agency training account;


(11) to impose as additional conditions in permits to publicly owned disposal systems


appropriate measures to insure compliance by industrial and other users with any pretreatment


standard, including, but not limited to, those related to toxic pollutants, and any system of


standard, including, but not limited to, those related to toxic pollutants, and any system of
user charges ratably as is hereby required under state law or said Federal Water Pollution
Control Act, as amended, or any regulations or guidelines promulgated thereunder;

\[(\text{12})\] to set a period not to exceed five years for the duration of any national pollutant
discharge elimination system permit or not to exceed ten years for any permit issued as a
state disposal system permit only;

\[(\text{13})\] to require each governmental subdivision identified as a permittee for a
wastewater treatment works to evaluate in every odd-numbered year the condition of its
existing system and identify future capital improvements that will be needed to attain or
maintain compliance with a national pollutant discharge elimination system or state disposal
system permit; and

\[(\text{14})\] to train subsurface sewage treatment system personnel, including persons who
design, construct, install, inspect, service, and operate subsurface sewage treatment systems,
and charge fees for the training as necessary to pay the agency's costs. The fees under this
clause are subject to legislative approval under section 16A.1283. All fees received must
be paid into the state treasury and credited to the agency's training account. Money in the
account is appropriated to the agency to pay expenses related to training.

(b) The information required in paragraph (a), clause \[(\text{13})\], must be submitted in
every odd-numbered year to the commissioner on a form provided by the commissioner.
The commissioner shall provide technical assistance if requested by the governmental
subdivision.

(c) The powers and duties given the agency in this subdivision also apply to permits
issued under chapter 114C.

Sec. 44. Minnesota Statutes 2020, section 115.455, is amended to read:

115.455 EFFLUENT LIMITATIONS; COMPLIANCE.

To the extent allowable under federal law, for a municipality that constructs a publicly
owned treatment works or for an industrial national pollutant discharge elimination system
and state disposal system permit holder that constructs a treatment works to comply with a
new or modified effluent limitation, compliance with any new or modified effluent limitation
adopted after construction begins that would require additional capital investment is required
no sooner than 16 years after the date the facility begins operating.
Sec. 45. Minnesota Statutes 2020, section 115.55, is amended by adding a subdivision to read:

Subd. 3a. **Repaired drainage holes.** A precast reinforced concrete tank that has one or more openings in the exterior walls or tank bottom below the tank liquid level meets minimum standards and criteria for subsurface sewage treatment systems if:

1. the openings have been repaired or sealed; and
2. all other requirements of the rules adopted under subdivision 3 are met.

Sec. 46. Minnesota Statutes 2020, section 115.77, subdivision 1, is amended to read:

Subdivision 1. **Fees.** The agency **shall** must collect fees in amounts necessary, but no greater than the amounts necessary, to cover the reasonable costs of reviewing applications and issuing certifications. The fees under this subdivision are subject to legislative approval under section 16A.1283.

Sec. 47. Minnesota Statutes 2020, section 115.84, subdivision 2, is amended to read:

Subd. 2. **Rules.** The agency may adopt rules to govern certification of laboratories according to this section. Notwithstanding section 16A.1283, the agency may adopt rules establishing fees.

Sec. 48. Minnesota Statutes 2020, section 115.84, subdivision 3, is amended to read:

Subd. 3. **Fees.** (a) Until the agency adopts a rule establishing fees for certification, the agency **shall** must collect fees from laboratories registering with the agency, but not accredited by the commissioner of health under sections 144.97 to 144.99, in amounts necessary to cover the reasonable costs of the certification program, including reviewing applications, issuing certifications, and conducting audits and compliance assistance. The fees under this paragraph are subject to legislative approval under section 16A.1283.

(b) Fees under this section must be based on the number, type, and complexity of analytical methods that laboratories are certified to perform.

(c) Revenue from fees charged by the agency for certification **shall** must be credited to the environmental fund.
Sec. 49. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 3b. Chemical plastic recycling. "Chemical plastic recycling" means a manufacturing process for converting post-use polymers into products, such as monomers, oligomers, plastics, basic and unfinished chemicals, and other raw materials. Chemical plastic recycling is not processing, treatment, incineration, disposal, or waste management, as those terms are defined or used pursuant to chapters 115, 115A, and 116.

Sec. 50. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 3c. Chemical plastic recycling facility. "Chemical plastic recycling facility" means a manufacturing facility that receives, stores, and converts post-use polymers it receives using chemical plastic recycling. A chemical plastic recycling facility is not a disposal facility, resource recovery facility, solid waste facility, or waste facility as those terms are defined and regulated pursuant to chapters 115, 115A, and 116.

Sec. 51. Minnesota Statutes 2020, section 115A.03, is amended by adding a subdivision to read:

Subd. 24c. Post-use polymers. "Post-use polymers" means plastic that:

(1) is derived from any industrial, commercial, agricultural, or domestic activities;

(2) is used as feedstock for chemical plastic recycling;

(3) is processed at a chemical plastic recycling facility or held at a chemical plastic recycling facility before processing;

(4) is not stored at any one location for more than three years without being utilized for chemical plastic recycling; and

(5) has been sorted from solid waste and regulated waste but may contain residual amounts of solid waste such as organic materials and individual contaminants or impurities, such as paper labels and metal rings.

Sec. 52. Minnesota Statutes 2020, section 115A.03, subdivision 35, is amended to read:

Subd. 35. Waste facility. "Waste facility" means all property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste, except property for the collection of the waste and property used primarily for the manufacture of scrap metal or paper, or post-use

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polymers. Waste facility includes but is not limited to transfer stations, processing facilities, and disposal sites and facilities.

Sec. 53. [115A.143] MATTRESS RECYCLING.

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

(b) "Brand" means a name, symbol, word, or mark that attributes a mattress to the producer of the mattress.

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

(d) "Consumer" means an owner of a mattress, including a person, business, corporation, limited partnership, nonprofit organization, or governmental entity, and including the ultimate purchaser, owner, or lessee of a mattress. Consumer does not include a government organization or other party that obtains one or more discarded mattresses in the course of collecting used mattresses for recycling for purposes of this chapter, or through the ordinary collection and handling of municipal solid waste.

(e) "Covered entity" means a commercial, institutional, governmental, or industrial generator of mattresses that were used and discarded in the state, such as a health care facility, educational facility, military base, or commercial or nonprofit lodging establishment. Covered entity does not include a renovator, refurbisher, or person that only transports a discarded mattress. Covered entities may engage in mattress collection or mattress drop-off activities for mattresses that will be managed in the mattress stewardship program.

(f) "Discarded mattress" means a mattress that a consumer discarded, intends to discard, or abandoned in the state.

(g) "Foundation" means any ticking-covered structure that is used to support a mattress and that is composed of one or more of a constructed frame, foam, or a box spring whether stationary, adjustable, or foldable.

(h) "Mattress" means any resilient material or combination of materials that is enclosed by ticking, used alone or in combination with other products, and that is intended or promoted for sleeping upon. Mattress includes any foundation and any used or renovated mattress. Mattress does not include any mattress pad; mattress topper; sleeping bag; pillow; car bed; carriage; basket; dressing table; stroller; playpen; infant carrier; lounge pad; crib or bassinet mattress; crib bumper; liquid or gaseous filled ticking, including any water bed and any air mattress that does not contain upholstery material between the ticking and the mattress core; or upholstered furniture, including a sleeper sofa.
(i) "Mattress core" means the principal support system that is present in a mattress, including but not limited to springs, foam, air bladder, water bladder, or resilient filling.

(j) "Mattress recycling council" or "council" means the nonprofit organization created by producers or created by any trade association that represents producers who account for a majority of mattress production in the United States to design, submit, and implement the mattress stewardship program. Retailers may participate in the council.

(k) "Mattress stewardship fee" means the amount added to the purchase price of a mattress sold to a consumer or to an ultimate end user in this state that is necessary to cover the cost of accepting, transporting, and processing discarded mattresses according to the mattress stewardship program established in this section.

(l) "Mattress stewardship program" or "program" means the statewide program and implemented according to the mattress stewardship plan.

(m) "Mattress topper" means an item that contains resilient filling, with or without ticking, that is intended to be used with or on top of a mattress.

(n) "Performance goal" means a metric proposed by the council to annually measure the performance of the mattress stewardship program, taking into consideration technical and economic feasibilities in achieving continuous, meaningful improvement in the rate of mattress recycling in the state and any other specified goal of the program.

(o) "Producer" means a person who manufactures or renovates a mattress that is sold, offered for sale, or distributed in the state under the producer's own name or brand. Producer includes:

1) the owner of a trademark or brand under which a mattress is sold, offered for sale, or distributed in this state, whether or not the trademark or brand is registered in this state;

2) a person who imports a mattress into the state that is sold or offered for sale in this state, and that is manufactured or renovated by a person who does not have a presence in the United States.

(p) "Qualified processor" means a recycling entity that recycles mattresses discarded in the state under a contract with the council that meets the requirements set forth in subdivision 7.

(q) "Recyclable mattress" means a mattress that a consumer discarded, intends to discard, or abandoned in the state, but does not include a mattress that cannot be safely recycled because it is contaminated by putrescible solid waste or is substantially soiled, is infested.
with bedbugs, or poses a risk to worker health or equipment, which should be disposed of through the existing solid waste system.

(1) "Recycling" means a process in which discarded mattresses, components, and by-products may lose their original identity or form as they are transformed into new, usable, or marketable materials. Recycling does not include using destructive incineration.

(2) "Renovate" or "renovation" means altering a mattress for resale, including any one or a combination of replacing the ticking or filling, adding additional filling, or replacing components with new or recycled materials. Renovate or renovation does not include:

- (1) stripping a mattress of its ticking or filling without adding new material;
- (2) sanitizing or sterilizing a mattress without otherwise altering the mattress; or
- (3) a renovator altering a mattress for a person who retains the altered mattress for personal use, in accordance with chapter 325F.

(3) "Renovator" means a person who renovates discarded mattresses to resell the mattresses to consumers.

- (u) "Retailer" means a person who sells or offers to sell mattresses to a consumer or to an ultimate end user in this state.

- (v) "Sale" means transfer of title of a mattress for consideration to a consumer or an ultimate end user in the state, including but not limited to by means of a sales outlet, catalog, website, or similar electronic means.

- (w) "Sanitizing" means directly applying chemicals to a mattress to kill human disease-causing pathogens.

- (x) "Sterilizing" means mitigating deleterious substances or organisms, including human disease-causing pathogens, fungi, and insects from a mattress or filling material using a chemical or heat process.

- (y) "Ticking" means the outermost layer of fabric or material of a mattress. Ticking does not include any layer of fabric or material quilted together with, or otherwise attached to, the outermost layer of fabric or material of a mattress.

- (z) "Unrecyclable mattress" means a mattress that a consumer discarded, intends to discard, or abandoned in the state that is contaminated by putrescible solid waste or is substantially soiled, is infested with bedbugs, or poses a risk to worker health or equipment, which should be disposed of through the existing solid waste system.
(aa) "Upholstery material" means all material, loose or attached, between the ticking and the core of a mattress.

Subd. 2. Mattress recycling council; required plan. (a) Within 180 days after the effective date of this section, producers must establish a mattress recycling council in the state.

(b) Within the later of 180 days after the effective date of this section or 30 days after becoming a producer thereafter, each producer or the producer's designee must join the mattress recycling council.

(c) Within 365 days after the effective date of this section, the council must submit a plan for approval by the commissioner to establish a statewide mattress stewardship program, as described in this subdivision.

(d) At least once every five years after the plan identified in paragraph (c) is approved, the mattress recycling council shall review the plan and determine whether amendments to the plan are necessary. If the council determines amendments to the plan are necessary, it shall amend the plan. If the council determines that no amendments to the plan are necessary, it shall send a letter to the commissioner explaining that the council has reviewed the plan and determined no revisions are needed. The commissioner may disapprove the council's determination within 30 days of that determination if it concludes that the council cannot implement the objectives of this chapter without amending the plan. If the commissioner disapproves the determination, the commissioner shall explain, in writing, why amendments to the plan are necessary to comply with this section, and the mattress recycling council shall resubmit an amended plan. If the commissioner finds that the amended plan resubmitted by the council does not comply with the requirements of paragraph (e), the mattress recycling council shall not be deemed in compliance until the council submits an amended plan that the commissioner finds complies with the requirements of paragraph (e).

(e) The mattress stewardship program plan submitted pursuant to this subdivision must, in an economically efficient and practical manner:

(1) provide for a statewide network of convenient and accessible locations to receive discarded mattresses at no charge to any person in the state with a discarded mattress that was used and discarded in the state, including but not limited to participating covered entities that accumulate and segregate a minimum of 100 recyclable mattresses for collection at one time;

(2) may establish requirements for other minimum counts of accumulated mattresses suitable to the operational constraints of covered entities' collection sites, and shall provide
for the transfer of collected recyclable mattresses from the premises of covered entities to
qualified processors;

(3) provide for end-of-life management of discarded mattresses collected according to
clauses (1) and (2) through negotiated agreements with public covered entities that accept
discarded mattresses at no charge to the public that pay the covered entity a fee for its
reasonable actual costs for the proper and cost-effective accepting, storing, transporting,
and handling of discarded mattresses for recycling or disposal. The council and any covered
entity are obligated to negotiate in good faith;

(4) provide for recycling of recyclable mattresses by a qualified processor;

(5) describe how the council will coordinate the program with existing consolidation,
transportation, and recycling programs for discarded mattresses;

(6) provide suitable storage containers at or make other mutually agreeable storage and
transport arrangements for covered entities for segregated, recyclable mattresses, at no cost
to the covered entity, provided the covered entity can accumulate and store at least 50
recyclable mattress, makes space available for the purpose, and imposes no fee for placement
of the storage container on the covered entity premises;

(7) provide that the council will conduct research as needed related to improving discarded
mattress collection, dismantling, and recycling operations, including pilot programs to test
new processes, methods, or equipment on a local, regional, or otherwise limited basis;

(8) include a mattress stewardship fee set in accordance with paragraph (f) that is
sufficient to cover but not exceed the costs of operating and administering the program;

(9) identify each producer and retailer participating in the program as a member of the
council participating in the program;

(10) describe the roles and responsibilities of producers and retailers participating in the
program;

(11) describe the mattress stewardship fee for the program and a proposed budget;

(12) describe the mattress stewardship fee collection procedures and how producers and
retailers are notified of the procedures;

(13) establish program performance goals for the first two years of the program and
annual diversion targets and recycling rates of mattresses based on estimated or actual sales
and estimated discarded mattresses;
(14) describe how the program will, to the extent economically efficient and practical, achieve continuous meaningful improvement in the mattress diversion targets, mattress collection rates, mattress recycling rates, mattress material recovery rates, and any other approved performance goals of the program;

(15) identify proposed consolidation and recycling facilities to be used by the program;

(16) describe the action for implementing and achieving convenient, statewide access to the program;

(17) detail how the program will promote recycling discarded mattresses consistent with the state's solid waste management hierarchy;

(18) describe how the council will coordinate the program with existing consolidation, transportation, and recycling programs for discarded mattresses;

(19) establish program performance goals for the material recovery rate from mattresses collected for recycling and utilize these criteria when evaluating vendor performance;

(20) describe how the program will set and implement convenience goals and a timeline for implementing and achieving convenient access to the program;

(21) identify program expenditure categories that will be reported each year in the annual report;

(22) describe how the council will notify the commissioner in a timely manner of events or circumstances that materially alter or disrupt program operations as approved in the stewardship plan; and

(23) include a description of public education regarding the program.

(f) The council must set the amount of the mattress stewardship fee that is added to the purchase price of a mattress at the point of sale. The council must establish and implement a mattress stewardship fee structure that covers but does not exceed the costs of developing the plan described in paragraph (b), operating and administering the program described in paragraph (a), and maintaining a financial reserve sufficient to operate the program over multiple years in a fiscally prudent and responsible manner. The council must set the mattress stewardship fee as a flat rate and not as a percentage of the purchase price. The council must maintain all records relating to the program for not less than three years.

(g) Under the program, recycling is preferred over any other disposal method for mattresses, to the extent that recycling is economically efficient and practical.
The commissioner must approve the plan for establishing the mattress stewardship program or any amendment if the plan or amendment meets the requirements of paragraphs (e) to (g). No later than 90 days after the council submits the plan or amendment according to this section, the commissioner must make a determination whether to approve the plan or amendment. Before making the determination, the commissioner must post the plan on the agency's website and offer a 30-day public comment period on the plan. Before approving or disapproving the plan or amendment, the commissioner may solicit public comments on the plan or amendment in a manner determined by the commissioner. If the commissioner disapproves the plan or amendment because the plan or amendment does not meet the requirements of paragraphs (e) to (g), the commissioner must describe the reasons for the disapproval in a notice of determination that the commissioner provides to the council. The council must revise and resubmit the plan to the commissioner within 45 days, or prepare an amended plan within 180 days, after receiving notice of the commissioner's disapproval. Within 45 days after receiving the revised plan or amendment, the commissioner must review and approve or disapprove the plan or amendment and provide a notice of determination to the council. The council may resubmit a revised plan or amendment to the commissioner for approval no more than twice. If the council fails to submit a plan or amendment that is acceptable to the commissioner because it does not meet the requirements of paragraphs (e) to (g), the commissioner must modify a submitted plan or amendment to make it conform to the requirements of paragraphs (e) to (g) and approve it. Within 180 days after approval of a plan or amendment according to this paragraph, the council must implement the mattress stewardship program. Regardless of when the program begins, the program's fiscal year begins January 1.

(i) The council must submit any proposed substantial change to the program to the commissioner for review and approval, but without resubmitting the plan to the commissioner for approval. If the commissioner does not disapprove a proposed substantial change within 90 days of receiving notice of the proposed substantial change, the proposed substantial change is deemed approved. For purposes of this paragraph, "substantial change" means:

(1) a change in the processing facilities to be used for a discarded mattress collected under the program; or

(2) a material change to the system for collecting mattresses.

(j) The council must notify the commissioner of other material changes to the program on an ongoing basis, without submitting the change to the commissioner for approval. Material changes include but are not limited to a change in the composition, officers, or contact information of the council.
(k) Within 90 days after the end of the program's second fiscal year, and every five years thereafter, the council must submit updated program performance and convenience goals and associated implementation timelines to the commissioner that are based on the experience of the program during the first two years of the program, and every subsequent five-year term for review and approval according to the procedure in paragraph (h).

(l) The council must notify the commissioner in a timely manner of any temporary disruptions in the program as approved, and the council's planned response to the disruption.

Subd. 3. Mattress stewardship fee review; prudent reserves. (a) Within 90 days after the end of the program's second fiscal year and every two years thereafter, the council must propose a mattress stewardship fee for all mattresses sold in this state.

(b) The council may propose a change to the mattress stewardship fee more frequently than once every two years if the council determines the change is needed to avoid funding shortfalls or excesses for the mattress stewardship program.

(c) Any mattress stewardship fee proposed after the end of the program's second fiscal year must be reviewed by an independent auditor to ensure that the fee does not exceed the cost to fund the mattress stewardship program described in subdivision 2, paragraph (f), and to maintain financial reserves sufficient to operate the program over multiple years in a fiscally prudent and responsible manner. After the first three fiscal years of program implementation, the mattress recycling organization shall not maintain total reserves exceeding 75 percent of its annual operating expenses, consistent with the requirements of the Financial Accounting Standards Board's Accounting Standards Update 2016-14, Not-for-Profit Entities (Topic 958), and any future updates to that standard. The commissioner may authorize the total reserves to be increased up to 100 percent of the organization's annual operating expenses if the commissioner determines the increase is necessary to implement the requirements of this section.

(d) Within 60 days after the council proposes a mattress stewardship fee, the auditor must render an opinion to the commissioner as to whether the proposed mattress stewardship fee is reasonable to achieve the goals set forth in this section. If the auditor concludes that the mattress stewardship fee is reasonable, then the proposed mattress stewardship fee goes into effect within 180 days. If the auditor concludes that the mattress stewardship fee is not reasonable, the auditor must provide the council with written notice explaining the auditor's opinion. Within 60 days after the council receives the auditor's opinion, the council may either propose a new mattress stewardship fee or provide written comments on the auditor's opinion. If the auditor concludes that the mattress stewardship fee is not reasonable, the
commissioner must decide, based on the auditor's opinion and any comments provided by
the council, whether to approve the proposed mattress stewardship fee.

(e) The auditor, selected by the council, must be approved by the commissioner. The
cost of any work performed by the auditor under this paragraph must be paid by the mattress
stewardship fee.

(f) Two years after the program is implemented and every five years thereafter, the
council must cause a program audit to be conducted by an independent auditor. The audit
must review the accuracy of the council's data concerning the program and provide any
other information requested by the commissioner, consistent with the requirements of this
section, provided the request does not require the disclosure of proprietary information or
trade or business secrets. The council must pay for the audit. The council must maintain all
records relating to the program for at least three years.

Subd. 4. Annual report. Not later than July 1 each year, the council must submit an
annual report to the commissioner for the most recently completed calendar year. The council
must post the annual report on the council's website. The commissioner must post a link to
the annual report on the agency's website. The report must include:

1. the tonnage and estimated number of mattresses collected under the program from
   participating covered entities;

2. the tonnage and estimated number of mattresses diverted for recycling;

3. the tonnage and estimated number of discarded mattresses for the reporting period
   as compiled by the participating covered entities and reported to the council;

4. the weight of mattress materials recycled, as indicated by the weight of each of the
   commodities sold to secondary markets and reported by qualified processors to the council;

5. the weight of mattress materials sent for disposal and reported by qualified processors
   to the council;

6. a summary of the public education that supports the program and an evaluation of
   its effectiveness;

7. an evaluation of the effectiveness of methods and processes used to achieve statewide
   convenience and accessibility performance goals of the program;

8. recommendations for any changes to the program;

9. total annual mattress sales and mattress stewardship fee revenues;
(10) an assessment of program performance for the reporting period compared to the
program performance goals in the approved plan;

(11) an assessment of the effectiveness of different types of mattress collection and
consolidation programs used throughout the state;

(12) annual program expenditures by program expenditure category;

(13) audited financial statements required by subdivision 3, paragraph (f); and

(14) other information consistent with this section and economically efficient and practical
to provide, requested by the commissioner.

Subd. 5. Charging mattress stewardship fee; retailer and producer participation. Upon implementation of the mattress stewardship program, each manufacturer, renovator, retailer, or distributor that sells a mattress to a consumer or to an ultimate end user in the state must add the mattress stewardship fee to the purchase price for the mattress and must remit the mattress stewardship fee collected to the council. In each transaction, the mattress stewardship fee must appear on the invoice and may be accompanied by a brief description of the mattress stewardship fee. The council must determine the rules and procedures necessary to implement collection of the mattress stewardship fee in a fair, efficient, and lawful manner. Any producer or retailer who fails to participate in the program must not sell mattresses in this state.

Subd. 6. Receipt of discarded mattresses. Upon implementation of the mattress stewardship program and when the mattress stewardship fee goes into effect, a covered entity that participates in the program must not charge for the receipt of discarded mattresses that are discarded in this state, except that a person or entity may charge a fee for providing a pickup service, including residential or commercial pickup services. A covered entity may restrict the acceptance of mattresses by number or source.

Subd. 7. Qualified processor. (a) The council shall collect from each qualified recycler the name, address, telephone number, and location of all mattress recycling facilities under the direct control of the processor that may receive mattresses.

(b) The council's contract with each of its qualified processors must require that the processor:

(1) comply with the requirements of this section;

(2) comply with all applicable health, environmental, safety, and financial responsibility regulations;
(3) be licensed by all applicable governmental authorities; and

(4) possess commercial general liability insurance of not less than $1,000,000 per occurrence.

(c) By March 1 of each year, each qualified processor shall submit an annual report to the council in a format prescribed by the council, indicating the name and address of the recycling facility, the fiscal year covered by the report, the quantity and weight of the mattresses processed at the facility, and the amount by weight of each category of material removed from discarded mattresses shipped to brokers, processors, manufacturers, solid waste facilities, or other destinations.

Subd. 8. Consultation required. The mattress recycling council must consult with stakeholders which may include retailers, collectors, recyclers, local governments, and consumers during the development of the plan and any amendment of the plan.

Subd. 9. Plan availability. All draft and approved stewardship plans shall be placed on the council and agency's websites for at least 30 days and made available at the agency's headquarters for public review and comment.

Subd. 10. Data classification. Data submitted to the council or agency under this section are trade secret, private, or nonpublic data under section 13.37. Trade secret, sales information as defined under section 13.37, and contracts submitted to the agency under this section are private or nonpublic data under section 13.37.

Subd. 11. Regional collaboration. In the event that another state implements a mattress recycling program, the council may collaborate with that state to conserve efforts and resources used in carrying out the mattress stewardship program, provided the collaboration is consistent with the requirements of this section.

Subd. 12. Local government participation. (a) Cities, counties, public agencies, or other political subdivisions may choose to participate in the stewardship program.

(b) Cities, counties, public agencies, or other political subdivisions are encouraged to work with producers and the council to assist in meeting program goals and obligations by providing education, outreach, or other strategies.

Subd. 13. Producer and retailer participation. A producer must join the council as required in subdivision 2, paragraph (b). A retailer or other person selling a mattress to the final consumer in the state must remit the mattress stewardship fee to the council for mattresses sold to consumers in the state. A producer may not sell or distribute for sale or use a mattress in the state if it has not joined the council. A retailer may not sell or distribute
for use mattresses of a producer that has not joined the council, except for inventory acquired before the start date of the program or acquired during a time when the producer was participating in the council.

Subd. 14. **Prohibited uses.** Stewardship assessment funds must not be used for any penalties assessed under this section.

Subd. 15. **Duty to provide information.** Any producer, retailer, participating covered entity, or qualified processor must furnish to the agency any information which that person may have or may reasonably obtain that the agency requests for the sole purpose of determining compliance under this section.

**EFFECTIVE DATE.** This section is effective January 1, 2023.

Sec. 54. [115A.571] CHEMICAL PLASTIC RECYCLING.

Subdivision 1. **Chemical plastic recycling facility.** A chemical plastic recycling facility and chemical plastic recycling are subject to all applicable federal, state, and local laws, except chapters 115, 115A, and 116, and the rules adopted pursuant to those chapters.

Subd. 2. **Solid waste management exemption requirements.** (a) The solid waste management exemption in subdivision 1 does not apply:

1. if any solid waste other than or in addition to a post-use polymer or residual amounts of organic material and incidental contaminants are treated, stored, processed, transferred, or disposed of at a chemical plastic recycling facility; or

2. to management of post-use polymers at any location other than a chemical plastic recycling facility.

(b) To qualify for the solid waste management facility permit exemption in subdivision 1, a chemical plastic recycling facility must only treat, store, or process post-use polymers in a fully enclosed building.

(c) The commissioner may enter and inspect any chemical plastic recycling facility to determine whether the storage of materials prior to chemical plastic recycling is a nuisance or poses a threat to human health or the environment. The commissioner may use the enforcement authority under section 116.072 and Minnesota Rules, chapter 7035, to require abatement of the nuisance or threat if found.

Subd. 3. **Duty to report.** The owner or operator of a chemical plastic recycling facility must submit an annual report to the commissioner in a form and manner prescribed by the commissioner that must include:
57.1 (1) the amount of post-use polymers accepted, stored, and managed at the facility;
57.2 (2) annual chemical plastic recycling throughput at the facility, including beginning and
57.3 ending volumes stored in a calendar year;
57.4 (3) to the extent known, the source and county of origin of the post-use polymers and
57.5 the amount and type of material collected from each source; and
57.6 (4) the amount, type, and destination of products and by-products produced through the
57.7 chemical plastic recycling, such as what weight of post-use polymers received went to an
57.8 end market, a broker, a processor, or a manufacturer or was managed as a waste;
57.9 Subd. 4. Duty to provide information. Any person must furnish to the commissioner
57.10 any information that the person may have or may reasonably obtain that the commissioner
57.11 requests for the purposes of determining compliance with statutes or rules pertaining to
57.12 chemical plastic recycling.
57.13 Sec. 55. Minnesota Statutes 2020, section 115B.52, subdivision 4, is amended to read:
57.14 Subd. 4. Reporting. The commissioner of the Pollution Control Agency and the
57.15 commissioner of natural resources must jointly submit:
57.16 (1) by April 1, 2019, an implementation plan detailing how the commissioners will:
57.17 (i) determine how the priorities in the settlement will be met and how the spending will
57.18 move from the first priority to the second priority and the second priority to the third priority
57.19 outlined in the settlement; and
57.20 (ii) evaluate and determine what projects receive funding;
57.21 (2) by February 1 and August October 1 each year, a biannual report to the chairs and
57.22 ranking minority members of the legislative policy and finance committees with jurisdiction
57.23 over environment and natural resources on expenditures from the water quality and
57.24 sustainability account during the previous six months fiscal year; and
57.25 (3) by August 1, 2019, and October 1 each year thereafter, a report to the legislature on
57.26 expenditures from the water quality and sustainability account during the previous fiscal
57.27 year and a spending plan for anticipated expenditures from the account during the current
57.28 fiscal year.
57.29 Sec. 56. Minnesota Statutes 2020, section 116.03, subdivision 2b, is amended to read:
57.30 Subd. 2b. Permitting efficiency. (a) It is the goal of the state that environmental and
57.31 resource management permits be issued or denied within 90 days for tier 1 permits or 150
58.1 days for tier 2 permits following submission of a permit application. The commissioner of the Pollution Control Agency shall must establish management systems designed to achieve the goal. For the purposes of this section, "tier 1 permits" are permits that do not require individualized actions or public comment periods, and "tier 2 permits" are permits that require individualized actions or public comment periods.

58.6 (b) The commissioner shall must prepare an annual semiannual permitting efficiency report reports that includes include statistics on meeting the tier 2 goal in paragraph (a) and the criteria for tier 2 by permit categories. The report is reports are due on February 1 and August 1 each year. For permit applications that have not met the goal, the each report must state the reasons for not meeting the goal. In stating the reasons for not meeting the goal, the commissioner shall must separately identify delays caused by the responsiveness of the proposer, lack of staff, scientific or technical disagreements, or the level of public engagement. The Each report must specify the number of days from initial submission of the application to the day of determination that the application is complete. The Each report must aggregate the data for the year reporting period and assess whether program or system changes are necessary to achieve the goal. Whenever a report required by this subdivision states the number of permits completed within a particular period, the report must, immediately after the number and in parentheses, state the percentage of total applications received for that permit category that the number represents. Whenever a report required by this subdivision states the number of permits completed within a particular period, the report must separately state completion data for industrial and municipal permits. The report reports must be posted on the agency's website and submitted to the governor and the chairs and ranking minority members of the house of representatives and senate committees having jurisdiction over environment policy and finance.

58.25 (c) The commissioner shall must allow electronic submission of environmental review and permit documents to the agency.

58.27 (d) Within 30 business days of application for a permit subject to paragraph (a), the commissioner of the Pollution Control Agency shall must notify the permit applicant, in writing, whether the application is complete or incomplete. If the commissioner determines that an application is incomplete, the notice to the applicant must enumerate all deficiencies, citing specific provisions of the applicable rules and statutes, and advise the applicant on how the deficiencies can be remedied. If the commissioner determines that the application is complete, the notice must confirm the application's tier 1 or tier 2 permit status. If the commissioner believes that a complete application for a tier 2 construction permit cannot be issued within the 150-day goal, the commissioner must provide notice to the applicant.
with the commissioner's notice that the application is complete and, upon request of the
applicant, provide the permit applicant with a schedule estimating when the agency will
begin drafting the permit and issue the public notice of the draft permit. This paragraph
does not apply to an application for a permit that is subject to a grant or loan agreement
under chapter 446A.

(e) For purposes of this subdivision, "permit professional" means an individual not
employed by the Pollution Control Agency who:

(1) has a professional license issued by the state of Minnesota in the subject area of the
permit;

(2) has at least ten years of experience in the subject area of the permit; and

(3) abides by the duty of candor applicable to employees of the Pollution Control Agency
under agency rules and complies with all applicable requirements under chapter 326.

(f) Upon the agency's request, an applicant relying on a permit professional must
participate in a meeting with the agency before submitting an application:

(1) at least two weeks prior to the preapplication meeting, the applicant must submit at
least the following:

(i) project description, including, but not limited to, scope of work, primary emissions
points, discharge outfalls, and water intake points;

(ii) location of the project, including county, municipality, and location on the site;

(iii) business schedule for project completion; and

(iv) other information requested by the agency at least four weeks prior to the scheduled
meeting; and

(2) during the preapplication meeting, the agency shall provide for the applicant
at least the following:

(i) an overview of the permit review program;

(ii) a determination of which specific application or applications will be necessary to
complete the project;

(iii) a statement notifying the applicant if the specific permit being sought requires a
mandatory public hearing or comment period;

(iv) a review of the timetable established in the permit review program for the specific
permit being sought; and
(v) a determination of what information must be included in the application, including
a description of any required modeling or testing.

(g) The applicant may select a permit professional to undertake the preparation of the
permit application and draft permit.

(h) If a preapplication meeting was held, the agency must, within seven business
days of receipt of an application, notify the applicant and submitting permit professional
that the application is complete or is denied, specifying the deficiencies of the application.

(i) Upon receipt of notice that the application is complete, the permit professional must
submit to the agency a timetable for submitting a draft permit. The permit professional
shall submit a draft permit on or before the date provided in the timetable. Within 60
days after the close of the public comment period, the commissioner shall notify the
applicant whether the permit can be issued.

(j) Nothing in this section shall be construed to modify:

(1) any requirement of law that is necessary to retain federal delegation to or assumption
by the state; or

(2) the authority to implement a federal law or program.

(k) The permit application and draft permit shall identify or include as an appendix
all studies and other sources of information used to substantiate the analysis contained in
the permit application and draft permit. The commissioner shall request additional
studies, if needed, and the permit applicant shall submit all additional studies and
information necessary for the commissioner to perform the commissioner's responsibility
to review, modify, and determine the completeness of the application and approve the draft
permit.

Sec. 57. Minnesota Statutes 2020, section 116.07, subdivision 4d, is amended to read:

Subd. 4d. Permit fees. (a) The agency may collect permit fees in amounts not greater
than those necessary to cover the reasonable costs of developing, reviewing, and acting
upon applications for agency permits and implementing and enforcing the conditions of the
permits pursuant to agency rules. Permit fees shall not include the costs of litigation.
The fee schedule must reflect reasonable and routine direct and indirect costs associated
with permitting, implementation, and enforcement. The agency may impose an additional
enforcement fee to be collected for a period of up to two years to cover the reasonable costs
of implementing and enforcing the conditions of a permit under the rules of the agency.
Water fees under this paragraph are subject to legislative approval under section 16A.1283.
Any money collected under this paragraph shall must be deposited in the environmental fund.

(b) Notwithstanding paragraph (a), the agency shall must collect an annual fee from the owner or operator of all stationary sources, emission facilities, emissions units, air contaminant treatment facilities, treatment facilities, potential air contaminant storage facilities, or storage facilities subject to a notification, permit, or license requirement under this chapter, subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or rules adopted thereunder. The annual fee shall must be used to pay for all direct and indirect reasonable costs, including legal costs, required to develop and administer the notification, permit, or license program requirements of this chapter, subchapters I and V of the federal Clean Air Act, United States Code, title 42, section 7401 et seq., or rules adopted thereunder. Those costs include the reasonable costs of reviewing and acting upon an application for a permit; implementing and enforcing statutes, rules, and the terms and conditions of a permit; emissions, ambient, and deposition monitoring; preparing generally applicable regulations; responding to federal guidance; modeling, analyses, and demonstrations; preparing inventories and tracking emissions; and providing information to the public about these activities.

(c) The agency shall must set fees that:

(1) will result in the collection, in the aggregate, from the sources listed in paragraph (b), of an amount not less than $25 per ton of each volatile organic compound; pollutant regulated under United States Code, title 42, section 7411 or 7412 (section 111 or 112 of the federal Clean Air Act); and each pollutant, except carbon monoxide, for which a national primary ambient air quality standard has been promulgated;

(2) may result in the collection, in the aggregate, from the sources listed in paragraph (b), of an amount not less than $25 per ton of each pollutant not listed in clause (1) that is regulated under this chapter or air quality rules adopted under this chapter; and

(3) shall must collect, in the aggregate, from the sources listed in paragraph (b), the amount needed to match grant funds received by the state under United States Code, title 42, section 7405 (section 105 of the federal Clean Air Act).

The agency must not include in the calculation of the aggregate amount to be collected under clauses (1) and (2) any amount in excess of 4,000 tons per year of each air pollutant from a source. The increase in air permit fees to match federal grant funds shall be a surcharge on existing fees. The commissioner may not collect the surcharge after the grant
funds become unavailable. In addition, the commissioner shall must use nonfee funds to
the extent practical to match the grant funds so that the fee surcharge is minimized.

(d) To cover the reasonable costs described in paragraph (b), the agency shall must
provide in the rules promulgated under paragraph (c) for an increase in the fee collected in
each year by the percentage, if any, by which the Consumer Price Index for the most recent
calendar year ending before the beginning of the year the fee is collected exceeds the
Consumer Price Index for the calendar year 1989. For purposes of this paragraph, the
Consumer Price Index for any calendar year is the average of the Consumer Price Index for
all-urban consumers published by the United States Department of Labor, as of the close
of the 12-month period ending on August 31 of each calendar year. The revision of the
Consumer Price Index that is most consistent with the Consumer Price Index for calendar
year 1989 shall must be used.

(e) Any money collected under paragraphs (b) to (d) must be deposited in the
environmental fund and must be used solely for the activities listed in paragraph (b).

(f) Permit applicants who wish to construct, reconstruct, or modify a project may offer
to reimburse the agency for the costs of staff time or consultant services needed to expedite
the preapplication process and permit development process through the final decision on
the permit, including the analysis of environmental review documents. The reimbursement
shall be is in addition to permit application fees imposed by law. When the agency determines
that it needs additional resources to develop the permit application in an expedited manner, and that expediting the development is consistent with permitting program priorities, the
agency may accept the reimbursement. The commissioner must give the applicant an estimate
of costs to be incurred by the commissioner. The estimate must include a brief description
of the tasks to be performed, a schedule for completing the tasks, and the estimated cost for
each task. The applicant and the commissioner must enter into a written agreement detailing
the estimated costs for the expedited permit decision-making process to be incurred by the
agency. The agreement must also identify staff anticipated to be assigned to the project.
The commissioner must not issue a permit until the applicant has paid all fees in full. The
commissioner must refund any unobligated balance of fees paid. Reimbursements accepted
by the agency are appropriated to the agency for the purpose of developing the permit or
analyzing environmental review documents. Reimbursement by a permit applicant shall must precede and not be contingent upon issuance of a permit; shall must not affect the
agency's decision on whether to issue or deny a permit, what conditions are included in a
permit, or the application of state and federal statutes and rules governing permit
determinations; and shall must not affect final decisions regarding environmental review.
(g) The fees under this subdivision are exempt from section 16A.1285.

Sec. 58. Minnesota Statutes 2020, section 116.07, is amended by adding a subdivision to read:

Subd. 13. Unadopted rules. The commissioner of the Pollution Control Agency must not enforce or attempt to enforce an unadopted rule. For purposes of this subdivision, "unadopted rule" means a guideline, bulletin, criterion, manual standard, interpretive statement, policy plan, or similar pronouncement if the guideline, bulletin, criterion, manual standard, interpretive statement, policy plan, or similar pronouncement has not been adopted according to the rulemaking process provided under chapter 14. If an unadopted rule is challenged under section 14.381, the commissioner must cease enforcement of the unadopted rule and overcome a presumption that the unadopted rule must be adopted according to the rulemaking process provided under chapter 14.

Sec. 59. Minnesota Statutes 2020, section 116B.03, subdivision 1, is amended to read:

Subdivision 1. Parties. Any person residing within the state; the attorney general; any political subdivision of the state; any instrumentality or agency of the state or of a political subdivision thereof; or any partnership, corporation, association, organization, or other entity having shareholders, members, partners or employees residing within the state may maintain a civil action in the district court for declaratory or equitable relief in the name of the state of Minnesota against any person, for the protection of the air, water, land, or other natural resources located within the state, whether publicly or privately owned, from pollution, impairment, or destruction; provided, however, that no action shall be allowable hereunder under this section for:

(1) acts taken by a person on land leased or owned by said person pursuant to a permit or license issued by the owner of the land to said person which do not and can not reasonably be expected to pollute, impair, or destroy any other air, water, land, or other natural resources located within the state; provided further that no action shall be allowable under this section for

(2) conduct taken by a person pursuant to any environmental quality standard, limitation, rule, order, license, stipulation agreement or permit issued by the Pollution Control Agency, Department of Natural Resources, Department of Health or Department of Agriculture; or

(3) issuance of a groundwater appropriation permit that meets the criteria under section 103G.287, subdivision 6, by the Department of Natural Resources. This clause expires January 1, 2041.
EFFECTIVE DATE. This section is effective the day following final enactment and applies to applications for new or modified permits filed on or after that date.

Sec. 60. Minnesota Statutes 2020, section 116B.10, is amended by adding a subdivision to read:

Subd. 6. Application. No action is allowable under this section for issuance of a groundwater appropriation permit that meets the criteria under section 103G.287, subdivision 6, by the Department of Natural Resources. This subdivision expires January 1, 2041.

EFFECTIVE DATE. This section is effective the day following final enactment and applies to applications for new or modified permits filed on or after that date.

Sec. 61. Minnesota Statutes 2020, section 116D.04, subdivision 2a, is amended to read:

Subd. 2a. When prepared. (a) Where there is potential for significant environmental effects resulting from any major governmental action, the action must be preceded by a detailed environmental impact statement prepared by the responsible governmental unit. The environmental impact statement must be an analytical rather than an encyclopedic document that describes the proposed action in detail, analyzes its significant environmental impacts, discusses appropriate alternatives to the proposed action and their impacts, and explores methods by which adverse environmental impacts of an action could be mitigated. The environmental impact statement must also analyze those economic, employment, and sociological effects that cannot be avoided should the action be implemented. To ensure its use in the decision-making process, the environmental impact statement must be prepared as early as practical in the formulation of an action.

(b) The board shall must by rule establish categories of actions for which environmental impact statements and for which environmental assessment worksheets must be prepared as well as categories of actions for which no environmental review is required under this section. A mandatory environmental assessment worksheet is not required for the expansion of an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b), or the conversion of an ethanol plant to a biobutanol facility or the expansion of a biobutanol facility as defined in section 41A.15, subdivision 2d, based on the capacity of the expanded or converted facility to produce alcohol fuel, but must be required if the ethanol plant or biobutanol facility meets or exceeds thresholds of other categories of actions for which environmental assessment worksheets must be prepared. The responsible governmental unit for an ethanol plant or biobutanol facility project for which an environmental assessment...
worksheet is prepared is the state agency with the greatest responsibility for supervising or approving the project as a whole.

(c) A mandatory environmental impact statement is not required for a facility or plant located outside the seven-county metropolitan area that produces less than 125,000,000 gallons of ethanol, biobutanol, or cellulosic biofuel annually, or produces less than 400,000 tons of chemicals annually, if the facility or plant is: an ethanol plant, as defined in section 41A.09, subdivision 2a, paragraph (b); a biobutanol facility, as defined in section 41A.15, subdivision 2d; or a cellulosic biofuel facility. A facility or plant that only uses a cellulosic feedstock to produce chemical products for use by another facility as a feedstock is not considered a fuel conversion facility as used in rules adopted under this chapter.

(d) The responsible governmental unit shall promptly publish notice of the completion of an environmental assessment worksheet by publishing the notice in at least one newspaper of general circulation in the geographic area where the project is proposed, by posting the notice on a website that has been designated as the official publication site for publication of proceedings, public notices, and summaries of a political subdivision in which the project is proposed, or in any other manner determined by the board and shall must provide copies of the environmental assessment worksheet to the board and its member agencies. Comments on the need for an environmental impact statement may be submitted to the responsible governmental unit during a 30-day period following publication of the notice that an environmental assessment worksheet has been completed. The responsible governmental unit may extend the 30-day comment period for an additional 30 days one time. Further extensions of the comment period may not be made unless approved by the project's proposer. The responsible governmental unit's decision on the need for an environmental impact statement must be based on the environmental assessment worksheet and the comments received during the comment period, and must be made within 15 days after the close of the comment period. The board's chair may extend the 15-day period by not more than 15 additional days upon the request of the responsible governmental unit.

(e) An environmental assessment worksheet must also be prepared for a proposed action whenever material evidence accompanying a petition by not less than 100 individuals who reside or own property in the state a county where the proposed action will be undertaken or in one or more adjoining counties, submitted before the proposed project has received final approval by the appropriate governmental units, demonstrates that, because of the nature or location of a proposed action, there may be potential for significant environmental effects. Petitions requesting the preparation of an environmental assessment worksheet must be submitted to the board. The chair of the board shall must determine the appropriate
responsible governmental unit and forward the petition to it. A decision on the need for an 
environmental assessment worksheet must be made by the responsible governmental unit 
within 15 days after the petition is received by the responsible governmental unit. The 
board's chair may extend the 15-day period by not more than 15 additional days upon request 
of the responsible governmental unit.

(f) Except in an environmentally sensitive location where Minnesota Rules, part 
4410.4300, subpart 29, item B, applies, the proposed action is exempt from environmental 
review under this chapter and rules of the board, if:

(1) the proposed action is:

(i) an animal feedlot facility with a capacity of less than 1,000 animal units; or

(ii) an expansion of an existing animal feedlot facility with a total cumulative capacity 
of less than 1,000 animal units;

(2) the application for the animal feedlot facility includes a written commitment by the 
proposer to design, construct, and operate the facility in full compliance with Pollution 
Control Agency feedlot rules; and

(3) the county board holds a public meeting for citizen input at least ten business days 
before the Pollution Control Agency or county issuing a feedlot permit for the animal feedlot 
facility unless another public meeting for citizen input has been held with regard to the 
feedlot facility to be permitted. The exemption in this paragraph is in addition to other 
exemptions provided under other law and rules of the board.

(g) The board may, before final approval of a proposed project, require preparation of 
an environmental assessment worksheet by a responsible governmental unit selected by the 
board for any action where environmental review under this section has not been specifically 
provided for by rule or otherwise initiated.

(h) An early and open process must be used to limit the scope of the environmental 
impact statement to a discussion of those impacts that, because of the nature or location of 
the project, have the potential for significant environmental effects. The same process must 
be used to determine the form, content, and level of detail of the statement as well as the 
alternatives that are appropriate for consideration in the statement. In addition, the permits 
that will be required for the proposed action must be identified during the scoping process. 
Further, the process must identify those permits for which information will be developed 
concurrently with the environmental impact statement. The board shall provide in its 
rules for the expeditious completion of the scoping process. The determinations reached in
the process must be incorporated into the order requiring the preparation of an environmental impact statement.

(i) The responsible governmental unit shall must, to the extent practicable, avoid duplication and ensure coordination between state and federal environmental review and between environmental review and environmental permitting. Whenever practical, information needed by a governmental unit for making final decisions on permits or other actions required for a proposed project must be developed in conjunction with the preparation of an environmental impact statement. When an environmental impact statement is prepared for a project requiring multiple permits for which two or more agencies' decision processes include either mandatory or discretionary hearings before a hearing officer before the agencies' decision on the permit, the agencies may, notwithstanding any law or rule to the contrary, conduct the hearings in a single consolidated hearing process if requested by the proposer. All agencies having jurisdiction over a permit that is included in the consolidated hearing shall must participate. The responsible governmental unit shall must establish appropriate procedures for the consolidated hearing process, including procedures to ensure that the consolidated hearing process is consistent with the applicable requirements for each permit regarding the rights and duties of parties to the hearing, and shall must use the earliest applicable hearing procedure to initiate the hearing. All agencies having jurisdiction over a permit identified in the draft environmental assessment worksheet scoping document must begin reviewing any permit application upon publication of the notice of preparation of the environmental impact statement.

(j) An environmental impact statement must be prepared and its adequacy determined within 280 days after notice of its preparation unless the time is extended by consent of the parties or by the governor for good cause. The responsible governmental unit shall must determine the adequacy of an environmental impact statement, unless within 60 days after notice is published that an environmental impact statement will be prepared, the board chooses to determine the adequacy of an environmental impact statement. If an environmental impact statement is found to be inadequate, the responsible governmental unit has 60 days to prepare an adequate environmental impact statement.

(k) The proposer of a specific action may include in the information submitted to the responsible governmental unit a preliminary draft environmental impact statement under this section on that action for review, modification, and determination of completeness and adequacy by the responsible governmental unit. A preliminary draft environmental impact statement prepared by the project proposer and submitted to the responsible governmental unit must identify or include as an appendix all studies and other sources of information.
used to substantiate the analysis contained in the preliminary draft environmental impact statement. The responsible governmental unit shall require additional studies, if needed, and obtain from the project proposer all additional studies and information necessary for the responsible governmental unit to perform its responsibility to review, modify, and determine the completeness and adequacy of the environmental impact statement.

(l) A mandatory environmental assessment worksheet is not required for a project that will diminish the course, current, or cross-section of one acre or more of any water unless the affected water is on the public waters inventory described in section 103G.201.

Sec. 62. Minnesota Statutes 2020, section 116U.55, is amended by adding a subdivision to read:

Subd. 3. Events promotion account. The events promotion account is established as a separate account in the natural resources fund. Money received under section 297A.94, paragraph (l), must be deposited into the events promotion account for promoting special events in the state. At least 50 percent of the money appropriated under this subdivision must be for promoting special events outside of the metropolitan area.

Sec. 63. Minnesota Statutes 2020, section 127A.353, subdivision 2, is amended to read:

Subd. 2. Qualifications. The governor shall select the school trust lands director on the basis of outstanding professional qualifications and knowledge of finance, business practices, minerals, forest and real estate management, and the fiduciary responsibilities of a trustee to the beneficiaries of a trust. The school trust lands director serves in the unclassified service for a term of four years. The first term shall end on December 31, 2020. The governor may remove the school trust lands director for cause. If a director resigns or is removed for cause, the governor shall appoint a director for the remainder of the term.

Sec. 64. Minnesota Statutes 2021 Supplement, section 127A.353, subdivision 4, is amended to read:

Subd. 4. Duties; powers. (a) The school trust lands director shall:

(1) take an oath of office before assuming any duties as the director act in a fiduciary capacity for trust beneficiaries in accordance with the principles under section 127A.351;

(2) evaluate the school trust land asset position;

(3) determine the estimated current and potential market value of school trust lands;
(4) advise and provide recommendations to the governor, Executive Council, commissioner of natural resources, and the Legislative Permanent School Fund Commission on the management of school trust lands, including on school trust land management policies and other policies that may affect the goal of the permanent school fund under section 127A.31;

(5) advise and provide recommendations to the Executive Council and Land Exchange Board on all matters regarding school trust lands presented to either body;

(6) advise and provide recommendations to the commissioner of natural resources on managing school trust lands, including but not limited to advice and recommendations on:

(i) Department of Natural Resources school trust land management plans;

(ii) leases of school trust lands;

(iii) royalty agreements on school trust lands;

(iv) land sales and exchanges;

(v) cost certification; and

(vi) revenue generating options;

(7) serve as temporary trustee of school trust lands for school trust lands subject to proposed or active eminent domain proceedings;

(8) serve as temporary trustee of school trust lands pursuant to section 94.342, subdivision 5;

(9) propose an annual budget and management plan for the director that includes proposed legislative changes that will improve the asset allocation of the school trust lands;

(10) develop and implement a ten-year strategic plan and a 25-year framework for management of school trust lands, in conjunction with the commissioner of natural resources, that is updated every five years and implemented by the commissioner, with goals to:

(i) retain core real estate assets;

(ii) increase the value of the real estate assets and the cash flow from those assets;

(iii) rebalance the portfolio in assets with high performance potential and the strategic disposal of selected assets;

(iv) establish priorities for management actions;
(v) balance revenue enhancement and resource stewardship; and

(vi) advance strategies on school trust lands to capitalize on ecosystem services markets;

and

(7) submit to the Legislative Permanent School Fund Commission for review an annual budget and management plan for the director; and

(8) keep the beneficiaries, governor, legislature, and the public informed about the work of the director by reporting to the Legislative Permanent School Fund Commission in a public meeting at least once during each calendar quarter.

(b) In carrying out the duties under paragraph (a), the school trust lands director shall have the authority to:

(1) direct and control money appropriated to the director;

(2) establish job descriptions and employ up to five employees in the unclassified service, staff within the limitations of money appropriated to the director;

(3) enter into interdepartmental agreements with any other state agency;

(4) enter into joint powers agreements under chapter 471;

(5) evaluate and initiate real estate development projects on school trust lands in conjunction with the commissioner of natural resources and with the advice of the Legislative Permanent School Fund Commission in order to generate long-term economic return to the permanent school fund; and

(6) serve as temporary trustee of school trust land for school trust lands subject to proposed or active eminent domain proceedings; and

(7) submit recommendations on strategies for school trust land leases, sales, or exchanges to the commissioner of natural resources and the Legislative Permanent School Fund Commission.

Sec. 65. Minnesota Statutes 2020, section 282.08, is amended to read:

282.08 APPORTIONMENT OF PROCEEDS TO TAXING DISTRICTS.

The net proceeds from the sale or rental of any parcel of forfeited land, or from the sale of products from the forfeited land, must be apportioned by the county auditor to the taxing districts interested in the land, as follows:

(1) the portion required to pay any amounts included in the appraised value under section 282.01, subdivision 3, as representing increased value due to any public improvement made
after forfeiture of the parcel to the state, but not exceeding the amount certified by the
appropriate governmental authority must be apportioned to the governmental subdivision
entitled to it;

(2) the portion required to pay any amount included in the appraised value under section
282.019, subdivision 5, representing increased value due to response actions taken after
forfeiture of the parcel to the state, but not exceeding the amount of expenses certified by
the Pollution Control Agency or the commissioner of agriculture, must be apportioned to
the agency or the commissioner of agriculture and deposited in the fund from which the
expenses were paid;

(3) the portion of the remainder required to discharge any special assessment chargeable
against the parcel for drainage or other purpose whether due or deferred at the time of
forfeiture, must be apportioned to the governmental subdivision entitled to it; and

(4) any balance must be apportioned as follows:

(i) The county board may annually by resolution set aside no more than 30 percent of
the receipts remaining to be used for forest development on tax-forfeited land and dedicated
memorial forests, to be expended under the supervision of the county board. It must be
expended only on projects improving the health and management of the forest resource.

(ii) The county board may annually by resolution set aside no more than 20 percent of
the receipts remaining to be used for the acquisition and maintenance of county parks or
recreational areas as defined in sections 398.31 to 398.36, to be expended under the
supervision of the county board.

(iii) The county board may by resolution set aside up to 100 percent of the receipts
remaining to be used:

(A) according to section 282.09, subdivision 2;

(B) for remediating contamination at tax-forfeited properties; or

(C) for correcting blighted conditions at tax-forfeited properties.

An election made under this item is effective for a minimum of five years, unless the county
board specifies a shorter duration.

(iv) Any balance remaining must be apportioned as follows: county, 40 percent; town
or city, 20 percent; and school district, 40 percent, provided, however, that in unorganized
territory that portion which would have accrued to the township must be administered by
the county board of commissioners.
EFFECTIVE DATE. This section is effective the day following final enactment.

Sec. 66. Minnesota Statutes 2020, section 297A.94, is amended to read:

297A.94 DEPOSIT OF REVENUES.

(a) Except as provided in this section, the commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed by this chapter in the state treasury and credit them to the general fund.

(b) The commissioner shall deposit taxes in the Minnesota agricultural and economic account in the special revenue fund if:

(1) the taxes are derived from sales and use of property and services purchased for the construction and operation of an agricultural resource project; and

(2) the purchase was made on or after the date on which a conditional commitment was made for a loan guaranty for the project under section 41A.04, subdivision 3.

The commissioner of management and budget shall certify to the commissioner the date on which the project received the conditional commitment. The amount deposited in the loan guaranty account must be reduced by any refunds and by the costs incurred by the Department of Revenue to administer and enforce the assessment and collection of the taxes.

(c) The commissioner shall deposit the revenues, including interest and penalties, derived from the taxes imposed on sales and purchases included in section 297A.61, subdivision 3, paragraph (g), clauses (1) and (4), in the state treasury, and credit them as follows:

(1) first to the general obligation special tax bond debt service account in each fiscal year the amount required by section 16A.661, subdivision 3, paragraph (b); and

(2) after the requirements of clause (1) have been met, the balance to the general fund.

(d) Beginning with sales taxes remitted after July 1, 2017, the commissioner shall deposit in the state treasury the revenues collected under section 297A.64, subdivision 1, including interest and penalties and minus refunds, and credit them to the highway user tax distribution fund.

(e) The commissioner shall deposit the revenues, including interest and penalties, collected under section 297A.64, subdivision 5, in the state treasury and credit them to the general fund. By July 15 of each year the commissioner shall transfer to the highway user tax distribution fund an amount equal to the excess fees collected under section 297A.64, subdivision 5, for the previous calendar year.
(f) Beginning with sales taxes remitted after July 1, 2017, in conjunction with the deposit of revenues under paragraph (d), the commissioner shall deposit into the state treasury and credit to the highway user tax distribution fund an amount equal to the estimated revenues derived from the tax rate imposed under section 297A.62, subdivision 1, on the lease or rental for not more than 28 days of rental motor vehicles subject to section 297A.64. The commissioner shall estimate the amount of sales tax revenue deposited under this paragraph based on the amount of revenue deposited under paragraph (d).

(g) Starting after July 1, 2017, the commissioner shall deposit an amount of the remittances monthly into the state treasury and credit them to the highway user tax distribution fund as a portion of the estimated amount of taxes collected from the sale and purchase of motor vehicle repair parts in that month. For the remittances between July 1, 2017, and June 30, 2019, the monthly deposit amount is $2,628,000. For remittances in each subsequent fiscal year, the monthly deposit amount is $12,137,000. For purposes of this paragraph, "motor vehicle" has the meaning given in section 297B.01, subdivision 11, and "motor vehicle repair and replacement parts" includes (i) all parts, tires, accessories, and equipment incorporated into or affixed to the motor vehicle as part of the motor vehicle maintenance and repair, and (ii) paint, oil, and other fluids that remain on or in the motor vehicle as part of the motor vehicle maintenance or repair. For purposes of this paragraph, "tire" means any tire of the type used on highway vehicles, if wholly or partially made of rubber and if marked according to federal regulations for highway use.

(h) 72.43 percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited by the commissioner in the state treasury as follows:

(1) 50 percent of the receipts must be deposited in the heritage enhancement account in the game and fish fund, and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of land, water, and other natural resources of the state;

(2) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only for state parks and trails;

(3) 22.5 percent of the receipts must be deposited in the natural resources fund, and may be spent only on metropolitan park and trail grants;

(4) three percent of the receipts must be deposited in the natural resources fund, and may be spent only on local trail grants; and
(5) two percent of the receipts must be deposited in the natural resources fund, and may
be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory,
and the Duluth Zoo.

(i) The revenue dedicated under paragraph (h) may not be used as a substitute for
traditional sources of funding for the purposes specified, but the dedicated revenue shall
supplement traditional sources of funding for those purposes. Land acquired with money
deposited in the game and fish fund under paragraph (h) must be open to public hunting
and fishing during the open season, except that in aquatic management areas or on lands
where angling easements have been acquired, fishing may be prohibited during certain times
of the year and hunting may be prohibited. At least 87 percent of the money deposited in
the game and fish fund for improvement, enhancement, or protection of fish and wildlife
resources under paragraph (h) must be allocated for field operations.

(j) The commissioner must deposit the revenues, including interest and penalties minus
any refunds, derived from the sale of items regulated under section 624.20, subdivision 1,
that may be sold to persons 18 years old or older and that are not prohibited from use by
the general public under section 624.21, in the state treasury and credit:

(1) 25 percent to the volunteer fire assistance grant account established under section
88.068;

(2) 25 percent to the fire safety account established under section 297I.06, subdivision
3; and

(3) the remainder to the general fund.

For purposes of this paragraph, the percentage of total sales and use tax revenue derived
from the sale of items regulated under section 624.20, subdivision 1, that are allowed to be
sold to persons 18 years old or older and are not prohibited from use by the general public
under section 624.21, is a set percentage of the total sales and use tax revenues collected in
the state, with the percentage determined under Laws 2017, First Special Session chapter
1, article 3, section 39.

(k) The revenues deposited under paragraphs (a) to (j) do not include the revenues,
including interest and penalties, generated by the sales tax imposed under section 297A.62,
subdivision 1a, which must be deposited as provided under the Minnesota Constitution,
article XI, section 15.
One percent of the revenues, including interest and penalties, transmitted to the commissioner under section 297A.65, must be deposited in the state treasury and credited to the events promotion account under section 116U.55, subdivision 3.

Sec. 67. CONTINUATION OF OTHER WATER APPROPRIATION PERMITS.

Prior to additional rulemaking or legislative action in response to the findings and recommendations submitted pursuant to section 69, the commissioner of natural resources shall not reduce appropriations under a groundwater appropriations permit, terminate groundwater appropriations authorized by a permit, or decline to renew a groundwater appropriations permit where:

1. the permit was in effect as of December 31, 2021;
2. the permit authorized appropriation of groundwater from a site located wholly or partially within a five-mile radius of White Bear Lake;
3. the permittee is in compliance with applicable permit terms; and
4. the permittee is not a municipality.

Sec. 68. DEPARTMENT OF NATURAL RESOURCES REGISTRATION SYSTEM.

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

(b) "Commissioner" means the commissioner of natural resources.

(c) "DNR" means the Department of Natural Resources.

(d) "DNR registration system" means the current Department of Natural Resources system for boat, all-terrain vehicle, and snowmobile registrations.

Subd. 2. Request for proposals; scoring preference. When the commissioner issues a request for proposals to replace the DNR registration system and scores the responses to the request for proposals, the commissioner may give a preference to a software vendor that currently provides vehicle registration software to the state in an amount commensurate with the commissioner's assessments of the benefits of using an existing software vendor.

Subd. 3. Report to legislature. Within 45 days after a vendor has been selected to provide software to replace the DNR registration system, the commissioner must report to the chairs and ranking minority members of the legislative committees with jurisdiction over transportation policy and finance and natural resources policy and finance. At a minimum, the commissioner must include in the report:
(1) the names of all vendors who submitted a proposal;

(2) which vendor was selected;

(3) the estimated timeline for implementing the new registration system;

(4) if a preference was given as described in subdivision 2, what the preference was and how the commissioner arrived at that number; and

(5) if a software vendor that currently provides vehicle registration software to the state submitted a proposal and that vendor was not selected, an explanation of why that vendor was not selected.

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

**Sec. 69. ENSURING SUSTAINABLE GROUNDWATER LEVELS IN WHITE BEAR LAKE AND RELATED AQUIFERS.**

The commissioner of natural resources, in cooperation with the Minnesota Department of Health, the Metropolitan Council, and representatives of east metropolitan area municipalities, must explore available options for supplying east metropolitan area communities with safe drinking water in a manner that allows municipal growth while simultaneously ensuring the sustainability and quality of the state's water resources in and around White Bear Lake and neighboring aquifers. By October 1, 2023, the commissioner must report findings and recommendations to the chairs and ranking minority members of the legislative committees and divisions with jurisdiction over environment and natural resources.

**Sec. 70. FACILITATING SAFE TRAVEL ON COUNTY STATE-AID HIGHWAY 13 IN MURRAY COUNTY.**

Subdivision 1. **Requirements.** Notwithstanding any other provision of law, the commissioner of natural resources must do all of the following to ensure that the portion of County State-Aid Highway 13 in Murray County that extends over Lake Shetek between 170th Avenue and Lakeview Drive can be widened to a sufficient width to ensure traveler safety:

(1) issue any permits applied for by the county as part of a project to widen the highway; and
77.1 (2) convey to the county any right-of-way, easement, or other interest in real property
administered by the Department of Natural Resources that is necessary to facilitate the
widening.

Subd. 2. Sufficient width. For purposes of subdivision 1, "sufficient width to ensure
traveler safety" means a width of at least 70 feet, including room for two lanes of vehicular
traffic, a shoulder on each side, and a shared-use path on each side to safely accommodate
bicycle and pedestrian transportation. Any riprap needed to ensure the structural integrity
of the widened highway must be in addition to the 70-foot width required by this subdivision.

Subd. 3. Reporting. The commissioner of natural resources must immediately 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 if the
commissioner denies any permit or other request made by Murray County in connection
with the widening described in this section. A report under this subdivision must explain
the reason for the denial, including the statute or rule that prohibits the commissioner from
granting the permit or other request. A policy decision by the Department of Natural
Resources that the lake is more important than protecting the lives of travelers on the highway
does not constitute a sufficient explanation for a decision to deny a permit under this
subdivision.

EFFECTIVE DATE. This section is effective the day after the governing body of
Murray County and its chief clerical officer comply with the requirements of Minnesota
Statutes, section 645.021, subdivisions 2 and 3.

Sec. 71. FILLING OF CERTAIN POLLUTION CONTROL AGENCY AIR PERMIT
PROGRAM VACANCIES.

Subdivision 1. Duty to fill certain positions. The commissioner of the Pollution Control
Agency must do the following for each position in the agency's air permit program that has
been open for at least one year as of the effective date of this section:

(1) within 60 days of the effective date of this section, post job opening information for
each position in the manner normally used by the commissioner to post job openings;

(2) within 90 days of the effective date of this section, conduct interviews to fill each
position; and

(3) within 120 days of the effective date of this section, complete hiring to fill each
position.
Subd. 2. Report. By January 15, 2024, the commissioner 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 on efforts to comply
with this section. The report must include the following:

(1) a summary of the commissioner's efforts to comply with each clause in subdivision
1; and

(2) for any position that receives less than five applicants, an explanation of the need
for each of the job requirements included in the job posting.

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

Sec. 72. INTERIM PROVISIONS.

(a) From the effective date of this section until the rules under section 77 are adopted,
to the extent allowable under the federal Clean Water Act or other federal laws, this section
applies to discharges from facilities that process sugar beets outside the Lake Superior basin.

(b) If a whole effluent toxicity test, as defined under Minnesota Rules, part 7050.0218,
subpart 3, item AAA, is performed on the effluent of a point source discharger that is a
facility that processes sugar beets and results in less than 50 percent mortality of the test
organisms or if a demonstration is provided under Minnesota Rules, part 7052.0210, subpart
1, that 0.3 acute toxic units can be met at the edge of an approved acute mixing zone, the
effluent must not be considered acutely toxic or lethal to aquatic organisms unless the
commissioner of the Pollution Control Agency finds that the test species do not represent
sensitive organisms in the affected surface water body or the whole effluent toxicity test
was performed on a sample not representative of the effluent quality.

(c) The commissioner of the Pollution Control Agency must establish whole effluent
toxicity mixing zones and whole effluent toxicity water-quality-based effluent limitations
and permit conditions for facilities that process sugar beets according to Minnesota Rules,
parts 7052.0210, subparts 1 and 2, and 7052.0240.

(d) The antibacksliding provisions of Minnesota Rules, part 7001.1080, subpart 9, do
not apply to new or revised permit conditions established under paragraph (c).

EFFECTIVE DATE. This section is effective the day following final enactment.
Sec. 73. REGISTRATION DECAL FORMAT TRANSITION.

Separately displaying registration numbers is not required when a larger-format registration decal as provided under Minnesota Statutes, section 84.82, subdivision 2, is displayed according to Minnesota Statutes, section 84.82, subdivision 3b. Snowmobiles displaying valid but older smaller-format registration decals must display the separate registration numbers. Persons may obtain duplicate registration decals in the new, larger format, when available, without being required to display the separate registration numbers.

Sec. 74. REQUIRED RULEMAKING.

(a) The commissioner of natural resources must amend Minnesota Rules as follows:

(1) part 6100.5000, subpart 1, by striking the last sentence and inserting "The registration number remains the same if renewed by July 1 following the expiration date.";

(2) part 6100.5700, subpart 1, item C, by striking the reference to registration numbers; and

(3) part 6230.0250, subpart 10, item A, subitem (2), by changing the word "hunter" to "person".

(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.

Sec. 75. STATE IMPLEMENTATION PLAN REVISIONS.

(a) The commissioner of the Pollution Control Agency must seek approval from the federal Environmental Protection Agency for revisions to the state's federal Clean Air Act state implementation plan so that under the revised plan, the Pollution Control Agency is prohibited from applying a national or state ambient air quality standard in a permit issued solely to authorize operations to continue at an existing facility with unmodified emissions levels. Nothing in this section must be construed to require the commissioner to apply for a revision that would prohibit the agency from applying a national or state ambient air quality standard in a permit that authorizes an increase in emissions due to construction of a new facility or in a permit that authorizes changes to existing facilities that result in a significant net emissions increase of a regulated NSR pollutant, as defined in Code of Federal Regulations, title 40, section 52.21(b)(50).
(b) The commissioner of the Pollution Control Agency must report quarterly 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 on the status of efforts to implement paragraph (a) until the revisions required by paragraph (a) have been either approved or denied.

Sec. 76. WHOLE EFFLUENT TOXICITY RULEMAKING FOR FACILITIES THAT PROCESS SUGAR BEETS.

(a) By January 31, 2023, the commissioner of the Pollution Control Agency must adopt rules on:

(1) evaluating and applying whole effluent toxicity (WET) as water-quality-based effluent limitations and permit conditions for discharges from facilities that process sugar beets that are located outside the Lake Superior basin; and

(2) the applicability and standards for acute and chronic mixing zones at those facilities.

(b) Rules adopted under this section must be substantially identical to Minnesota Rules, parts 7052.0210, subparts 1 and 2, and 7052.0240, so that, to the greatest extent possible, facilities that process sugar beets in all parts of the state are subject to the same mixing zones requirements and acute and chronic WET requirements for establishing permit conditions.

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

Sec. 77. PFAS MONITORING PLAN EXPENSES.

Notwithstanding any other provision of law, the commissioner of the Pollution Control Agency shall not require a person, facility, or other entity to monitor PFAS as part of its March 2022 PFAS monitoring plan unless the monitoring can be done at no cost to the person, facility, or other entity or unless the commissioner agrees to reimburse the person, facility, or other entity for all costs of the monitoring. Nothing in this section shall be construed to prohibit:

(1) voluntary compliance with an agency request to monitor PFAS;

(2) compliance with a PFAS monitoring requirement that is not part of the March 2022 PFAS monitoring plan; or

(3) a PFAS monitoring requirement imposed as a result of a known release or threatened release of PFAS from a facility.
81.1 **EFFECTIVE DATE.** This section is effective the day following final enactment.

81.2 Sec. 78. **RED RIVER OF THE NORTH; ADAPTIVE PHOSPHORUS MANAGEMENT FEASIBILITY ASSESSMENT.**

81.3 Subdivision 1. **Assessment contents.** The Red River Basin Commission must facilitate the development of a feasibility assessment of adaptive phosphorus management for the Red River of the North. The commission may contract with outside experts or academic institutions in developing the assessment. The assessment:

81.4 (1) must address applicable water quality targets for phosphorous loading;

81.5 (2) must include an allocation of phosphorus between point and nonpoint sources;

81.6 (3) must identify cost-effective nutrient reduction implementation strategies; and

81.7 (4) may include other state water quality goals and objectives.

81.8 Subd. 2. **Advisory group.** In developing the assessment, the Red River Basin Commission shall work in cooperation with an advisory group consisting of representatives from the Minnesota Agricultural Water Resource Center, the Red River Watershed Management Board, other agricultural groups, soil and water conservation districts, watershed districts, cities, and other Minnesota organizations represented on the board of directors of the Red River Basin Commission. The Red River Basin Commission may also work with representatives from similar organizations from North Dakota, South Dakota, and Manitoba.

81.9 Subd. 3. **Reporting.** By June 30, 2024, the Red River Basin Commission must submit the final assessment to the chairs and ranking minority members of the house of representatives and senate committees with jurisdiction over agriculture policy and finance. By December 31 of each year prior to the submission of the final assessment, the commission must submit a progress report on the assessment's development to these same recipients.

81.20 **Sec. 79. REPEALER.**

81.21 (a) Minnesota Statutes 2020, sections 97B.318; and 97C.515, subdivisions 4 and 5, are repealed.

81.22 (b) Minnesota Rules, parts 6100.5000, subparts 3, 4, and 5; 6100.5700, subpart 4; and 6232.0350, are repealed.

81.23 (c) Laws 2013, chapter 121, section 53, is repealed.
ARTICLE 3

STATE LANDS

Section 1. Minnesota Statutes 2021 Supplement, section 84.63, is amended to read:

84.63 CONVEYING INTERESTS IN LANDS TO STATE, FEDERAL, AND TRIBAL GOVERNMENTS.

(a) Notwithstanding any existing law to the contrary, the commissioner of natural resources is hereby authorized on behalf of the state to convey to the United States, to a federally recognized Indian Tribe, or to the state of Minnesota or any of its subdivisions, upon state-owned lands under the administration of the commissioner of natural resources, permanent or temporary easements for specified periods or otherwise for trails, highways, roads including limitation of right of access from the lands to adjacent highways and roads, flowage for development of fish and game resources, stream protection, flood control, and necessary appurtenances thereto, such conveyances to be made upon such terms and conditions including provision for reversion in the event of non-user as the commissioner of natural resources may determine.

(b) In addition to the fee for the market value of the easement, the commissioner of natural resources shall assess the applicant the following fees:

(1) an application fee of $2,000 to cover reasonable costs for reviewing the application and preparing the easement; and

(2) a monitoring fee to cover the projected reasonable costs for monitoring the construction of the improvement for which the easement was conveyed and preparing special terms and conditions for the easement. The commissioner must give the applicant an estimate of the monitoring fee before the applicant submits the fee.

(c) The applicant shall pay these fees to the commissioner of natural resources. The commissioner shall not issue the easement until the applicant has paid in full the application fee, the monitoring fee, and the market value payment for the easement.

(d) Upon completion of construction of the improvement for which the easement was conveyed, the commissioner shall refund the unobligated balance from the monitoring fee revenue. The commissioner shall not return the application fee, even if the application is withdrawn or denied.

(e) Money received under paragraph (b) must be deposited in the land management account in the natural resources fund and is appropriated to the commissioner of natural resources to cover the reasonable costs incurred for issuing and monitoring easements.
A county or joint county regional railroad authority is exempt from all fees specified under this section for trail easements on state-owned land.

In addition to fees specified in this section, the applicant must reimburse the state for costs incurred for cultural resources review, monitoring, or other services provided by the Minnesota Historical Society under contract with the commissioner of natural resources or the State Historic Preservation Office of the Department of Administration in connection with the easement application, preparing the easement terms, or constructing the trail, highway, road, or other improvements.

Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may elect to assume the application fee under paragraph (b), clause (1), and waive or assume some or all of the remaining fees and costs imposed under this section if the commissioner determines that issuing the easement will benefit the state's land management interests.

Sec. 2. Minnesota Statutes 2021 Supplement, section 84.631, is amended to read:

**84.631 ROAD EASEMENTS ACROSS STATE LANDS.**

(a) Except as provided in section 85.015, subdivision 1b, the commissioner of natural resources, on behalf of the state, may convey a road easement across state land under the commissioner's jurisdiction to a private person requesting an easement for access to property owned by the person only if the following requirements are met: (1) there are no reasonable alternatives to obtain access to the property; and (2) the exercise of the easement will not cause significant adverse environmental or natural resource management impacts.

(b) The commissioner shall:

(1) require the applicant to pay the market value of the easement;

(2) limit the easement term to 50 years if the road easement is across school trust land;

(3) provide that the easement reverts to the state in the event of nonuse; and

(4) impose other terms and conditions of use as necessary and appropriate under the circumstances.

(c) An applicant shall submit an application fee of $2,000 with each application for a road easement across state land. The application fee is nonrefundable, even if the application is withdrawn or denied.

(d) In addition to the payment for the market value of the easement and the application fee, the commissioner of natural resources shall assess the applicant a monitoring fee to cover the projected reasonable costs for monitoring the construction of the road and preparing...
special terms and conditions for the easement. The commissioner must give the applicant
an estimate of the monitoring fee before the applicant submits the fee. The applicant shall
pay the application and monitoring fees to the commissioner of natural resources. The
commissioner shall not issue the easement until the applicant has paid in full the application
fee, the monitoring fee, and the market value payment for the easement.

(c) Upon completion of construction of the road, the commissioner shall refund the
unobligated balance from the monitoring fee revenue.

(f) Fees collected under paragraphs (c) and (d) must be credited to the land management
account in the natural resources fund and are appropriated to the commissioner of natural
resources to cover the reasonable costs incurred under this section.

(g) In addition to fees specified in this section, the applicant must reimburse the state
for costs incurred for cultural resources review, monitoring, or other services provided by
the Minnesota Historical Society under contract with the commissioner of natural resources
or the State Historic Preservation Office of the Department of Administration in connection
with the easement application, preparing the easement terms, or constructing the road.

(h) Notwithstanding paragraphs (a) to (g), the commissioner of natural resources may
elect to assume the application fee under paragraph (c) and waive or assume some or all of
the remaining fees and costs imposed under this section if the commissioner determines
that issuing the easement will benefit the state's land management interests.

Sec. 3. Minnesota Statutes 2020, section 84.632, is amended to read:

**84.632 CONVEYANCE OF UNNEEDED STATE EASEMENTS.**

(a) Notwithstanding section 92.45, the commissioner of natural resources may, in the
name of the state, release all or part of an easement acquired by the state upon application
of a landowner whose property is burdened with the easement if the easement is not needed
for state purposes.

(b) All or part of an easement may be released by payment of the market value of the
easement. The release must be in a form approved by the attorney general.

(c) Money received under paragraph (b) must be credited to the account from which
money was expended for purchase of the easement. If there is no specific account, the money
must be credited to the land acquisition account established in section 94.165.

(d) In addition to payment under paragraph (b), the commissioner of natural resources
shall assess a landowner who applies for a release under this section an application fee of
$2,000 for reviewing the application and preparing the release of easement. The applicant shall pay the application fee to the commissioner of natural resources. The commissioner shall not issue the release of easement until the applicant has paid the application fee in full. The commissioner shall not return the application fee, even if the application is withdrawn or denied.

(e) Money received under paragraph (d) must be credited to the land management account in the natural resources fund and is appropriated to the commissioner of natural resources to cover the reasonable costs incurred under this section.

(f) Notwithstanding paragraphs (a) to (e), the commissioner of natural resources may elect to assume the application fee under paragraph (d) and waive or assume some or all of the remaining fees and costs imposed under this section if the commissioner determines that issuing the easement release will benefit the state’s land management interests.

Sec. 4. Minnesota Statutes 2021 Supplement, section 92.502, is amended to read:

92.502 LEASING TAX-FORFEITED AND STATE LANDS.

(a) Notwithstanding section 282.04 or other law to the contrary, St. Louis County may enter a 30-year lease of tax-forfeited land for a wind energy project.

(b) The commissioner of natural resources may enter a 30-year lease of land administered by the commissioner for a wind energy project.

(c) The commissioner of natural resources may enter a 30-year lease of land administered by the commissioner for recreational trails and facilities. The commissioner may assess the lease applicant a monitoring fee to cover the projected reasonable costs of monitoring construction of the recreational trail or facility and preparing special terms and conditions of the license to ensure proper construction. The commissioner must give the applicant an estimate of the monitoring fee before the applicant is required to submit the fee. Upon completion of construction of the trail or facility, the commissioner must refund the unobligated balance from the monitoring fee revenue.

(d) Notwithstanding section 282.04 or other law to the contrary, Lake and St. Louis Counties may enter into 30-year leases of tax-forfeited land for recreational trails and facilities.

Sec. 5. Minnesota Statutes 2020, section 282.04, subdivision 1, is amended to read:

Subdivision 1. Timber sales; land leases and uses. (a) The county auditor, with terms and conditions set by the county board, may sell timber upon any tract that may be approved

Article 3 Sec. 5.
by the natural resources commissioner. The sale of timber shall be made for cash at not less
than the appraised value determined by the county board to the highest bidder after not less
than one week's published notice in an official paper within the county. Any timber offered
at the public sale and not sold may thereafter be sold at private sale by the county auditor
at not less than the appraised value thereof, until the time as the county board may withdraw
the timber from sale. The appraised value of the timber and the forestry practices to be
followed in the cutting of said timber shall be approved by the commissioner of natural
resources.

(b) Payment of the full sale price of all timber sold on tax-forfeited lands shall be made
in cash at the time of the timber sale, except in the case of oral or sealed bid auction sales,
the down payment shall be no less than 15 percent of the appraised value, and the balance
shall be paid prior to entry. In the case of auction sales that are partitioned and sold as a
single sale with predetermined cutting blocks, the down payment shall be no less than 15
percent of the appraised price of the entire timber sale which may be held until the satisfactory
completion of the sale or applied in whole or in part to the final cutting block. The value of
each separate block must be paid in full before any cutting may begin in that block. With
the permission of the county contract administrator the purchaser may enter unpaid blocks
and cut necessary timber incidental to developing logging roads as may be needed to log
other blocks provided that no timber may be removed from an unpaid block until separately
scaled and paid for. If payment is provided as specified in this paragraph as security under
paragraph (a) and no cutting has taken place on the contract, the county auditor may credit
the security provided, less any down payment required for an auction sale under this
paragraph, to any other contract issued to the contract holder by the county under this chapter
to which the contract holder requests in writing that it be credited, provided the request and
transfer is made within the same calendar year as the security was received.

(c) The county board may sell any timber, including biomass, as appraised or scaled.
Any parcels of land from which timber is to be sold by scale of cut products shall be so
designated in the published notice of sale under paragraph (a), in which case the notice shall
contain a description of the parcels, a statement of the estimated quantity of each species
of timber, and the appraised price of each species of timber for 1,000 feet, per cord or per
piece, as the case may be. In those cases any bids offered over and above the appraised
prices shall be by percentage, the percent bid to be added to the appraised price of each of
the different species of timber advertised on the land. The purchaser of timber from the
parcels shall pay in cash at the time of sale at the rate bid for all of the timber shown in the
notice of sale as estimated to be standing on the land, and in addition shall pay at the same
rate for any additional amounts which the final scale shows to have been cut or was available for cutting on the land at the time of sale under the terms of the sale. Where the final scale of cut products shows that less timber was cut or was available for cutting under terms of the sale than was originally paid for, the excess payment shall be refunded from the forfeited tax sale fund upon the claim of the purchaser, to be audited and allowed by the county board as in case of other claims against the county. No timber, except hardwood pulpwood, may be removed from the parcels of land or other designated landings until scaled by a person or persons designated by the county board and approved by the commissioner of natural resources. Landings other than the parcel of land from which timber is cut may be designated for scaling by the county board by written agreement with the purchaser of the timber. The county board may, by written agreement with the purchaser and with a consumer designated by the purchaser when the timber is sold by the county auditor, and with the approval of the commissioner of natural resources, accept the consumer's scale of cut products delivered at the consumer's landing. No timber shall be removed until fully paid for in cash. Small amounts of timber not exceeding 500 cords in appraised volume may be sold for not less than the full appraised value at private sale to individual persons without first publishing notice of sale or calling for bids, provided that in case of a sale involving a total appraised value of more than $200 the sale shall be made subject to final settlement on the basis of a scale of cut products in the manner above provided and not more than two of the sales, directly or indirectly to any individual shall be in effect at one time.

(d) As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations or organized subdivisions of the state at public or private sale, and at the prices and under the terms as the county board may prescribe, for use as cottage and camp sites and for agricultural purposes and for the purpose of taking and removing of hay, stumpage, sand, gravel, clay, rock, marl, and black dirt from the land, and for garden sites and other temporary uses provided that no leases shall be for a period to exceed ten years; provided, further that any leases involving a consideration of more than $12,000 per year, except to an organized subdivision of the state shall first be offered at public sale in the manner provided herein for sale of timber. Upon the sale of any leased land, it shall remain subject to the lease for not to exceed one year from the beginning of the term of the lease. Any rent paid by the lessee for the portion of the term cut off by the cancellation shall be refunded from the forfeited tax sale fund upon the claim of the lessee, to be audited and allowed by the county board as in case of other claims against the county.

(e) As directed by the county board, the county auditor may lease tax-forfeited land to individuals, corporations, or organized subdivisions of the state at public or private sale, at
the prices and under the terms as the county board may prescribe, for the purpose of taking
and removing for use for road construction and other purposes tax-forfeited stockpiled
iron-bearing material. The county auditor must determine that the material is needed and
suitable for use in the construction or maintenance of a road, tailings basin, settling basin,
dike, dam, bank fill, or other works on public or private property, and that the use would
be in the best interests of the public. No lease shall exceed ten years. The use of a stockpile
for these purposes must first be approved by the commissioner of natural resources. The
request shall be deemed approved unless the requesting county is notified to the contrary
by the commissioner of natural resources within six months after receipt of a request for
approval for use of a stockpile. Once use of a stockpile has been approved, the county may
continue to lease it for these purposes until approval is withdrawn by the commissioner of
natural resources.

(f) The county auditor, with the approval of the county board is authorized to grant
permits, licenses, and leases to tax-forfeited lands for the depositing of stripping, lean ores,
tailings, or waste products from mines or ore milling plants, or to use for facilities needed
to recover iron-bearing oxides from tailings basins or stockpiles, or for a buffer area needed
for a mining operation, upon the conditions and for the consideration and for the period of
time, not exceeding 25 years, as the county board may determine. The permits, licenses, or
leases are subject to approval by the commissioner of natural resources.

(g) Any person who removes any timber from tax-forfeited land before said timber has
been scaled and fully paid for as provided in this subdivision is guilty of a misdemeanor.

(h) The county auditor may, with the approval of the county board, and without first
offering at public sale, grant leases, for a term not exceeding 25 years, for the removal of
peat and for the production or removal of farm-grown closed-loop biomass as defined in
section 216B.2424, subdivision 1, or short-rotation woody crops from tax-forfeited lands
upon the terms and conditions as the county board may prescribe. Any lease for the removal
of peat, farm-grown closed-loop biomass, or short-rotation woody crops from tax-forfeited
lands must first be reviewed and approved by the commissioner of natural resources if the
lease covers 320 or more acres. No lease for the removal of peat, farm-grown closed-loop
biomass, or short-rotation woody crops shall be made by the county auditor pursuant to this
section without first holding a public hearing on the auditor’s intention to lease. One printed
notice in a legal newspaper in the county at least ten days before the hearing, and posted
notice in the courthouse at least 20 days before the hearing shall be given of the hearing.

(i) Notwithstanding any provision of paragraph (c) to the contrary, the St. Louis County
auditor may, at the discretion of the county board, sell timber to the party who bids the
highest price for all the several kinds of timber, as provided for sales by the commissioner of natural resources under section 90.14. Bids offered over and above the appraised price need not be applied proportionately to the appraised price of each of the different species of timber.

(j) In lieu of any payment or deposit required in paragraph (b), as directed by the county board and under terms set by the county board, the county auditor may accept an irrevocable bank letter of credit in the amount equal to the amount otherwise determined in paragraph (b). If an irrevocable bank letter of credit is provided under this paragraph, at the written request of the purchaser, the county may periodically allow the bank letter of credit to be reduced by an amount proportionate to the value of timber that has been harvested and for which the county has received payment. The remaining amount of the bank letter of credit after a reduction under this paragraph must not be less than 20 percent of the value of the timber purchased. If an irrevocable bank letter of credit or cash deposit is provided for the down payment required in paragraph (b), and no cutting of timber has taken place on the contract for which a letter of credit has been provided, the county may allow the transfer of the letter of credit to any other contract issued to the contract holder by the county under this chapter to which the contract holder requests in writing that it be credited.

(k) As directed by the county board, the county auditor may lease tax-forfeited land under the terms and conditions prescribed by the county board for the purposes of investigating, analyzing, and developing conservation easements that provide ecosystem services.

Sec. 6. Minnesota Statutes 2020, section 282.04, is amended by adding a subdivision to read:

Subd. 4b. Conservation easements. The county auditor, with prior review and consultation with the commissioner of natural resources and under the terms and conditions prescribed by the county board, including reversion in the event of nonuse, may convey conservation easements as defined in section 84C.01 on tax-forfeited land.

Sec. 7. ADDITION TO STATE PARK.

[85.012] [Subd. 27.] Myre-Big Island State Park, Freeborn County. The following area is added to Myre-Big Island State Park, Freeborn County: all that part of the Northeast Quarter of the Southeast Quarter of Section 11, Township 102 North, Range 21 West of the 5th principal meridian, lying South of the Chicago, Milwaukee, St. Paul and Pacific Railway, and subject to road easement on the easterly side thereof.
Sec. 8. **DELETION FROM STATE FOREST.**

**[89.021]** [Subd. 13.] **Cloquet Valley State Forest.** The following areas are deleted from Cloquet Valley State Forest:

(1) those parts of St. Louis County in Township 52 North, Range 16 West, described as follows:

(i) Government Lots 1, 2, 3, 4, and 5 and the Southeast Quarter of the Southeast Quarter, Northeast Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter, Section 21;

(ii) Government Lots 2, 3, 4, 5, 6, 7, 8, 9, and 10 and the Northeast Quarter of the Northwest Quarter and Northwest Quarter of the Northwest Quarter, Section 22;

(iii) Government Lot 3, Section 23;

(iv) Government Lot 2, Section 24;

(v) Government Lots 1, 4, 5, 6, 7, 8, 9, and 10, Section 25;

(vi) Government Lot 1, Section 26;

(vii) Government Lots 2 and 7, Section 26;

(viii) Government Lots 3 and 4, Section 27, reserving unto grantor and grantor's successors and assigns a 66-foot-wide access road easement across said Government Lot 3 for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 1, Section 27, said access road being measured 33 feet from each side of the centerline of that road that is presently existing at various widths and running in a generally southwesterly-northeasterly direction;

(ix) Government Lots 1 and 2, Section 28;

(x) Government Lots 1, 2, 3, and 5 and the Northeast Quarter of the Northeast Quarter and Southwest Quarter of the Northeast Quarter, Section 29;

(xi) Government Lots 1, 2, 3, and 4, Section 31, reserving unto grantor and grantor's successors and assigns a 66-foot-wide access road easement across said Government Lots 1, 2, and 3 for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's presently owned lands that may be sold, assigned, or transferred in Government Lot 4, Section 29, said access road being measured 33 feet from each side of the centerline of that road that is presently existing at various widths and running in a generally East-West...
direction and any future extensions thereof as may be reasonably necessary to provide the access contemplated herein;

(xii) Government Lots 5, 7, 8, and 9, Section 31;

(xiii) Government Lots 1 and 2, an undivided two-thirds interest in the Northeast Quarter of the Northwest Quarter, an undivided two-thirds interest in the Southeast Quarter of the Northwest Quarter, Section 32, reserving unto grantor and grantor's successors and assigns an access road easement across the West 66 feet of the North 66 feet of said Government Lot 1 for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 4, Section 29; and

(xiv) the Northeast Quarter of the Northeast Quarter, Section 35;

(2) those parts of St. Louis County in Township 53 North, Range 13 West, described as follows:

(i) all that part of the Northwest Quarter of the Northwest Quarter lying North and West of the Little Cloquet River, Section 4;

(ii) Government Lots 1, 2, 3, 4, and 5 and the Northeast Quarter of the Northeast Quarter, Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Northwest Quarter, Section 5;

(iii) Government Lots 1, 2, and 4 and the Northwest Quarter of the Southeast Quarter, Southeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter, Section 6;

(iv) Government Lots 1, 2, 3, 4, 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter, Northeast Quarter of the Northwest Quarter, Southwest Quarter of the Northwest Quarter, Section 7;

(v) Government Lots 1 and 2 and the Northeast Quarter of the Northeast Quarter, Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter, Northeast Quarter of the Southwest Quarter,
Northwest Quarter of the Southwest Quarter, and Southwest Quarter of the Southwest Quarter, Section 8; and

(vi) the Northeast Quarter of the Northwest Quarter, Northwest Quarter of the Northwest Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northwest Quarter, Section 17;

(3) those parts of St. Louis County in Township 54 North, Range 13 West, described as follows:

(i) Government Lots 1, 4, 5, 6, and 7, Section 20;

(ii) Government Lots 3, 4, 6, 7, and 8 and the Southeast Quarter of the Southwest Quarter, Section 21;

(iii) Government Lots 1, 2, 3, 4, 5, and 7, Section 29;

(iv) Government Lots 1, 2, 3, 4, 9, and 10, Section 30; and

(v) Government Lots 5, 6, and 7 and the Northeast Quarter of the Northeast Quarter, Northwest Quarter of the Northeast Quarter, Southwest Quarter of the Northeast Quarter, Southeast Quarter of the Northwest Quarter, and Northwest Quarter of the Southeast Quarter, Section 31;

(4) those parts of St. Louis County in Township 54 North, Range 16 West, described as follows:

(i) Government Lots 2, 3, and 4 and the Northwest Quarter of the Southwest Quarter, Southeast Quarter of the Northwest Quarter, and Southwest Quarter of the Northeast Quarter, Section 1;

(ii) Government Lots 1, 2, 3, 4, 6, 7, and 8 and the Northwest Quarter of the Southeast Quarter, Northeast Quarter of the Southeast Quarter, Southwest Quarter of the Southeast Quarter, Southeast Quarter of the Southwest Quarter, and Southeast Quarter of the Northeast Quarter, Section 2;

(iii) all that part of Government Lot 9 lying South of the Whiteface River and West of County Road 547, also known as Comstock Lake Road, Section 3; and

(iv) Government Lots 3 and 4 and the Southeast Quarter of the Northeast Quarter and Southwest Quarter of the Northeast Quarter, Section 10;

(5) those parts of St. Louis County in Township 55 North, Range 15 West, described as follows:
(i) Government Lots 1 and 2, Section 11;
(ii) Government Lot 9, except the Highway 4 right-of-way, Section 11;
(iii) Government Lot 10, except the Highway 4 right-of-way, Section 11;
(iv) Government Lots 2, 3, 4, 5, 6, and 7, Section 15;
(v) Government Lots 2, 3, 5, 6, 7, and 8 and the Northeast Quarter of the Southwest Quarter, Section 21;
(vi) the Southwest Quarter of the Northeast Quarter, reserving unto grantor and grantor's successors and assigns a 66-foot-wide access easement across said Southwest Quarter for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 4, Section 21, Township 55 North, Range 15 West, said access road being measured 33 feet on each side of the centerline of that road that is presently existing and known as the Whiteface Truck Trail, Section 21;
(vii) Government Lots 1, 2, and 3, Section 22;
(viii) Government Lots 1 and 2 and the Northeast Quarter of the Northwest Quarter, Section 28;
(ix) Government Lots 1, 4, 6, 8, and 9 and the Northeast Quarter of the Northeast Quarter, Northeast Quarter of the Southeast Quarter, and Northwest Quarter of the Southwest Quarter, Section 29;
(x) Government Lots 3 and 4 and the Northeast Quarter of the Southeast Quarter, Northeast Quarter of the Southwest Quarter, and Southeast Quarter of the Southwest Quarter, Section 30;
(xi) Government Lots 2, 3, 4, 5, 6, 8, 9, 10, and 11 and the Northeast Quarter of the Southwest Quarter, Section 31; and
(xii) Government Lot 1, Section 32; and
(6) those parts of St. Louis County in Township 55 North, Range 16 West, described as follows:
(i) the Southwest Quarter of the Southeast Quarter, reserving unto grantor and grantor's successors and assigns a 66-foot-wide access road easement across said Southwest Quarter of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35; and
(ii) the Southeast Quarter of the Southeast Quarter, reserving unto grantor and grantor's successors and assigns a 66-foot-wide access road easement across said Southeast Quarter of the Southeast Quarter for the purpose of access to grantor's or grantor's successor's or assign's land and grantor's presently owned land that may be sold, assigned, or transferred in Government Lot 5, Section 1, Township 54 North, Range 16 West, Section 35.

Sec. 9. ADDITION TO STATE FOREST.

[89.021] [Subd. 42a.] Riverlands State Forest. The following areas are added to Riverlands State Forest, those parts of St. Louis County, described as follows:

(1) the Northwest Quarter of the Northwest Quarter, Section 16, Township 50 North, Range 17 West;

(2) Government Lot 9, Section 26, Township 50 North, Range 17 West;

(3) the Northeast Quarter of the Southeast Quarter, Section 30, Township 51 North, Range 19 West;

(4) Government Lot 6, Section 22, Township 51 North, Range 20 West; and

(5) Government Lot 9, Section 24, Township 52 North, Range 20 West.

Sec. 10. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; CASS COUNTY.

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the surplus land bordering public water that is described in paragraph (c).

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Cass County and is described as:

(1) the West 970 feet of the Northeast Quarter of the Southwest Quarter of Section 32, Township 135 North, Range 29 West, Cass County, Minnesota, EXCEPT therefrom a rectangular piece in the southeast corner thereof 370 feet North and South by 420 feet East and West; and

(2) that part of Government Lot 6 of said Section 32, described as follows: beginning at the northwest corner of said Government Lot 6; thence East along the north line of said Government Lot 6 550 feet; thence South 30 degrees West 528 feet, more or less, to shoreline of Agate Lake; thence northwest along said shoreline of Agate Lake to the west line of said
Government Lot 6; thence northerly along said west line 260 feet, more or less, to the point of beginning.

(d) The land borders Agate Lake and is not contiguous to other state lands. The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land was returned to private ownership.

Sec. 11. PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; FILLMORE COUNTY.

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural resources may sell by public sale the surplus land bordering public water that is described in paragraph (c), subject to the state's reservation of trout stream easements.

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Fillmore County and is described as: the South 13 acres, except the East 2 acres thereof, of the Northwest Quarter of the Southeast Quarter, Section 21, Township 103, Range 10 West, Fillmore County, Minnesota, excepting therefrom the Harmony-Preston Valley State Trail corridor, formerly the Chicago, Milwaukee, St. Paul and Pacific Railroad Company right-of-way.

(d) The land borders the Root River and Watson Creek and is not contiguous to other state lands. The Department of Natural Resources has determined that the land is not needed for natural resource purposes, provided that trout stream easements are reserved on the Root River and Watson Creek, and that the state's land management interests would best be served if the land was returned to private ownership.

Sec. 12. CONVEYANCE OF TAX-FORFEITED LAND BORDERING PUBLIC WATER; GOODHUE COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45 and 282.018, subdivision 1, and the public sale provisions of Minnesota Statutes, chapter 282, Goodhue County may convey to the city of Wanamingo for no consideration the tax-forfeited land bordering public water that is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and provide that the land reverts to the state if the city of Wanamingo stops using the land for the public
The land to be conveyed is located in Goodhue County and is described as: That part of the Southeast Quarter of Section 30, Township 110 North, Range 16 West, Goodhue County, Minnesota, described as follows: Commencing at the northeast corner of Lot 7, Block 2, Axelson's Hillcrest Addition, according to the recorded plat thereof; thence South 89 degrees 48 minutes 15 seconds East (assuming that the east line of Axelson's Hillcrest Addition also being the west line of the Southeast Quarter of said Section 30, has a bearing of North 00 degrees 11 minutes 45 seconds East), a distance of 30.00 feet; thence North 00 degrees 11 minutes 45 seconds East, a distance of 342.00 feet to the point of beginning; thence South 89 degrees 48 minutes 15 seconds East, a distance of 60.00 feet; thence North 00 degrees 11 minutes 45 seconds East, a distance of 280.00 feet; thence South 89 degrees 48 minutes 15 seconds East, a distance of 60.00 feet; thence North 00 degrees 11 minutes 45 seconds East, a distance of 394 feet, more or less to the north line of the Southeast Quarter of said Section 30; thence westerly, along said north line, a distance of 150.00 feet, more or less, to the northwest corner of said Southeast Quarter; thence South 00 degrees 11 minutes 45 seconds West, along the west line of said Southeast Quarter, a distance of 674 feet, more or less, to an intersection with a line bearing North 89 degrees 48 minutes 15 seconds West from said point of beginning; thence South 89 degrees 48 minutes 15 seconds East, a distance of 30.00 feet to the point of beginning. EXCEPT that part of the above description now platted as Emerald Valley (parcel number 70.380.0710).

(d) The county has determined that the land is needed for a park trail extension.

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

Sec. 13. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER;

HENNEPIN COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land bordering public water that is described in paragraph (c) to a local unit of government for less than market value.

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be conveyed is located in Hennepin County and is described as: all those parts of Government Lot 5, Section 35, Township 118, Range 23, lying northerly
and northwesterly of East Long Lake Road, as it existed in 2021, easterly of a line drawn
parallel with and distant 924.88 feet westerly of the east line of said Government Lot 5, and
southerly of a line drawn westerly at a right angle to the east line of said Government Lot
5 from a point distant 620 feet South of the northeast corner of said Government Lot 5.

(d) The land borders Long Lake. The Department of Natural Resources has determined
that the land is not needed for natural resource purposes and that the state's land management
interests would best be served if the land were conveyed to a local unit of government.

Sec. 14. **PUBLIC SALE OF SURPLUS STATE LAND BORDERING PUBLIC WATER; ITASCA COUNTY.**

(a) Notwithstanding Minnesota Statutes, section 92.45, the commissioner of natural
resources may sell by public sale the surplus land bordering public water that is described
in paragraph (c).

(b) The commissioner may make necessary changes to the legal description to correct
errors and ensure accuracy.

(c) The land that may be sold is located in Itasca County and is described as:

1. the North 1,050.00 feet of Government Lot 1, Section 16, Township 55 North, Range
24 West of the fourth principal meridian, except that part described as follows: commencing
at the southeast corner of said Government Lot 1; thence North 0 degrees 46 minutes 09
seconds East, bearing assumed, along the east line thereof, a distance of 280.00 feet to the
point of beginning; thence North 89 degrees 13 minutes 51 seconds West, a distance of
345.00 feet; thence South 0 degrees 46 minutes 09 seconds West, a distance of 21.60 feet
to its intersection with the south line of the North 1,050.00 feet of said Government Lot 1;
thence South 89 degrees 08 minutes 51 seconds East along the south line of the North
1,050.00 feet of said Government Lot 1, a distance of 345.00 feet to the east line of said
Government Lot 1; thence North 0 degrees 46 minutes 09 seconds West, a distance of 22.10 feet
at a distance of 22.10 feet to the point of beginning. Subject to an
easement for ingress and egress over 66.00 feet in width, over, under, and across part of
Government Lot 1, Section 16, Township 55, Range 24. The centerline of said easement is
described as follows: commencing at the northeast corner of said Government Lot 1; thence
South 0 degrees 46 minutes 09 seconds West, bearing assumed, along the east line thereof;
a distance of 750.00 feet to the point of beginning of the centerline to be described; thence
North 89 degrees 08 minutes 51 seconds West, a distance of 845.00 feet; thence South 7
degrees 18 minutes 51 seconds East, a distance of 302.89 feet, and there terminating; and
(2) Lots 1 through 4 of Block 2 and Outlot "B," Loons Landing, according to the plat
thereof on file and of record in the Office of the Itasca County Recorder.

(d) The land borders Trout Lake. The Department of Natural Resources has determined
that the land is not needed for natural resource purposes and that the state's land management
interests would best be served if the land was returned to private ownership.

Sec. 15. CONVEYANCE OF SURPLUS STATE LAND BORDERING PUBLIC
WATER; LAKE COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, or any other
state law to the contrary and unless prohibited by federal law, the commissioner of natural
resources may convey to the city of Two Harbors for no consideration the surplus land that
is described in paragraph (c).

(b) The conveyance must be in a form approved by the attorney general and must provide
that the proceeds of the sale of any portion of the land described in paragraph (c) by the city
be paid to the state. The attorney general may make changes to the land description to correct
errors and ensure accuracy.

(c) The land to be sold is located in Lake County and is described as:

(1) that part of Government Lot 1, Section 1, Township 52 North, Range 11 West of the
4th Principal Meridian, Lake County, Minnesota, lying southerly and easterly of the following
described lines: commencing at the center east 1/16 corner; thence along the North-South
1/16 line on an assumed bearing of North 00 degrees 46 minutes 07 seconds East 144.23
feet; thence North 67 degrees 30 minutes 43 seconds 385.00 feet; thence North 22
degrees 29 minutes 17 seconds East 24.00 feet; thence South 67 degrees 30 minutes 43
seconds East 385.00 feet; thence easterly a distance of 232.90 feet along a tangential curve
concave to the North having a radius of 611.85 feet and central angle of 21 degrees 48
minutes 36 seconds; thence South 89 degrees 19 minutes 19 seconds East 1,015.67 feet;
ence South 00 degrees 40 minutes 41 seconds West 35.00 feet; thence South 89 degrees
19 minutes 19 seconds East 73.08 feet to the east line of said Government Lot 1 and the
point of beginning of said line; thence North 89 degrees 19 minutes 19 seconds West 877.08
feet; thence North 00 degrees 40 minutes 41 seconds East 11.00 feet; thence North 89
degrees 19 minutes 19 seconds West 28.86 feet; thence South 0 degrees 51 minutes 25
seconds West 19.82 feet to a 3/4-inch by 24-inch rebar marked "MN DNR LS 16098" (DNR
monument); thence continuing South 00 degrees 51 minutes 25 seconds West 484.06 feet
to a DNR monument; thence continuing South 00 degrees 51 minutes 25 seconds West 78
feet, more or less to the shore of Lake Superior and there terminating; containing 14.5 acres, more or less (parcel identification number 23-7600-01415);

(2) that part of Government Lot 3, Section 6, Township 52 North, Range 10 West of the Fourth Principal Meridian, described as follows: commencing at the West Quarter corner of said Section 6 (northwest corner of said Government Lot 3); thence North 88 degrees 43 minutes 09 seconds East along the north line of said Government Lot 3 a distance of 485.19 feet; thence South 00 degrees 20 minutes 34 seconds East a distance of 16 feet, more or less, to the south line of the northerly 16 feet of said Government Lot 3, being the point of beginning of the parcel described herein; thence continuing South 00 degrees 20 minutes 34 seconds East a distance of 584 feet, more or less, to a line lying within 600 feet and South of the North boundary of said Government 3; thence westerly, along said line, to the west line of said Government Lot 3; thence northerly, along the west line of the said Government Lot 3 to the south line of the northerly 16 feet of said Government Lot 3; thence easterly along the south line of the northerly 16 feet of said Government Lot 3 to the point of beginning; except minerals (parcel identification number 23-7600-06605);

(3) together with that part of Government Lot 3, Section 6, Township 52 North, Range 10 West of the 4th Principal Meridian, Lake County, Minnesota lying West of the following described line: commencing at the West Quarter corner of said Section 6 (northwest corner of said Government Lot 3); thence North 88 degrees 43 minutes 09 seconds East along the north line of said Government Lot 3 a distance of 485.19 feet to the point of beginning of said line; thence South 00 degrees 20 minutes 34 seconds East a distance of 766.64 feet; thence South 54 degrees 38 minutes 48 seconds West a distance of 235 feet, more or less, to the shore of Lake Superior, and there terminating, except that part lying within 600 feet and South of the North boundary of said Government Lot 3; containing 2.4 acres, more or less (parcel identification number 23-7600-06607); and

(4) that part of Government Lot 3, Section 6, Township 52 North, Range 10 West, of the Fourth Principal Meridian, described as follows: commencing at the West Quarter corner of said Section 6 (northwest corner of said Government Lot 3); thence North 88 degrees 43 minutes 09 seconds East along the north line of said Government Lot 3 a distance of 485.19 feet; thence South 00 degrees 20 minutes 34 seconds East a distance of 766.64 feet, to a 5/8-foot rebar marked "RLS No. 16089," also being the point of beginning; thence South 25 degrees 10 minutes 17 seconds East a distance of 51.74 feet to a 3/4-inch by 12-inch rebar marked "MN DNR LS 16098" (DNR monument); thence South 30 degrees 09 minutes 12 seconds East a distance of 583.16 feet to a DNR monument; thence South 88 degrees 01 minute 03 seconds West a distance of 124.04 feet to a DNR monument; thence South
07 degrees 58 minutes 29 seconds East a distance of 517.23 feet to a DNR monument; thence continuing South 07 degrees 58 minutes 29 seconds East a distance of 76 feet, more or less, to the shoreline of Lake Superior; thence northwesterly, northerly, northeasterly, and northwesterly a distance of 1,390 feet, more or less, along said shoreline to point which bears South 54 degrees 38 minutes 48 seconds West from the point of beginning; thence North 54 degrees 38 minutes 48 seconds East a distance of 25 feet, more or less, to a DNR monument; thence continuing North 54 degrees 38 minutes 48 seconds East a distance of 210.00 feet to the point of beginning and there terminating (parcel identification number 23-7600-06611).

(d) The commissioner has determined that the land is no longer needed for any state purpose and that the state's land management interests would best be served if the land was conveyed to the city of Two Harbors.

Sec. 16. PRIVATE SALE OF SURPLUS STATE LAND; PINE COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 94.09 and 94.10, the commissioner of natural resources may sell by private sale the surplus land that is described in paragraph (c), subject to the state's reservation of a perpetual flowage easement.

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be sold is located in Pine County and is described as: the north 2 rods of the Southeast Quarter of Section 10, Township 38 North, Range 22 West, Pine County, Minnesota.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land was returned to private ownership.

Sec. 17. LAND EXCHANGE; ST. LOUIS COUNTY.

(a) Notwithstanding Minnesota Statutes, section 92.461, and the riparian restrictions in Minnesota Statutes, section 94.342, subdivision 3, St. Louis County may, with the approval of the Land Exchange Board as required under the Minnesota Constitution, article XI, section 10, and according to the remaining provisions of Minnesota Statutes, sections 94.342 to 94.347, exchange the land described in paragraph (c).
(b) The conveyance must be in the form approved by the attorney general. The attorney general may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The lands that may be conveyed are located in St. Louis County and are described as:

101.6  (1) Sections 1 and 2, Township 53 North, Range 18 West;

101.7  (2) Sections 19, 20, 29, 30, 31, and 32, Township 54 North, Range 17 West;

101.8  (3) Sections 24, 25, 26, and 35, Township 54 North, Range 18 West;

101.9  (4) Sections 22, 23, 26, and 27, Township 54 North, Range 19 West; and

101.10 (5) Sections 8, 9, 17, and 18, Township 55 North, Range 18 West.

Sec. 18. LAND ACQUISITION TRUST FUND; ST. LOUIS COUNTY.

Notwithstanding Minnesota Statutes, chapter 282, and any other law relating to the apportionment of proceeds from the sale of tax-forfeited land, St. Louis County may deposit proceeds from the sale of tax-forfeited lands into a tax-forfeited land acquisition trust fund established by St. Louis County under this section. The principal and interest from the fund may be spent on the purchase of lands better suited for retention and management by St. Louis County. Lands purchased with money from the land acquisition trust fund must:

(1) become subject to a trust in favor of the governmental subdivision wherein the lands lie and all laws related to tax-forfeited lands; and

(2) be used for forestry, mineral management, or environmental services.

Sec. 19. PRIVATE SALE OF TAX-FORFEITED LANDS; ST. LOUIS COUNTY.

(a) Notwithstanding the public sale provisions of Minnesota Statutes, chapter 282, or other law to the contrary, St. Louis County may sell by private sale the tax-forfeited lands described in paragraph (c).

(b) The conveyances must be in a form approved by the attorney general. The attorney general may make changes to the land descriptions to correct errors and ensure accuracy.

(c) The lands to be sold are located in St. Louis County and are described as:

(1) Lots 23 through 30, including part of adjacent vacant alley, Block 54, Bay View Addition to Duluth No. 2, Township 49, Range 15, Section 11 (parcel identification number 010-0230-03300); and
(2) Lot 2, except the South 760 feet, Township 62, Range 20, Section 18 (part of parcel identification number 430-0010-02916).

(d) The county has determined that the county’s land management interests would best be served if the lands were returned to private ownership.

Sec. 20. PRIVATE SALE OF SURPLUS LAND BORDERING PUBLIC WATER; SHERBURNE COUNTY.

(a) Notwithstanding Minnesota Statutes, sections 92.45, 94.09, and 94.10, the commissioner of natural resources may sell by private sale the surplus land bordering public water that is described in paragraph (c) for less than market value.

(b) The commissioner may make necessary changes to the legal description to correct errors and ensure accuracy.

(c) The land that may be conveyed is located in Sherburne County and is described as: that part of the North 595.50 feet of Government Lot 6, Section 31, Township 34 North, Range 27 West, Sherburne County, Minnesota, lying southerly of the following described line: commencing at a Minnesota Department of Conservation monument on the south line of the said North 595.50 feet; thence North 89 degrees 38 minutes 17 seconds West, bearing per plat of Eagle Lake Estates Boundary Registration, along said south line 71.28 feet to a Judicial Land Mark; thence North 21 degrees 51 minutes 43 seconds West, along the easterly line of Outlot A of said Eagle Lake Estates Boundary Registration 27.5 feet to the point of beginning; thence North 80 degrees East 72 feet, more or less, to the shoreline of Eagle Lake and there terminating.

(d) The Department of Natural Resources has determined that the land is not needed for natural resource purposes and that the state's land management interests would best be served if the land were returned to private ownership.

Sec. 21. REPEALER.

Laws 2012, chapter 236, section 28, subdivision 9, as amended by Laws 2016, chapter 154, section 11, Laws 2019, First Special Session chapter 4, article 4, section 7, is repealed.

EFFECTIVE DATE. This section is effective the day following final enactment.
97B.318 ARMS USE AREAS AND RESTRICTIONS; REGULAR FIREARMS SEASON.

Subdivision 1. Shotgun use area. During the regular firearms season in the shotgun use area, only legal shotguns loaded with single-slug shotgun shells, legal muzzle-loading long guns, and legal handguns may be used for taking deer. Legal shotguns include those with rifled barrels. The shotgun use area is that portion of the state lying within the following described boundary: Beginning on the west boundary of the state at the northern boundary of Clay County; thence along the northern boundary of Clay County to State Trunk Highway (STH) 32; thence along STH 32 to STH 34; thence along STH 34 to Interstate Highway 94 (I-94); thence along I-94 to County State-Aid Highway (CSAH) 40, Douglas County; thence along CSAH 40 to CSAH 82, Douglas County; thence along CSAH 82 to CSAH 22, Douglas County; thence along CSAH 22 to CSAH 6, Douglas County; thence along CSAH 6 to CSAH 14, Douglas County; thence along CSAH 14 to STH 29; thence along STH 29 to CSAH 46, Otter Tail County; thence along CSAH 46, Otter Tail County, to CSAH 22, Todd County; thence along CSAH 22 to U.S. Highway 71; thence along U.S. Highway 71 to STH 27; thence along STH 27 to the Mississippi River; thence along the east bank of the Mississippi River to STH 23; thence along STH 23 to STH 95; thence along STH 95 to U.S. Highway 8; thence along U.S. Highway 8 to the eastern boundary of the state; thence along the east, south, and west boundaries of the state to the point of beginning.

Subd. 2. All legal firearms use area. The all legal firearms use area is that part of the state lying outside of the shotgun use area.

97C.515 IMPORTED MINNOWS.

Subd. 4. Private fish hatchery or aquatic farm. Live minnows used for feeding fish at a licensed private fish hatchery or aquatic farm must be obtained within the state. Dead minnows may be imported for feeding hatchery or aquatic farm fish according to section 97C.341, paragraph (d).

Subd. 5. Special permits. (a) The commissioner may issue a special permit, without a fee, to allow a person with a private fish hatchery license, which private fish hatchery has been designated as a containment facility under section 17.4982, subdivision 8, to import live minnows from other states for export. A containment facility for the purposes of this section applies to live minnows imported for later export and does not need to comply with section 17.4982, subdivision 8, clause (4). The permit shall include conditions necessary to avoid spreading aquatic invasive species and fish pathogens. Permits shall not be issued to containment facilities located within a 25-year floodplain.

(b) An applicant for a permit under this subdivision shall submit to the commissioner sufficient information to identify potential threats to native plant and animal species and an evaluation of the feasibility of the proposal. The permit may include reasonable restrictions on importation, transportation, possession, containment, disease certification, and disposal of minnows to ensure that native species are protected. The permit may have a term of up to two years and may be modified, suspended, or revoked by the commissioner for cause, including violation of a condition of the permit.

(c) The premises, property, vehicles, private aquatic life, and equipment that are part of a containment facility permitted under this subdivision are subject to reasonable and necessary inspections at reasonable times by a fish health specialist delegated by the commissioner. The owner, operator, or designee may be present when inspections are conducted. During the inspection, a representative sample of imported minnows may be collected for the purpose of fish pathogen or invasive species screening.

(d) The commissioner may require the applicant to furnish evidence of financial responsibility at the time of application for a permit under this section, as prescribed by the commissioner.
Sec. 28. SALE OF TAX-FORFEITED LEASED LANDS; ST. LOUIS COUNTY.

Subd. 9. Sunset. This section expires seven ten years after the effective date.

Sec. 53. ANTLER POINT RESTRICTIONS.

The commissioner of natural resources may not impose an antler point restriction in areas outside the Series 300 deer permit areas, other than that imposed under Minnesota Rules, part 6232.0200, subpart 6, unless the legislature approves the antler point restriction.
6100.5000 SNOWMOBILE REGISTRATION AND DISPLAY OF NUMBERS.

Subp. 3. Affixation of number. The registration number of the snowmobile, shown on the registration certificate, shall be affixed to the snowmobile and maintained in a clear, legible manner. On all machines made after June 30, 1972, and sold in Minnesota, such registration number shall be affixed in the space provided therefor in accordance with part 6100.5700, subpart 4. On all other machines it shall be affixed on each side of the cowling on the upper half of the machine, as follows.

[ Image Not Shown ]

Subp. 4. Description of decal or number; lost or destroyed number or decal. All letters and numbers shall be of a color which will contrast with the surface to which applied, and shall be at least three inches high and three-eighths inch stroke. When any previously affixed registration number or decal is destroyed or lost, a duplicate shall be affixed in the manner shown above. The registration number shall remain the same if renewed by July 1 following the expiration date.

Subp. 5. General prohibition. No person shall operate or transport, and no person shall permit the operation of, a snowmobile within this state which does not have its registration number and unexpired decal affixed in the form and manner required by this part, unless the owner is exempted from the registration requirements of this state by Minnesota Statutes, section 84.82.

6100.5700 REQUIRED EQUIPMENT.

Subp. 4. Snowmobile registration number affixation. All snowmobiles made after June 30, 1972, and sold in Minnesota, shall be designed and made to provide an area on which to affix the snowmobile registration number at the following location and of the following dimensions:

A. A clear area shall be provided on each side of the cowling or pan with the minimum size of 3-1/2 inches vertical by 11 inches horizontal.

B. It shall be a minimum of 12 inches from the ground when the machine is resting on a hard surface.

6232.0350 RESTRICTIONS FOR TAKING DEER; 300 SERIES DEER PERMIT AREAS.

Notwithstanding part 6232.0200, subpart 6, in all 300 series deer permit areas, a legal buck is defined as a deer with a minimum of four antler points on at least one antler. Bucks with fewer antler points than the minimum defined points are protected and not legal for harvest. Youth hunters, age 10 to 17, are exempt from this part.